

HOUSE JOURNAL
OF THE
Fiftieth Legislature
OF THE
STATE OF WASHINGTON
AT
Olympia, the State Capitol

1988 Regular Session
Convened January 11, 1988
Adjourned Sine Die March 10, 1988

1988 First Special Session
Convened March 11, 1988
Adjourned Sine Die March 12, 1988



Joseph E. King, Speaker
John L. O'Brien, Speaker Pro Tempore
Alan Thompson, Chief Clerk
Sharon L. Case, Assistant Chief Clerk
Patsy Ellis, Minute/Journal Clerk

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FIRST DAY

NOON SESSION

House Chamber, Olympia, Monday, January 11, 1988

The House of Representatives of the 1988 Regular Session of the Fiftieth Legislature was called to order at 12:00 noon by the Speaker, Joseph E. King.

The Speaker requested the Sergeant at Arms to escort the members to seats on the floor of the House. The members were preceded by Pipers Wally Clark D.M., John Lumsden P.M., Peter Rolstad P.M., Jack Donaldson and Jack Montgomery P.M.

The flag was escorted to the rostrum by the Honor Guard of the Washington State Patrol, Troopers Mark Brown, Jim Foster and Ken Przygocki.

Prayer was offered by The Reverend Richard Hart of the First Baptist Church of Olympia:

Heavenly Father, there is always a certain overwhelming feeling of awe and wonderment that fills my being as I climb the steps of this great building, enter the doors of this House Chamber, and become aware again that I stand in the midst of freedom at its very best. There is a sense of joy and excitement in the newness which surrounds us today. The opening of a new session at the beginning of another year, a new opportunity to search for solutions to some very difficult problems. A new determination to fulfill promises made months ago, and a newly and beautifully decorated chamber in which to work. We give thanks for it all and for the privilege of being Your servants and the servants of the people of this great state. As we move through this day and on into the heart of the work before us, we ask that You will save each of us from dull routineness that slowly but surely destroys our creative enthusiasm for dealing with those issues and concerns which need our prime effort. Free us from just going through the motions even when we pray at the beginning of each day here in the House. And then, O Lord, because these are obviously days of tough negotiations and compromise is inevitable, grant to these our elected representatives the ability to understand and to accept that which cannot be changed, the perception of and determination to work with that which can be changed, and the wisdom to know the difference. And then our prayer, O Lord, in the midst of all the pressure, tension and long hours demanded in order to get the job done, is that You would let them hear clearly that there are those of us who really do care about them as individuals. Amen.

Prayer was followed by the performance of "Amazing Grace" by John Lumsden P.M. and vocalist Jan Stentz.

MESSAGE FROM THE SECRETARY OF STATE

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

Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that, according to the provisions of RCW 29.62.130, I have canvassed the returns of the votes cast for and against the state measures which were submitted to the vote of the people at the state general election held on the 3rd day of November, 1987, that the total number of ballots cast at this state general election was 918,816 and that the total number of votes cast for and against each of these measures was as follows:

REFERENDUM BILL 41

"Shall the State challenge in the United States Supreme Court the constitutionality of authority delegated to the federal reserve system?"

Yes	282,613
No	541,387

INITIATIVE MEASURE 92

"Shall it be a consumer protection violation for doctors treating Medicare eligible patients to charge more than Medicare's reasonable charges?"

Yes	315,792
No	572,813

SENATE JOINT RESOLUTION 8207

"Shall the Constitution empower superior court judges, after retirement, to complete pending cases in which they had made discretionary rulings?"

Yes	495,273
No	346,428

SENATE JOINT RESOLUTION 8212

"Shall state constitutional restrictions, which prevent investment of some permanent public land funds in stocks and private lending, be removed?"

Yes	260,620
No	551,408

HOUSE JOINT RESOLUTION 4212

"Shall the State Constitution be amended so legislative representatives will be elected for four years and senators for six years?"

Yes	283,742
No	567,782

HOUSE JOINT RESOLUTION 4220

"Shall the Constitution be amended to permit a 15 year state-wide special property tax levy exclusively for school construction purposes?"

Yes	283,118
No	568,196

I further certify that the following is a full, true, and correct abstract of votes cast at the State General Election held on the 3rd day of November, 1987, as canvassed by me from the returns received from the County Auditors of Cowlitz and Clark counties for the offices of State Senator and State Representative, 18th Legislative District:

18th Legislative District

STATE SENATOR

County	Smith (R)	Tanner (D)
Clark	7,139	5,605
Cowlitz	3,864	4,472
Totals	11,003	10,077

STATE REPRESENTATIVE

County	Butterfield (R)	Cooper (D)
Clark	6,899	5,611
Cowlitz	2,996	5,099
Totals	9,895	10,710

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the state of Washington, this 2nd day of December, 1987.

(Seal)

Ralph Munro, Secretary of State

SPEAKER'S PRIVILEGE

The Speaker invited Secretary of State Ralph Munro to assist him with the presentation of certificates of election and appointment.

MESSAGE FROM THE SECRETARY OF STATE

January 11, 1988

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, certify that according to records on file in my office David Cooper was elected at the November 3, 1987 General Election to the position of State Representative, 18th Legislative District, for a one-year unexpired term.

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol.

(Seal)

Ralph Munro, Secretary of State

PRESENTATION OF CERTIFICATE OF ELECTION

The Speaker invited Representative David Cooper within the bar of the House. The Speaker and Secretary of State presented Representative Cooper with the certificate of election, and he took his seat on the floor of the House.

MESSAGE FROM THE SECRETARY OF STATE

January 11, 1988

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, certify that according to records on file in my office Calvin B. Anderson was appointed on November 9, 1987 to fill the vacancy of State Representative of the 43rd Legislative District by the action of the legislative authority of King County and was administered the oath of office on November 9, 1987 by King County Superior Court Judge John Riley as provided by law.

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol.

(Seal)

Ralph Munro, Secretary of State

PRESENTATION OF CERTIFICATE OF APPOINTMENT

The Speaker invited Representative Calvin B. Anderson within the bar of the House. The Speaker and Secretary of State presented Representative Anderson with the certificate of appointment, and he took his seat on the floor of the House.

MESSAGE FROM THE SECRETARY OF STATE

January 11, 1988

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, certify that according to records on file in my office Stan Butterfield was appointed on January 5, 1988 to fill the vacancy of State Representative of the 18th Legislative District by the action of the legislative authorities of Cowlitz and Clark Counties and was administered the oath of office on January 6, 1988 by Region II Court of Appeals Judge Edward Reed as provided by law.

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol.

(Seal)

Ralph Munro, Secretary of State

PRESENTATION OF CERTIFICATE OF APPOINTMENT

The Speaker invited Representative Stan Butterfield within the bar of the House. The Speaker and Secretary of State presented Representative Butterfield with the certificate of appointment, and he took his seat on the floor of the House.

MESSAGE FROM THE SECRETARY OF STATE

January 11, 1988

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, certify that according to records on file in my office Randy Dorn was appointed on December 14, 1987 to fill the vacancy of State Representative of the 2nd Legislative District by the action of the legislative authorities of Pierce and Thurston Counties and was administered the oath of office on December 18, 1987 by Pierce County Superior Court Judge Bruce Cohoe as provided by law.

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol.

(Seal)

Ralph Munro, Secretary of State

PRESENTATION OF CERTIFICATE OF APPOINTMENT

The Speaker invited Representative Randy Dorn within the bar of the House. The Speaker and Secretary of State presented Representative Dorn with the certificate of appointment, and he took his seat on the floor of the House.

MESSAGE FROM THE SECRETARY OF STATE

January 11, 1988

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, certify that according to records on file in my office Jim Fox was appointed on November 11, 1987 to fill the vacancy of State Representative of the 40th Legislative District by the action of the legislative authorities of San Juan, Skagit and Whatcom Counties and was administered the oath of office on November 16, 1987 by San Juan County Superior Court Judge Howard A. Patrick as provided by law.

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol.

(Seal)

Ralph Munro, Secretary of State

PRESENTATION OF CERTIFICATE OF APPOINTMENT

The Speaker invited Representative Jim Fox within the bar of the House. The Speaker and Secretary of State presented Representative Fox with the certificate of appointment, and he took his seat on the floor of the House.

MESSAGE FROM THE SECRETARY OF STATE

January 11, 1988

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, certify that according to records on file in my office Evan Jones was appointed on November 6, 1987 to fill the vacancy of State Representative of the 24th Legislative District by the action of the legislative authorities of Clallam, Jefferson and Grays Harbor Counties and was administered the oath of office on November 9, 1987 by Thurston County Superior Court Judge Robert Doran as provided by law.

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol.

(Seal)

Ralph Munro, Secretary of State

PRESENTATION OF CERTIFICATE OF APPOINTMENT

The Speaker invited Representative Evan Jones within the bar of the House. The Speaker and Secretary of State presented Representative Jones with the certificate of appointment, and he took his seat on the floor of the House.

ROLL CALL

The Clerk called the roll and all members were present except Representatives Allen and Brekke, who were excused.

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

MOTION

On motion of Mr. Ebersole, the rules were suspended to allow the House to consider House Floor Resolution No. 88-4710.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4710, by Representatives Ebersole and Brough

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

On motion of Mr. Ebersole, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Floor Resolution No. 4710, the Speaker appointed Representatives Baugher, Unsoeld, Brooks and Schmidt to notify the Senate that the House of Representatives was organized and ready to conduct business.

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

INTRODUCTIONS AND FIRST READING

HCR 4428 by Representatives Ebersole and Ballard

Appointing a committee to notify the governor that the legislature is organized and ready to conduct business.

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

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

The resolution was adopted.

There being no objection, House Concurrent Resolution No. 4428 was ordered immediately transmitted to the Senate.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Concurrent Resolution No. 4428, the Speaker appointed Representatives Belcher, Wineberry, Nealey and Silver to notify the Governor that the Legislature was organized and ready to conduct business.

HCR 4425 by Representatives Ebersole and Ballard

Providing for the reintroduction of measures introduced during the 1987 legislative session.

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

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

The resolution was adopted.

There being no objection, House Concurrent Resolution No. 4425 was ordered immediately transmitted to the Senate.

HCR 4426 by Representatives Ebersole and Ballard

Establishing cut-off dates for the 1988 regular session of the legislature.

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

Mr. Ebersole moved adoption of the following amendments by Representatives Ebersole and Ballard:

On page 1, line 9 after "budgets," insert "matters relating to public employees' health insurance coverage."

On page 1, line 12 after "budgets," insert "matters relating to public employees' health insurance coverage."

On page 1, line 17 after "budgets" insert ", and matters relating to public employees' health insurance coverage"

On page 1, line 20 after "budgets," insert "and matters relating to public employees' health insurance coverage."

On page 1, line 28 after "budgets," insert "matters relating to public employees' health insurance coverage."

On page 2, line 1 after "budgets," insert "matters relating to public employees' health insurance coverage."

On page 2, line 5 after "committee" insert "with the exception of the supplemental budgets and matters necessary to implement budgets, and matters relating to public employees' health insurance coverage"

Representatives Ebersole and Sprengle spoke in favor of the amendments, and they were adopted.

The resolution was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Ebersole spoke in favor of the resolution, and it was adopted.

There being no objection, Engrossed House Concurrent Resolution No. 4426 was ordered immediately transmitted to the Senate.

HCR 4427 by Representatives Ebersole and Ballard

Calling a joint session of the legislature to receive the governor's state of the state message.

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

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

The resolution was adopted.

There being no objection, House Concurrent Resolution No. 4427 was ordered immediately transmitted to the Senate.

HB 1265 by Representatives Armstrong, Crane, Brough, Butterfield, Leonard, Lewis, Miller and P. King

AN ACT Relating to homicide by abuse; amending RCW 9.94A.360 and 9A.76.170; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1266 by Representatives Walk, Zellinsky, S. Wilson, Brough, Pruitt, Wang, Fisher, Schoon and P. King

AN ACT Relating to ferry construction; adding a new section to chapter 39.08 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 1267 by Representatives Walk, Zellinsky, S. Wilson, Brough, Pruitt, Wang, Fisher, Schoon and P. King

AN ACT Relating to ferry construction; adding a new section to chapter 39.08 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 1268 by Representatives Sutherland, Gallagher, Jesernig, Betzoff, Appelwick, Brooks, Meyers, May, Grant, Barnes, Leonard, J. Williams, Moyer, Ferguson, Belcher, Bumgarner, P. King, D. Sommers and Dellwo

AN ACT Relating to telecommunications; adding new sections to chapter 80.36 RCW; and creating a new section.

Referred to Committee on Energy & Utilities.

HB 1269 by Representatives Braddock, Brooks, D. Sommers, Kremen, Vekich, Grant, Dellwo, Hine, May and P. King; by request of Department of Corrections

AN ACT Relating to tolling and community supervision; amending RCW 9.94A.170, 9.94A.383, and 9.94A.400; reenacting and amending RCW 9.94A.120; creating a new section; and declaring an emergency.

Referred to Committee on Health Care.

HB 1270 by Representatives Braddock, Brooks, D. Sommers, Kremen, Vekich, Dellwo, Hine, May and P. King; by request of Department of Corrections

AN ACT Relating to work training release; amending RCW 9.94A.150; and declaring an emergency.

Referred to Committee on Health Care.

HB 1271 by Representatives Armstrong, Brooks, Braddock, May and P. King; by request of Department of Corrections

AN ACT Relating to the department of corrections; amending RCW 72.13.110, 72.13.160, 72.02.100, 72.02.110, 72.13.120, 72.13.130, 72.13.140, 72.13.150, 72.13.160, and 72.08.380; reenacting and amending RCW 72.01.050; adding new sections to chapter 72.02 RCW; recodifying RCW 72.12.160, 72.13.110, 72.13.120, 72.13.130, 72.13.140, 72.13.150, 72.13.160, 72.15.060, and 72.08.380; and repealing RCW 72.02.050, 72.08.010, 72.08.020, 72.08.040, 72.08.045, 72.08.050, 72.08.080, 72.08.090, 72.08.101, 72.08.102, 72.08.103, 72.08.120, 72.08.130, 72.08.160, 72.12.010, 72.12.020, 72.12.040, 72.12.070, 72.12.090, 72.12.100, 72.12.140, 72.13.001, 72.13.010, 72.13.040, 72.13.050, 72.13.060, 72.13.080, 72.13.091, 72.13.100, 72.13.170, 72.15.010, 72.15.020, 72.15.030, 72.15.040, 72.15.050, and 72.15.070.

Referred to Committee on Health Care.

HB 1272 by Representatives H. Sommers, Hankins and Crane; by request of Department of Corrections

AN ACT Relating to department of corrections employee assault benefits; amending RCW 72.09.240; and repealing RCW 72.09.250.

Referred to Committee on State Government.

HB 1273 by Representatives R. King, Sayan, Winsley, Wang and Jones

AN ACT Relating to collective bargaining; and adding a new section to chapter 41.56 RCW.

Referred to Committee on Commerce & Labor.

HB 1274 by Representatives Nealey, Grant, Bumgarner, Moyer, McLean and Rayburn

AN ACT Relating to ethanol motor fuels; adding a new chapter to Title 46 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1275 by Representatives Nealey, Bumgarner, Smith, Moyer and McLean

AN ACT Relating to dispensing gasohol at state facilities; and amending RCW 43.41.130.

Referred to Committee on Transportation.

HB 1276 by Representatives Amondson, Holm, Basich, Prince, Beck, Taylor, Betzozoff, Hankins, Miller, Silver, Unsoeld, Belcher, D. Sommers, Moyer, May and Ferguson

AN ACT Relating to the creation of the twenty-fourth community college district; amending RCW 28B.50.040; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1277 by Representatives Winsley, Crane, Day, May and Schoon

AN ACT Relating to the sale of clove cigarettes; adding a new section chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Health Care.

HB 1278 by Representative Winsley

AN ACT Relating to the removal of weeds from lakes; and adding a new section to chapter 90.24 RCW.

Referred to Committee on Local Government.

HB 1279 by Representatives Braddock, Brooks and May; by request of Department of Corrections

AN ACT Relating to financial and legal obligations for victims of crime; amending RCW 9.94A.200 and 9.94A.380; and reenacting and amending RCW 9.94A.120.

Referred to Committee on Health Care.

HB 1280 by Representatives Braddock, Brooks, Sprenkle, Crane, May and P. King; by request of Department of Corrections

AN ACT Relating to custodial assault; and amending RCW 9A.36.100.

Referred to Committee on Health Care.

HB 1281 by Representative Taylor

AN ACT Relating to liens for utility services; and adding a new chapter to Title 60 RCW.

Referred to Committee on Judiciary.

HB 1282 by Representatives Taylor, Day, Padden, S. Wilson, Ballard, Bumgarner, Dellwo, May and Moyer

AN ACT Relating to exemptions from tuition and fees for certain nonresidents; and amending RCW 28B.15.014.

Referred to Committee on Higher Education.

HB 1283 by Representatives Padden, Hargrove, Taylor and May

AN ACT Relating to motor vehicle excise tax; amending RCW 82.44.060; and providing an effective date.

Referred to Committee on Transportation.

HB 1284 by Representatives J. King, Fisher, Crane, Meyers, Pruitt, Todd, Leonard, Belcher, Winsley, Hine, Nelson, Unsoeld and Bristow

AN ACT Relating to campaign financing; amending RCW 42.17.105; adding new sections as new subchapters in chapter 42.17 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Constitution, Elections & Ethics.

HB 1285 by Representatives Taylor, Day, Padden, S. Wilson, Prince, Bumgarner, Dellwo, Smith, May, Moyer and Silver

AN ACT Relating to grain dealers; and amending RCW 22.09.035.

Referred to Committee on Agriculture & Rural Development.

HB 1286 by Representatives Wang and Patrick; by request of Washington State Gambling Commission

AN ACT Relating to promotional contests of chance; amending RCW 9.46.0355, 9.46-.070, 9.46.075, 9.46.150, 9.46.160, and 9.46.300; adding a new section to chapter 9.46 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1287 by Representatives Haugen, Ferguson, Kremen, S. Wilson and May

AN ACT Relating to financing statements under the uniform commercial code; amending RCW 62A.9-402; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1288 by Representatives Haugen, S. Wilson, Rust, Ferguson, Kremen, Baugher, Cole, Vekich, Rayburn and P. King

AN ACT Relating to regulation of hours for Washington state liquor control board outlets; and amending RCW 66.16.080.

Referred to Committee on Commerce & Labor.

HB 1289 by Representatives Lewis, Miller, McLean, Brough, Braddock, Nealey, Day, Zellinsky, Kremen, Patrick, Butterfield, Ballard, Dellwo, Winsley, Mary, Schoon, Doty, Rayburn and P. King

AN ACT Relating to utility regulation; and amending RCW 80.36.410, 80.36.420, and 80.36.470.

Referred to Committee on Energy & Utilities.

HB 1290 by Representatives Belcher, May and Rust; by request of Interagency Committee for Outdoor Recreation

AN ACT Relating to the interagency committee for outdoor recreation; and amending RCW 43.99.142.

Referred to Committee on Natural Resources.

HB 1291 by Representatives Cole, Patrick and Wang; by request of Liquor Control Board

AN ACT Relating to the sale of liquor collector items; amending RCW 66.04.010; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 1292 by Representatives Jones, Patrick and Wang; by request of Liquor Control Board

AN ACT Relating to employees of liquor-licensed premises who are eighteen to twenty-one years of age; and amending RCW 66.44.350.

Referred to Committee on Commerce & Labor.

HB 1293 by Representatives R. King, Walker and Wang; by request of Liquor Control Board

AN ACT Relating to notations on liquor licenses; and amending RCW 66.24.010.

Referred to Committee on Commerce & Labor.

HB 1294 by Representatives Jones, Patrick and Wang; by request of Liquor Control Board

AN ACT Relating to a liquor broker's license; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 1295 by Representatives Wang, Walker and Cole; by request of Liquor Control Board

AN ACT Relating to fees for liquor licenses; amending RCW 66.24.380 and 66.24.500; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 1296 by Representatives Wang, Patrick, Cole, Jones and Ferguson; by request of Liquor Control Board

AN ACT Relating to the reporting and delivering of seized liquor to the liquor control board; and repealing RCW 66.32.090.

Referred to Committee on Commerce & Labor.

HB 1297 by Representatives Rayburn, Nealey, Kremen and McLean

AN ACT Relating to irrigation district foreclosure of property with delinquent assessments; amending RCW 87.03.270; adding a new chapter to Title 87 RCW; and repealing RCW 87.03.310, 87.03.315, 87.03.320, 87.03.325, 87.03.330, 87.03.335, 87.03.340, 87.03.345,

87.03.350, 87.03.355, 87.03.360, 87.03.370, 87.03.375, 87.03.380, 87.03.385, 87.03.390, 87.03.395, 87.03.400, 87.03.405, 87.03.410, and 87.03.415.

Referred to Committee on Agriculture & Rural Development.

HB 1298 by Representatives Patrick and Leonard

AN ACT Relating to horse race meet licensing; amending RCW 67.16.050; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1299 by Representatives Patrick, Cole and Crane

AN ACT Relating to the issuance of class E and F liquor licenses; and amending RCW 66.24.360 and 66.24.370.

Referred to Committee on Commerce & Labor.

HB 1300 by Representatives Basich, Sayan and Bumgarner; by request of Department of Fisheries

AN ACT Relating to charter boats; and amending RCW 75.28.095.

Referred to Committee on Natural Resources.

HB 1301 by Representatives Nutley, Leonard, Rayburn, J. Williams, Wang, Grant, R. King and Unsoeld

AN ACT Relating to farm-worker housing; adding a new section to chapter 19.27 RCW; adding a new section to chapter 19.27A RCW; adding a new chapter to Title 70 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Housing.

HB 1302 by Representatives Kremen, Patrick, Fisher, Rayburn, Lux, Cooper, Basich, K. Wilson, Lewis, Cole, Holm, Haugen, Brække, Barnes, Holland, Neeley, Sutherland, Sprengle, Cantwell, Walker, Betzoff, Meyers, Hargrove, Baugher, Rasmussen, Silver, Fuhrman, Spanel, Fox, Jones, Peery, Ebersole, Dellwo, Heavey, Leonard, Zellinsky, Day, Vekich, Crane, Moyer, Butterfield, D. Sommers, Braddock, Pruitt, Brough, Todd, Ballard, O'Brien, Winsley, Hine, May, Hankins, Miller, Schoon, Doty, Ferguson and P. King

AN ACT Relating to sexual offenses; amending RCW 9A.44.050, 9A.44.100, and 9A.44-010; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1303 by Representatives Kremen, Haugen, Fuhrman, Hargrove, Braddock, Jones, Spanel and Bristow

AN ACT Relating to border areas; amending RCW 66.08.190; adding a new section to chapter 66.08 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1304 by Representatives Kremen, Rayburn, Vekich, Grimm, Braddock and Walk

AN ACT Relating to marketing agreements; and adding a new section to chapter 15.65 RCW.

Referred to Committee on Agriculture & Rural Development.

HB 1305 by Representatives Patrick, Crane and Barnes

AN ACT Relating to the location of energy recovery or incineration facilities for the treatment of solid waste; adding a new section to chapter 70.95 RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 1306 by Representatives Peery, Betzoff, Cole, Schoon, Pruitt, Wang, Holland, Silver, Cooper, Fisher, Meyers, Day, Taylor, Grimm, Rasmussen, Basich, Walker, Todd, Dellwo, Winsley, May, Doty, Spanel, Amondson, McLean, D. Sommers, Moyer, Ferguson and P. King

AN ACT Relating to the appropriate use of disciplinary authority and the protection of classified school employees; and amending RCW 28A.87.230, 28A.87.231, and 28A.87.232.

Referred to Committee on Education.

HB 1307 by Representatives Armstrong, Padden, Dellwo, Day, O'Brien, Crane, Brough, Butterfield, D. Sommers, Locke, Pruitt, Jones, Todd, Ballard, Lewis, May, Moyer, Silver, Cooper, Bristow, Holland, Ferguson and P. King; by request of Governor Gardner

AN ACT Relating to sexual offenses; amending RCW 9A.44.070, 9A.44.080, 9A.44.090, 9A.44.100, 9.94A.440, 9A.46.060, 9A.88.030, 13.40.020, 13.40.110, and 70.125.030; reenacting and amending RCW 9.94A.030, 9.94A.320, and 9A.04.080; adding new sections to chapter 9A.44 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 1308 by Representatives Haugen, Betzoff and Walker

AN ACT Relating to educational employment labor relations; amending RCW 41.59-.020 and 41.59.120; adding new sections to chapter 41.59 RCW; and prescribing penalties.

Referred to Committee on Education.

HJM 4029 by Representatives Nealey, Grant, McLean, Rayburn and Smith

Petitioning for the increase of ethanol in motor fuel.

Referred to Committee on Transportation.

MOTION

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

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

MOTION

On motion of Mr. Ebersole, the rules were suspended to allow the House to consider House Floor Resolution No. 88-4711.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4711, by Representatives Ebersole and Prince

BE IT RESOLVED, That the Permanent Rules of the House of Representatives, Fiftyeth Legislature, as adopted in House Floor Resolution 87-4603, be amended as follows:

"STANDING COMMITTEES

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

1. Agriculture & Rural Development	14
2. Commerce & Labor	11
3. Constitution, Elections & Ethics	7
4. Education	21
5. Energy & Utilities	15
6. Environmental Affairs	14
7. Financial Institutions & Insurance	15
8. Health Care	11
9. Higher Education	13
10. Housing	9
11. Human Services	9
12. Judiciary	17
13. Local Government	((+3)) 14
14. Natural Resources	19
15. Rules	19
16. State Government	9

17. Trade & Economic Development	19
18. Transportation	30
19. Ways & Means	31
Appropriations subcommittee	23
Revenue subcommittee	11*

Mr. Ebersole spoke in favor of the resolution, and it was adopted.

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

STANDING COMMITTEE ASSIGNMENTS

The Speaker announced the following changes in standing committee assignments:

Representative Allen, from Committee on Ways & Means/ Appropriations to Committee on Transportation;

Representative Anderson, to Committee on Financial Institutions & Insurance, Committee on Human Services, and Committee on State Government (Vice Chair);

Representative Ballard, from Committee on Natural Resources;

Representative Belcher, from Committee on Trade & Economic Development to Committee on Judiciary;

Representative Brough, from Committee on Transportation to Committee on Ways & Means/Appropriations;

Representative Butterfield, to Committee on Education, Committee on Local Government, Committee on Natural Resources, and Committee on Ways & Means/Appropriations;

Representative Dellwo, from Committee on Transportation to Committee on Ways & Means/Revenue;

Representative Dorn, to Committee on Financial Institutions & Insurance, Committee on Local Government, and Committee on Natural Resources;

Representative Ebersole, from Committee on Housing to Committee on Rules;

Representative Fox, to Committee on Higher Education, Committee on Trade & Economic Development, and Committee on Transportation;

Representative Hargrove, to Committee on Rules;

Representative Heavey, from Committee on Judiciary to Committee on Trade & Economic Development;

Representative Jacobsen, from Committee on Agriculture & Rural Development to Committee on Transportation;

Representative Jones, to Committee on Commerce & Labor, Committee on Local Government, and Committee on Transportation;

Representative R. King, from Committee on Natural Resources to Committee on Agriculture & Rural Development, and Committee on Constitution, Elections & Ethics;

Representative Meyers, from Committee on Financial Institutions & Insurance to Committee on Judiciary;

Representative Peery, to Education (Chair);

Representative Sayan, from Committee on State Government;

Representative Spanel, from Committee on Transportation to Committee on Ways & Means/Appropriations;

Representative Wang, from Committee on Human Services to Committee on Ways & Means/Appropriations;

Representative Wineberry, from Committee on Higher Education to Committee on Housing.

POINT OF PERSONAL PRIVILEGE

Mr. Smith: Ladies and gentlemen of the House of Representatives, today I handed to the Speaker an invitation from the City of Ellensburg which I would like inserted into the record. To explain what was said and what the invitation is all about, it was just one hundred years ago on this date, the first day of the first week of 1888, that an admissions convention was held in Ellensburg at the Old County Courthouse which still stands today. This convention of citizens was made up of

people from all over the state and had ambitions to go back to Congress to ask that the Territory of Washington become a state.

A year from now, in January, we will be celebrating that one hundredth anniversary. Ellensburg wanted to be a part of this, so yesterday Representative Chandler and myself and Senator Hansen met a posse and a group of citizens from the Kittitas/Ellensburg area along with those from Thurston County. A group of horsemen rode into the Capitol Building and presented the First Lady of our state a handmade leather pouch which had in it the invitation to her and Governor Gardner to attend this ceremony next year, January 3rd through the 7th, in Ellensburg. At that same time we received the invitation to present to the House of Representatives. It has been my honor to give this to the Speaker and to read this into the record.

POINT OF PERSONAL PRIVILEGE

Mr. Chandler: Thank you, Mr. Speaker. I appreciate the opportunity to add my few comments to the invitation to all of you to visit Ellensburg on the 3rd through the 7th of this coming January. I don't know how many of you know it, but the City of Ellensburg came quite close to being the State Capital. If it would have been, you would have been enjoying about 20-25 degree weather this morning. So I think that would really wake us up, make us really get in and work a little harder, Mr. Speaker, and get our job over with. We wouldn't have any problem in getting out in sixty days at all. We are planning a big event and would certainly appreciate all of you attending that event from the 3rd through the 7th.

The Clerk read the following invitation:

To the Members of the
Washington State House of Representatives

The Honor of Your Company
is requested at
the Centennial Celebration
of the
Washington State Admissions Convention
in Ellensburg, Washington
by the people of the
City of Ellensburg
and
the State of Washington
Tuesday, the Third of January
through
Saturday, the Seventh of January
Nineteen Hundred Eighty-Nine

Janiece Cook, Mayor
City of Ellensburg

REPORT OF SPECIAL COMMITTEE

The special committee appointed under the provisions of House Concurrent Resolution No. 4428 appeared at the bar of the House and reported that they had notified the Governor that the Legislature was organized and ready to conduct business.

The report was received and the committee was discharged.

POINT OF PERSONAL PRIVILEGE

Ms. Hine: Thank you, Mr. Speaker. I think it would be fitting that we take a moment and look around us at the absolutely beautiful job that has been done in our Chambers. I think it has brightened it and has made it look absolutely elegant. I'm certain that our behavior here will reflect that kind of improvement in decor. Also, notice that those beautiful gold eagles are up there. Most of didn't even notice that they were there before. If we saw them, we thought they were vultures. I would like to point out that they are indeed eagles and maybe that also will influence our behavior here. I think that a word of thanks to those who had the foresight and vision for this kind of massive restoration of our gorgeous Capitol

Building and that we are now able to begin our session in these beautiful surroundings deserve a round of applause and thanks from all of us.

The Speaker declared the House to be at ease.
The Speaker called the House to order.

REPORT OF SPECIAL COMMITTEE FROM SENATE

A special committee from the Senate, consisting of Senators L. Smith, West, Madsen and McMullen, appeared at the bar of the House and reported that the Senate was organized and ready to conduct business.

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

REPORT OF SPECIAL COMMITTEE

The special committee appointed under the terms of House Floor Resolution No. 88-4710 appeared at the bar of the House and reported that they had notified the Senate that the House of Representatives was organized and ready to conduct business.

The report was received and the special committee was discharged.

POINT OF PERSONAL PRIVILEGE

Mr. Ebersole: Thank you Mr. Speaker. I wanted to take this opportunity to say to the other side of the aisle that we hope to have a productive and cooperative session. We think there is opportunity to pass some significant legislation to reform campaign financing, to come up with some well-reasoned nuclear energy policy, and to establish a liveable minimum wage for the citizens of the state. We look forward to working cooperatively with you. We've had a good relationship in the past. We've all become fairly good friends and we are aware that we have much more in common than we have differences. We all have a great respect for this enduring institution and we are all humbled by the experience to serve in a representative assembly in a free and open democracy. That's a privilege that very few people on earth enjoy and we all want to leave our children with a more stable, compassionate, productive society than we now know. With those words we look forward to working with you and to working with our colleagues across the rotunda, to their leaders over there who are directing their activity. We look forward to a good session.

POINT OF PERSONAL PRIVILEGE

Ms. Brough: Thank you, Mr. Speaker. I wish to rise and welcome all of us back to Olympia with a special warm welcome to our new colleagues. We, too, believe that this will be a productive session. We plan to work together for the good of the people of this state. We understand that we have differences. My colleague across the aisle has mentioned some major agenda items. We, too, have issues that we feel must be addressed. Chief among these are tax reform and spending reform. The welfare of the people in this state depends upon how we deal with these issues. Postponement of discussion of these issues is not the approach that is needed. This is a nonbudget writing year for us; it is the year when we have the time to focus on the major items of tax reform and spending reform.

We have additional issues that we wish to address this session as well. The one party consent bill that is so absolutely needed to help with the growing drug problem in our cities. The child rape statute reform--we worked on that last year and there was much, very bitter partisan discussion on that. I think that we have a solution to offer to you that is probably one of the best efforts of this House. The Representative from the 37th District and I put together an ad hoc committee over the period of the summer and we have worked a good solution to the child rape problem. Bipartisan cooperation can work. Another issue that we really need to have before us is a very full and open discussion on privatization. This is a very significant tool that we can use to have the best return for our taxpayers' dollars in this state. I could mention other issues, but I'll save them for another few speeches in the following few days. But most importantly, we have to be able to blend our ideas and to have all sides of an issue participate in reaching workable, positive solutions. I welcome you back and we will look forward to the work. Thank you.

MOTION

On motion of Mr. Ebersole, the House adjourned until 5:00 p.m., Tuesday, January 12, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

SECOND DAY

AFTERNOON SESSION

House Chamber, Olympia, Tuesday, January 12, 1988

The House was called to order at 5:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Allen, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joseph Fahey and Karen Christensen. Prayer was offered by The Reverend Ron Hastie, Minister of the Evergreen Christian Center of Olympia.

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

MESSAGE FROM THE SENATE

January 11, 1988

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4425,
 ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4426,
 HOUSE CONCURRENT RESOLUTION NO. 4427,
 HOUSE CONCURRENT RESOLUTION NO. 4428,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1309 by Representatives Lux and Wang

AN ACT Relating to collective bargaining for district and municipal court employees; and amending RCW 41.56.020 and 41.56.030.

Referred to Committee on Commerce & Labor.

HB 1310 by Representative P. King

AN ACT Relating to motorcycle rider safety education; amending RCW 46.68.065; creating a new chapter in Title 46 RCW; and repealing RCW 46.20.520.

Referred to Committee on Transportation.

HB 1311 by Representative P. King

AN ACT Relating to all-terrain vehicles; amending RCW 46.09.020; creating a new chapter in Title 46 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1312 by Representatives Locke, Holland and Grimm; by request of Office of Financial Management

AN ACT Relating to fiscal matters; amending section 107, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 109, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 110, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 120, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 131, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 201, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 203, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 208, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 211, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 212, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 217, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 219, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 223, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 224, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending

section 302, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 303, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 308, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 312, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 313, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 314, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 12, chapter 8, Laws of 1987 1st ex. sess. (uncodified); amending section 401, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 502, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 503, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 505, chapter 7, Laws of 1987 1st ex. sess. as amended by section 3, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 507, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 508, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 509, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 510, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 511, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 514, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 516, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 601, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 602, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 603, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 701, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 702, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 703, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 712, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 715, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 717, chapter 7, Laws of 1987 1st ex. sess. (uncodified); adding new sections to chapter 7, Laws of 1987 1st ex. sess. (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1313 by Representatives Leonard, Barnes, Nutley, Jacobsen, Wineberry, Padden, Anderson, Nelson, Wang and Unsoeld

AN ACT Relating to immediate initial payment of benefits to public assistance recipients; adding a new section to chapter 74.04 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Housing.

HB 1314 by Representatives Haugen, S. Wilson, Ferguson, Cooper, Winsley and Bumgarner

AN ACT Relating to port districts; adding a new section to chapter 14.08 RCW; and adding a new section to chapter 53.08 RCW.

Referred to Committee on Local Government.

HB 1315 by Representatives Ferguson, Haugen, Cooper, Winsley and Bumgarner

AN ACT Relating to fire protection districts; and amending RCW 52.14.110.

Referred to Committee on Local Government.

HB 1316 by Representatives Haugen, Ferguson, Cooper, Winsley, Spanel, Bumgarner, Holm, Unsoeld and Cole

AN ACT Relating to meetings of boards of county commissioners; and amending RCW 36.32.080 and 36.32.090.

Referred to Committee on Local Government.

HB 1317 by Representatives Zellinsky, Ferguson, Dellwo, Cooper, Haugen, Winsley, Spanel, Bumgarner and Holm

AN ACT Relating to requirements for publishing notice of actions or proposed actions of counties, cities and towns; amending RCW 35.22.288, 35.23.310, 35.24.220, 35.27.300, 35.30.018, 35A.12.160, and 36.32.120; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 58.17 RCW.

Referred to Committee on Local Government.

HB 1318 by Representatives Holm, Betzoff, Peery, Walker, Spanel, Pruitt and Unsoeld; by request of Governor Gardner

AN ACT Relating to changing the application deadline from March 31, 1988, to May 31, 1988, for the schools for the twenty-first century pilot project; amending RCW 28A.100-.038; and declaring an emergency.

Referred to Committee on Education.

HB 1319 by Representatives Walker, Wang, Patrick, Brough, Winsley, Miller, Prince, Holland, R. King, Belcher, Fisher and Locke; by request of Select Committee on Employment and the Family

AN ACT Relating to notice to employees of employer leave policies, use of employer-granted leave to care for minor children with health conditions, and leave from employment for maternity disability; amending RCW 49.12.005; adding a new section to chapter 49.60 RCW; adding new sections to chapter 49.12 RCW; creating a new section; and providing penalties.

Referred to Committee on Commerce & Labor.

HB 1320 by Representatives Lux, Chandler, Nutley, Betzoff, Peery and Meyers; by request of Office of Insurance Commissioner

AN ACT Relating to cancellation and renewal of insurance policies; amending RCW 48.18.290 and 48.18.2901; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1321 by Representatives Lux, Chandler, Nutley, Betzoff, Meyers and Baugher; by request of Office of Insurance Commissioner

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

Referred to Committee on Financial Institutions & Insurance.

HB 1322 by Representatives Lux, Chandler, Nutley, Peery and Meyers; by request of Office of Insurance Commissioner

AN ACT Relating to insurance form and rate filings; amending RCW 48.18.100, 48.18-.140, 48.19.060, 48.19.100, 48.19.120, and 48.19.280; repealing RCW 48.19.440; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1323 by Representatives Braddock, Chandler, Nutley, Peery, Meyers, Lux, Brooks and Unsoeld; by request of Office of Insurance Commissioner

AN ACT Relating to the state health insurance coverage access act; and amending RCW 48.41.030, 48.41.040, 48.41.060, 48.41.070, 48.41.080, 48.41.090, 48.41.100, 48.41.120, 48.41.150, and 48.41.190.

Referred to Committee on Health Care.

HB 1324 by Representatives Hankins and H. Sommers

AN ACT Relating to sunset review and termination dates; amending RCW 42.48.020, 71.34.100, and 41.04.395; adding new sections to chapter 43.131 RCW; repealing RCW 28B-.25.010, 28B.25.020, 28B.25.030, 28B.25.040, 28B.25.050, 28B.25.060, 18.85.500, 28A.120.070, 28A.120.038, 28B.102.040, 28B.04.085, 28A.125.020, 28C.15.010, 28C.15.020, 28C.15.030, and 28C.15.900; and providing effective dates.

Referred to Committee on State Government.

HB 1325 by Representatives Rust, Walker, Unsoeld, Schoon and Winsley; by request of Department of Ecology

AN ACT Relating to the authority to administer federal clean water act programs; and amending RCW 90.48.260.

Referred to Committee on Environmental Affairs.

HB 1326 by Representatives Rust, Valle, Holland, Schoon and Winsley; by request of Department of Ecology

AN ACT Relating to allowing the state of Washington to receive capitalization grants from the federal government for the state revolving loan fund for financing water pollution control facilities and activities; adding a new chapter to Title 90 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 1327 by Representatives Rust, Walker and Unsoeld; by request of Department of Ecology

AN ACT Relating to the authority to administer selected federal safe drinking water act programs; and amending RCW 43.21A.445.

Referred to Committee on Environmental Affairs.

HB 1328 by Representatives Rust and Valle; by request of Department of Ecology

AN ACT Relating to priority management of hazardous waste; amending RCW 70.105.010 and 70.105.180; adding new sections to chapter 70.105 RCW; and providing an effective date.

Referred to Committee on Environmental Affairs.

HB 1329 by Representatives Crane, Brough, Sutherland, Lewis, Heavey, Padden, Nutley, Peery and Hargrove

AN ACT Relating to homesteads; and amending RCW 6.13.080 and 64.32.200.

Referred to Committee on Judiciary.

HB 1330 by Representatives R. King, Patrick, Walker, Wang, Sayan, Cole and Jones

AN ACT Relating to changing statutory references to classes of public employees; and amending RCW 41.56.460, 41.56.475, and 41.56.495.

Referred to Committee on Commerce & Labor.

HB 1331 by Representatives Nealey, Rayburn, D. Sommers and Chandler

AN ACT Relating to vital statistics registration; and amending RCW 70.58.030.

Referred to Committee on Local Government.

HB 1332 by Representatives Silver and H. Sommers

AN ACT Relating to the printing of bond certificates; and amending RCW 43.78.030.

Referred to Committee on State Government.

HB 1333 by Representatives Locke, Brough, Dellwo, Walker, Heavey, Belcher, Todd and P. King

AN ACT Relating to creating sexual offenses with age differentials between victims and perpetrators; amending RCW 9A.44.010, 9A.44.100, 9.94A.440, 9A.46.060, 9A.88.030, 13.40.020, 13.40.110, and 70.125.030; reenacting and amending RCW 9.94A.030, 9.94A.320, and 9A.04.080; adding new sections to chapter 9A.44 RCW; creating a new section; repealing RCW 9A.44.070, 9A.44.080, and 9A.44.090; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 12, 1988

SHB 20 Prime Sponsor, Committee on State Government: Revising the office of minority and women's business enterprises. Reported by Committee on Rules

Rereferred to Committee on State Government.

- January 12, 1988
- HB 64 Prime Sponsor, Representative Lux: Exempting certain surety bonds from requirements for cancellation or nonrenewal of insurance policies. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 140 Prime Sponsor, Committee on Financial Institutions & Insurance: Providing civil immunity for certain actions relating to insurance. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- E2SHB 210 Prime Sponsor, Committee on Ways & Means/Appropriations: Creating endangered species conservation act. Reported by Committee on Rules
Rereferred to Committee on Environmental Affairs.
- January 12, 1988
- ESHB 240 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring vehicle insurance policies covering comprehensive and collision to also cover liability. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 281 Prime Sponsor, Committee on Financial Institutions & Insurance: Restricting insurance cancellations and nonrenewals. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- HB 314 Prime Sponsor, Representative H. Sommers: Revising provisions relating to public works contracts. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 12, 1988
- HB 318 Prime Sponsor, Representative Lux: Revising provisions on insurance. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 366 Prime Sponsor, Committee on Financial Institutions & Insurance: Revising the maximum interest rate calculation on retail installment contracts for the purchase of motor vehicles. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- ESHB 402 Prime Sponsor, Committee on Financial Institutions & Insurance: Strengthening underinsured motorist coverage. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 414 Prime Sponsor, Committee on Environmental Affairs: Requiring toxic emission control plans. Reported by Committee on Rules
Rereferred to Committee on Environmental Affairs.
- January 12, 1988
- EHB 421 Prime Sponsor, Representative Zellinsky: Creating a special pilotage license. Reported by Committee on Rules
Rereferred to Committee on Transportation.

- January 12, 1988
- ESHB 427 Prime Sponsor, Committee on Transportation: Adopting the transportation budget. Reported by Committee on Rules
Rereferred to Committee on Transportation.
- January 12, 1988
- SHB 449 Prime Sponsor, Committee on State Government: Consolidating administrative functions of the board of accountancy and the board of pharmacy. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 12, 1988
- ESHB 451 Prime Sponsor, Committee on State Government: Creating the office of educational services. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 12, 1988
- SHB 511 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring motor vehicle liability insurance policies to provide personal injury protection benefits. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 537 Prime Sponsor, Committee on Transportation: Creating a single ferry advisory committee. Reported by Committee on Rules
Rereferred to Committee on Transportation.
- January 12, 1988
- ESHB 543 Prime Sponsor, Committee on Agriculture & Rural Development: Providing procedures to investigate and remedy complaints regarding pollution from nonpoint agricultural activity. Reported by Committee on Rules
Rereferred to Committee on Agriculture & Rural Development.
- January 12, 1988
- SHB 554 Prime Sponsor, Committee on Constitution, Elections & Ethics: Implementing voter registration by mail. Reported by Committee on Rules
Rereferred to Committee on Constitution, Elections & Ethics.
- January 12, 1988
- SHB 622 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring financial institutions to reduce delay between check deposits and fund availability. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 624 Prime Sponsor, Committee on Transportation: Revising qualifications of pilots. Reported by Committee on Rules
Rereferred to Committee on Transportation.
- January 12, 1988
- SHB 638 Prime Sponsor, Committee on Transportation: Increasing the fees for driving record abstracts. Reported by Committee on Rules
Rereferred to Committee on Transportation.
- January 12, 1988
- HB 662 Prime Sponsor, Representative Vekich: Specifying the grounds for bringing a products liability action based on design defects for firearms or ammunition. Reported by Committee on Rules
Rereferred to Committee on Trade & Economic Development.

- January 12, 1988
- SHB 777 Prime Sponsor, Committee on Financial Institutions & Insurance: Prohibiting provision in insurance policies which condition benefits on an insured being admitted for over three days to the hospital. Reported by Committee on Rules
- Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 804 Prime Sponsor, Committee on Constitution, Elections & Ethics: Establishing voter registration programs in high schools. Reported by Committee on Rules
- Rereferred to Committee on Constitution, Elections & Ethics.
- January 12, 1988
- HB 854 Prime Sponsor, Representative Lux: Requiring insurers to allow conversion of group term insurance. Reported by Committee on Rules
- Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 859 Prime Sponsor, Committee on Transportation: Removing the tolls from the Spokane river toll bridge. Reported by Committee on Rules
- Rereferred to Committee on Transportation.
- January 12, 1988
- SHB 868 Prime Sponsor, Committee on Financial Institutions & Insurance: Increasing financial responsibility requirements. Reported by Committee on Rules
- Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- SHB 980 Prime Sponsor, Committee on Agriculture & Rural Development: Revising provisions on irrigation districts. Reported by Committee on Rules
- Rereferred to Committee on Agriculture & Rural Development.
- January 12, 1988
- RESHB 1037 Prime Sponsor, Committee on Transportation: Revising motor vehicle related taxes. Reported by Committee on Rules
- Rereferred to Committee on Transportation.
- January 12, 1988
- EHB 1093 Prime Sponsor, Representative Zellinsky: Revising deposit, permit, and insurance requirements for public fireworks displays. Reported by Committee on Rules
- Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- HB 1099 Prime Sponsor, Representative Locke: Prohibiting unfair insurance discrimination. Reported by Committee on Rules
- Rereferred to Committee on Financial Institutions & Insurance.
- January 12, 1988
- HB 1126 Prime Sponsor, Representative Rayburn: Permitting double-sided ballot cards. Reported by Committee on Rules
- Rereferred to Committee on Constitution, Elections & Ethics.
- January 12, 1988
- SHB 1175 Prime Sponsor, Committee on Financial Institutions & Insurance: Penalizing operation of a motor vehicle without insurance. Reported by Committee on Rules
- Rereferred to Committee on Financial Institutions & Insurance.

- January 12, 1988
- HJM 4005 Prime Sponsor, Representative Pruitt: Requesting an amendment to authorize campaign expenditure and contribution limits. Reported by Committee on Rules
Rereferred to Committee on Constitution, Elections & Ethics.
- January 12, 1988
- SHJR 4204 Prime Sponsor, Committee on Constitution, Elections & Ethics: Providing for the filling of vacancies in joint legislative offices. Reported by Committee on Rules
Rereferred to Committee on Constitution, Elections & Ethics.
- January 12, 1988
- SHJR 4207 Prime Sponsor, Committee on State Government: Authorizing reorganization of the executive branch. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 12, 1988
- HCR 4409 Prime Sponsor, Representative Leonard: Seeking a continuation of the Washington Task Force on Permanency Planning's efforts to review the juvenile code. Reported by Committee on Rules
Rereferred to Committee on Judiciary.
- January 12, 1988
- HCR 4411 Prime Sponsor, Representative Walk: Sponsoring a symposium on "Transportation in the Future". Reported by Committee on Rules
Rereferred to Committee on Transportation.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolutions listed on today's committee reports under the fifth order of business were rereferred to the committees so designated.

JOINT SESSION

The Sergeant at Arms announced the arrival of the Senate at the bar of the House. The Speaker instructed the Sergeant at Arms of the House and the Sergeant at Arms of the Senate to escort President of the Senate John Cherberg, President Pro Tempore Alan Bluechel, Vice President Pro Tempore Ellen Craswell, Majority Leader Jeannette Hayner and Democratic Leader Larry Vognild to seats on the rostrum.

The Speaker invited the Senators to seats within the House Chamber.

The Speaker presented the gavel to President Cherberg.

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

The Clerk of the House called the roll of the House and all members were present except Representative Allen, who was excused.

The President appointed Senators McMullen, Halsan, Pullen, Hayner and McCaslin and Representatives Armstrong, K. Wilson, Taylor and Butterfield as a special committee to escort the Supreme Court Justices from the State Reception Room to seats within the House Chambers.

The President appointed Senators Wojahn, Lee and Barr and Representatives Basich, Chandler and Walker as a special committee to escort the State Elected Officials from the State Reception Room to seats within the House Chambers.

The President appointed Senators Hansen, Craswell, Fleming and Bluechel and Representatives Appelwick, Cantwell, Barnes and Holland to advise His Excellency, Governor Booth Gardner, that the Joint Session had assembled and to escort him from his Chambers to a seat on the rostrum of the House.

The President of the Senate introduced the Supreme Court Justices and the State Elected Officials.

The President of the Senate introduced Governor Booth Gardner.

STATE OF THE STATE ADDRESS

BY GOVERNOR BOOTH GARDNER

Governor Gardner: Mr. President, Mr. Speaker, Mr. Chief Justice, distinguished Justices of the Supreme Court, Members of the Legislature, honored elected officials and fellow citizens of the State of Washington: Tonight marks the beginning of my fourth year on the job. The long hours that come with this job seldom give you the time you'd like to have with your family. I am fortunate to have an understanding and equally hardworking partner, my wife Jean. She is co-chairing the Centennial celebration with Secretary of State Ralph Munro, and devoting countless hours to improving the quality of children's television and family viewing practices. I don't say it often enough, but I'll say it tonight--thank you, Jean, this job would be impossible without you.

In six days, our state will join the nation in celebrating the birthday of a truly great American. Dr. Martin Luther King never held public office. He was not interested in accumulating wealth. He had something much greater, much stronger than position or riches--he had a dream, and an unparalleled ability to articulate that dream. His dream was dedicated to the ideals of freedom and justice for all. It was a dream based on his desire to leave the world a better place for our children.

Let us use the occasion of Dr. King's 59th birthday, not only to remember the man and his many contributions, but also to rededicate ourselves to a common purpose. Let us use this opportunity to remember the importance of having a dream. A vision that we use to measure all of our actions. An overriding vision, like Dr. King's, that places children at the top of this state's social agenda. Many children are at serious risk today because the structure that historically supports them--family, education and the economy--is undergoing dramatic change. We must make sure that our children are not victims of this change.

Which brings me to tonight's topic, my vision for Washington's future. A future that is only as healthy and as bright as our children. It is a vision that is probably shared by everyone of us in this room. I dream of an education system that is the finest in the world, of a safe and clean environment, of a government that is a waste-free service organization, one that can provide vital services wherever they are needed. I hope for a business climate that offers employment to every citizen that wants a job, because the best welfare program is a job. I hope for a strengthening of the family, because the best social service system in the world is a strong, healthy family.

This isn't just my dream; it's the dream of people throughout this state. In Othello and Sedro Woolley, Sunnyside and Port Angeles, and countless other communities across our state, I have heard people articulate this dream. From the day care center operator in Mt. Vernon, struggling to make ends meet, to the unemployed logger in Raymond wanting to go back to work, to a farmer in Ritzville with bushels of surplus wheat on the ground, I have heard this dream. We all have different needs and aspirations. But, there is one dream, one concern we all share. And that is a concern for our children, an overwhelming desire to provide them with an even richer quality of life, and greater opportunity to succeed, than we enjoy today. Achieving this dream will take time and effort, cooperation and commitment. Here in Washington, we are blessed with a solid foundation for making our dreams a reality.

Tonight I'm going to give you an open appraisal of the state of our state. On balance, we are in fairly good economic condition. I say on balance, because there is both good and bad. There is still hunger, poverty and illiteracy in Washington. Walk the streets of any city in this state, visit a crowded mission, go to a mill town where they have twenty percent unemployment, and you will better understand that the challenge of offering the American dream to every citizen is still a distant goal. We have thirty-nine counties in this State. Twenty-one, over half, meet the definition of economically "distressed areas." In Washington, D.C., those

numbers are statistics. In Washington State, those numbers represent real human beings, with real human needs. The challenge is to help provide the opportunity for every one of us to make the most of our lives.

There is reason for optimism tonight. Statewide employment in 1987 hit an all-time high. For the first time in our state's history, we employ over two million people. Unemployment hit its lowest annual average since 1980. The timber industry is once again growing, and our aerospace industry is coming off a record breaking year. Despite growing national trade deficits, our exports are up. Our number one industry, agriculture, is coming off a generally good year and the promise of an even better year in 1988 is on the horizon. Washington farmers are diversifying their crops and are finding new markets in Asia and around the world. Finally, we have a developing advanced technology industry that is rapidly moving Washington to the cutting edge of world research and technology--technologies that will not only provide more jobs, but have a major influence in keeping our natural resource industries, like timber and agriculture, competitive.

Those are a few of the reasons why I speak with optimism tonight. But much of my optimism comes as a result of what we've been able to accomplish over the last three years. Accomplishments that were the result of a collective effort by all of us, including legislators, concerned citizens and state employees. Everything we have accomplished has occurred because we were able to replace partisanship with partnership. And that continues to be our challenge--to raise the policy debate beyond petty partisanship, to a plateau that will allow us to focus on the future. We must find, through debate, discussion and disagreement, a common ground and the courage to do whatever it takes to get us there.

Since the first day of my administration, I have had three goals, all critical to the future of our state. They are quality education, a clean and safe environment, and economic opportunity for all Washington citizens.

Education is the fuel that propels democracy. The most important investment a state can make is in its human resources. And the best time to make that investment is at the front end of a person's life. Without quality education a child faces overwhelming odds against success. It is literally like trying to run a fifty-yard dash with one hundred pound weights on your ankles. You'll be lucky to finish, let alone win. If you find that hard to believe, go down to your local jail, go to your local drug abuse center, go to your welfare office and ask how many of them have a high school diploma. During the past three years, we have embarked on the most ambitious education effort this state has ever seen. We created, funded and then doubled a state early childhood education program for children in poverty, and we reduced class sizes in kindergarten through third grade. We provided funding for dropout prevention, as well as drug and alcohol abuse prevention programs. We've established new competency test requirements and we've increased salaries for beginning teachers. We increased higher education salaries to stop the brain drain from our colleges and universities, and have embarked on the largest construction and renovation program in the history of the community college system. And, with our ground breaking Schools for the 21st Century program and a higher education master plan, we are establishing a road map that will lead the entire state's education system into the 21st Century.

We still have a long way to go. Last year was not the end of our educational improvement efforts. It was a tremendous beginning to a long-term effort which, we all hope, will lead to the day when our school system is the best in the country. Our children must leave our school system with the ability to think critically and self teach. Further, we must instill in our children a respect for human dignity, give them a sense of history, explain to them the responsibilities of living in a democracy, and make sure that they recognize the importance of honesty, integrity and hard work. Our future as a state is only as bright as our children. That's why we put education in its rightful position as the number-one priority.

Washington is probably the most environmentally conscious state in the country. And the reason is as obvious as Mount Rainier. Our natural environment is one of the most breathtaking in the world. It is an environment that is critical to our quality of life, to our economy, to our future.

But it is a natural heritage at constant risk. For too long the environment was taken for granted. Raw sewage was poured into our waterways, chemicals were

used on our forests and fields without discretion, and garbage was dumped wherever it was convenient. Now we recognize that those practices have endangered our way of life. Today we are taking swift and sure action to turn the tide on yesterday's environmental mistakes. Through careful planning we can balance economic goals and environmental protection. But, when balancing the two concerns, the scale must always tip in the direction of the environment. We owe that to our children.

We have achieved many environmental successes. We have established ongoing financing to clean and protect our state's valuable water resources—from Puget Sound to the Spokane Aquifer. We have established a state superfund law which is expediting cleanup of hundreds of hazardous waste hotspots all over Washington. And, even more importantly, the bill funds a prevention program that will enable us to avoid new hazardous waste problems in the years to come. We have reached an historic Timber, Fish and Wildlife Agreement, an alliance among environmentalists, fishing interests, the timber industry and Indian tribes to protect and improve our rivers, our streams and our wildlife. And, with a strong, unified voice, we helped persuade the federal government to take Washington off their list as a site for the nation's high-level nuclear waste repository.

Economic development. Every single one of our economic development programs is based on one simple truth, "Washington won't work, if her people aren't working." We've created a welfare reform program for family independence, which is the model in this country, one that will improve the lives of countless children in poverty and give their parents the dignity and economic stability of employment. I am pleased to report that the program was approved by Congress, the only state program approved by Congress. And, with the help of this Legislature, the Family Independence Program will begin on schedule later this year. We authorized and have begun work on agricultural trade centers in Spokane and Yakima. And we have significantly expanded our efforts to market Washington products abroad. We have created economic development incentives for businesses, in-state as well as out-of-state. Incentives that have already led to investments in areas such as Anacortes, Goldendale, Longview, Pend Oreille County, Port Angeles, Chehalis, and many other communities across the state. Investments which have saved or created jobs. Jobs that preserve the stability for countless Washington families.

In addition to these successes, we have made other gains in other areas. The Legislature created a pilot health-care program for those who cannot afford health-care coverage, the first program of its kind in this country. We have improved consumer protection laws and strengthened penalties for numerous crimes from drunk driving to child abuse and we will continue to strengthen them. We have also taken numerous steps to cut waste out of government. One simple fact. If we are effectively to provide critical services in the years to come, we must spend the taxpayers' money as wisely and as efficiently as possible.

I could spend this entire speech listing other steps we've taken to improve government services and efficiency. Instead, I've given each legislator a list of some of our major improvement efforts over the last three years. And I extend an invitation to everyone watching tonight to write or call my office for your own copy. These accomplishments make an impressive foundation for our future. Our challenge is to continue building on that foundation and to do so within existing revenues.

During this session I am proposing that we increase penalties for sex crimes involving children, including child rape. The bill recognizes that many criminals don't use force to intimidate a defenseless child into a sex act. This legislation is a moral imperative for 1988. Further, I'm asking the Legislature for one million dollars to finance AIDS education in our schools, other public education efforts and to finance case management recommendations that came from the AIDS Task Force. It is absolutely necessary to do all we can, within fiscal reality, to ensure that our children, and the general public, fully understand this deadly virus. And I am submitting a bill that will allow the state to supervise intensely some of the most hardened and dangerous criminals, including sex offenders, murderers and drug dealers. Currently, the state has no authority to monitor them after they are released from prison. That must change, and that will change, with the passage of

this bill. There are numerous other items that deserve attention this session. They include the state employees health benefits system, wetlands protection and restoring funds to fight forest fires. Each of these items is important.

As I mentioned earlier, I spend a great deal of time with private citizens across this state. One thing is clear, they are tired of partisan, squabbling politics. They want a state government that will see beyond the end of its political nose--the next election. They want leaders who are willing to set priorities, to make tough choices and to prepare this state for the future. Tonight let us commit ourselves, and this legislative session, to a common purpose, to a general good. Let us judge legislation by how it affects our future as a state. The choices we make during the next few years will dramatically influence Washington's position in the years to come. Let us use the occasion of Washington's Centennial Celebration to reflect upon the past and to redouble our efforts to establish our state as an international trade center for the Pacific. Let us use the Pacific Celebration activities to promote Pacific Rim cultural and political exchanges and international friendship. Let us use our 100th birthday celebration to step up to the challenges that will influence the second century--challenges such as successfully competing in a rapidly expanding global economy. We know that to succeed in the 21st Century, we have to have a quality education system, because our kids in this state are not competing against kids from Oregon and Idaho for jobs. They are competing for jobs against children from countries like Japan, Korea, West Germany and Canada.

One man who fully understood this challenge was Western Washington University's President, Bob Ross. His vision, his dedication resulted in Western's recent selection as one of the finest universities in the country. In Bob's memory I would like to announce tonight the formation of the G. Robert Ross Memorial Scholarship to assist talented community college graduates to recognize their dreams of a four-year college education. I encourage businesses and individuals to join me in contributing to this worthy cause.

We must develop a viable transportation system in this state. Our traffic problems, which are already interminable, will do nothing but get worse as we progress into the next century. I want to see the day when we can walk down the steps of this building and step onto a mass transit system which will take us to Tacoma, Seattle and beyond. Planning isn't enough. In the not-so-distant future it will be mandatory that we build a rail system that spans most, if not all, of the I-5 corridor.

We must prepare for a rapidly growing senior citizen population. We must find better ways to utilize the skills, the perspectives that their vast experience provides. Tonight I want to announce the formation of Washington's Senior Environmental Corps. There is a large reservoir of talented, retired individuals who are committed to the protection of the environment. The Corps would be made up of retired persons willing to serve as park guides, scientific researchers, and visiting teachers in our schools.

And now, a final challenge, one that I know you've all heard me talk about before, and you'll hear again--it is time we have a reasoned, bipartisan discussion about how this state collects and spends revenue. In other words, tax and spending reform. I don't believe anyone would seriously argue that our current tax system is a good one. Any tax system that puts the greatest burden on those least able to pay is a bad system. And that is exactly what ours does. It discriminates against middle income families and those on fixed incomes. Let me give you an example: In Washington State a person making \$90,000 a year pays approximately three percent of his or her total income in state taxes, while a person making \$20,000 a year pays on the average nine percent. That's unfair. But our tax system is more than unfair. It's a tremendous handicap to our economic development efforts. Think about this for a moment: Before a new business makes a single dollar in this state, we are already collecting taxes from it. That's not right, and it is an obvious disincentive for doing business in this state.

Our tax system has not withstood the test of scrutiny in nearly fifteen years, and that is too long. It is time we take an exhaustive, bipartisan look at that system. Going into the process, there must be no sacred cows. Every part of our current tax system must be placed on the table. Each of us must drop our own personal favorite tax proposal, and pledge commitment to a process that leads to reform that is in

everyone's best interest. There should be few restrictions on reform, but I will only support tax reform that meets these standards: We do not use tax reform to raise taxes. Any tax reform package must substantially improve our state's overall business climate. And when I say business climate, I'm not talking about corporate profit margins. I'm talking about jobs, new jobs, well-paying jobs. We must squarely address the issue of government spending controls and develop firm limits on tax rates. And we must create a system that doesn't require constant tinkering and more and more nuisance taxes.

Tonight I ask you to join this debate. Next to a quality education system we can do nothing that will have greater impact on Washington's economic future. And that challenge isn't limited to elected officials. It commands the effort of every citizen in this state. Tonight I ask every person watching to accept that challenge. Don't for one minute believe that you can't impact the direction of this state. You can. The decisions we make during the next few years will in large measure influence our second one hundred years.

Tonight by asking you to help me I'm not suggesting you agree with every element of my agenda. I only ask that you actively participate in a discussion of where we need to go, what we need to do, to ensure that our future is bright. We are all Washington citizens. We might not agree on the same path to the future. But we all share a goal of a secure future, a future that provides children an even greater quality of life than we enjoy today. A future that is safe and liveable for all. A future that lives up to Dr. King's dream of equal opportunity for all. To ensure that future we must leave our children two things—roots and wings. The roots of a strong family, a quality education, a clean environment and economic opportunity. And the wings of dreams and goals and ideals. That's our challenge. I hope you'll help.

Good night and best wishes for a prosperous 1988.

The President of the Senate instructed the special committee to escort Governor Gardner to his Chambers.

The President instructed the special committee to escort the State Elected Officials from the House Chamber.

The President instructed the special committee to escort the Supreme Court Justices from the House Chamber.

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

MOTION

On motion of Mr. Ebersole, the Joint Session was dissolved.

The Speaker instructed the Sergeant at Arms of the House and the Sergeant at Arms of the Senate to escort President of the Senate John Cherberg, President Pro Tempore Alan Bluechel, Vice President Pro Tempore Ellen Craswell, Majority Leader Jeannette Hayner, Democratic Leader Larry Vognild and the members of the Washington State Senate from the House Chamber.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 4425.

HOUSE CONCURRENT RESOLUTION NO. 4426.

HOUSE CONCURRENT RESOLUTION NO. 4427.

HOUSE CONCURRENT RESOLUTION NO. 4428.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, January 13, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, January 13, 1988

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Allen, Moyer and Todd who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nick Hardman and Heather Watts. Prayer was offered by The Reverend Ron Hastie, Minister of the Evergreen Christian Center of Olympia.

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

The Speaker called on Representative O'Brien to preside.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized the 1987 Capital Lakefair Queen, Julie Schilter, and introduced her to the members of the House of Representatives. Queen Julie briefly addressed the body.

MESSAGE FROM THE SECRETARY OF STATE

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

Mr. Speaker:

We herewith respectfully transmit for your consideration a copy of Initiative to the Legislature number 97, originally filed with this office on August 13, 1987. On December 31, 1987, the sponsors of the proposed initiative filed 13,076 signature petition sheets in support of the measure. We have completed our preliminary canvass of these petitions and have determined that they contain 215,217 signatures.

Accordingly, pursuant to the provisions of Article II, section 1 of the State Constitution, we are provisionally certifying Initiative to the Legislature number 97 to you at this time. We expect to complete the random sample verification of signatures no later than January 15, 1988, and we will provide the Legislature with a final certification as soon as possible thereafter.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the state of Washington, this 11th day of January, 1988.

(Seal)

Ralph Munro, Secretary of State

The Speaker (Mr. O'Brien presiding) referred Initiative to the Legislature number 97 to Committee on Environmental Affairs.

INTRODUCTIONS AND FIRST READING

HB 1334 by Representatives Haugen, Patrick and Lewis

AN ACT Relating to civil service for the sheriff's office; and amending RCW 41.14.080.

Referred to Committee on Local Government.

HB 1335 by Representatives Grimm and Walker

AN ACT Relating to the legislature and terms of state officials and members of the legislature; amending RCW 44.04.010 and 43.01.010; and adding new sections to chapter 44.04 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 1336 by Representatives Ballard, Grimm, Rayburn, McLean, Ferguson, Lewis, Silver, Amondson, Kremen, Betzoff, Bristow, Rasmussen, Doty, Baugher, Fuhrman and Smith

AN ACT Relating to retail sales and use tax exemptions for receiving, washing, sorting, and packing horticultural products; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Agriculture & Rural Development.

HB 1337 by Representatives Rayburn, Nealey, Ballard, Chandler, Grant, Meyers, Baugher, Lewis, Kremen, Braddock, Bristow, Rasmussen, Doty and Smith

AN ACT Relating to financial and management counseling and instruction regarding agricultural operations; adding a new section to chapter 28B.15 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Agriculture & Rural Development.

HB 1338 by Representatives Walk, H. Sommers, Hankins, Schmidt, Fisher, Schoon, J. Williams, S. Wilson, Zellinsky and Brough

AN ACT Relating to the marine employees' commission; adding new sections to chapter 43.131 RCW; and repealing RCW 47.64.280.

Referred to Committee on Commerce & Labor.

HB 1339 by Representatives H. Sommers, Armstrong, Baugher, Padden, Silver, Lewis, Sanders, Kremen, Braddock, Heavey, Zellinsky, Betzoff, Peery, Bristow, Crane, Holm and K. Wilson

AN ACT Relating to the illegal transfer of food stamps; amending RCW 9.91.120; reenacting and amending RCW 9.94A.320; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1340 by Representatives Rust, Walker, Valle, Ferguson, Unsoeld, Brekke, Sprenkle, Holland, P. King, May, Pruitt, Lux, Spanel and Todd

AN ACT Relating to waste reduction; and adding a new chapter to Title 70 RCW.

Referred to Committee on Environmental Affairs.

HB 1341 by Representatives Sanders, Fisher, Miller, Amondson and May

AN ACT Relating to write-in voting; amending RCW 29.36.075, 29.51.100, and 29.51.170; and adding new sections to chapter 29.04 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 1342 by Representatives Sanders, Patrick, Wang and May

AN ACT Relating to contractors; and amending RCW 18.27.114.

Referred to Committee on Commerce & Labor.

HB 1343 by Representatives Smith, Chandler, J. Williams, Padden, Patrick, Nealey, Beck, Walker, Baugher, Silver, Lewis, Taylor, May, Betzoff, Brough and Fuhrman

AN ACT Relating to driving privileges; adding a new section to chapter 13.40 RCW; adding a new section to chapter 46.20 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1344 by Representatives Sanders, Ferguson, Jacobsen, Miller, Heavey, Walker, Basich and Unsoeld

AN ACT Relating to tuition and fees; and reenacting and amending RCW 28B.15.012.

Referred to Committee on Higher Education.

HB 1345 by Representatives Belcher, Brough, Leonard, Grimm, Rust, Cole, Locke, Hargrove, Unsoeld, Miller, Hine, Peery, Taylor, Wineberry, Wang, Vekich, Holm, Haugen, Rayburn, Sprengle, Waik, Cantwell, Jacobsen, Lux, P. King, Winsley, Basich, May, Brekke, Rasmussen, Appelwick, Cooper, K. Wilson and Todd

AN ACT Relating to sexual assault counseling; creating new sections; and making an appropriation.

Referred to Committee on Human Services.

HB 1346 by Representatives Meyers, Sutherland, S. Wilson, Belcher, R. King, Amondson, Cantwell, P. King, Grimm, Holland, Lewis, J. Williams, Sanders, Zellinsky, Smith, Cooper and K. Wilson

AN ACT Relating to leasing communication sites on state lands for emergency and public service communications; adding new sections to chapter 79.12 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

HB 1347 by Representatives Haugen, S. Wilson, Braddock, Belcher, Schmidt, J. Williams, Zellinsky and Spanel

AN ACT Relating to harbor areas in code cities on islands; and amending RCW 79.92.110.

Referred to Committee on Natural Resources.

HB 1348 by Representatives Haugen, S. Wilson, Silver, Amondson, Ferguson, May, Betzoff, Pruitt, Ballard, Brough, Miller and Cooper

AN ACT Relating to precinct election officers; and amending RCW 29.45.010.

Referred to Committee on Constitution, Elections & Ethics.

HB 1349 by Representatives Grimm, Holland, Locke, H. Sommers, Silver, Bristow, R. King, Sayan and McLean; by request of State Treasurer

AN ACT Relating to investment of bond proceeds; adding a new section to chapter 39.42 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1350 by Representatives Fisher, Sanders, Ferguson and Armstrong; by request of Public Disclosure Commission

AN ACT Relating to campaign finance reporting; amending RCW 42.17.020, 42.17.040, 42.17.050, 42.17.060, 42.17.065, 42.17.067, 42.17.070, 42.17.080, 42.17.100, 42.17.105, 42.17.125, and 42.17.135; and reenacting and amending RCW 42.17.090.

Referred to Committee on Constitution, Elections & Ethics.

HB 1351 by Representatives H. Sommers, Silver, Haugen, Taylor, Doty and Miller; by request of Office of State Auditor

AN ACT Relating to the state auditor; and amending RCW 43.09.300.

Referred to Committee on State Government.

HB 1352 by Representatives Baugher, Patrick, Dellwo, Bumgarner, Meyers, Gallagher, Lewis, Rayburn, Padden, P. King, Silver, Schoon, Schmidt, Amondson, Ferguson, Butterfield, Taylor, May, Betzoff, McLean, Ballard, Brough, Rasmussen, Doty, Hankins, Miller and Fuhrman; by request of State Patrol

AN ACT Relating to criminal activity; amending RCW 9.73.090; reenacting and amending RCW 9.73.030; adding new sections to chapter 9.73 RCW; repealing RCW 9.73.050; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1353 by Representatives Locke, Patrick, Dellwo, Baugher, Bumgarner, Meyers, Lewis, Rayburn, Gallagher, Armstrong, Holland, P. King, Silver, Belcher, Schoon, Schmidt, Amondson, Ferguson, Kremen, Winsley, Basich, Taylor, May, Wineberry, Zellinsky, Betzoff, Pruitt,

McLean, Ballard, Peery, Brough, O'Brien, Dorn, Doty, Hankins, Miller, Fuhrman, Holm, Cooper and Todd; by request of Association of Sheriffs and Police Chiefs

AN ACT Relating to controlled substances; amending RCW 69.50.505; and creating a new section.

Referred to Committee on Judiciary.

HB 1354 by Representatives Pruitt, Sanders, Meyers, Dorn, Rasmussen, Lewis, Anderson, Basich, Heavey, Zellinsky and Cooper

AN ACT Relating to the department of veterans affairs; repealing RCW 43.60A.081, 43.131.227, 43.131.228, 43.131.245, and 43.131.246; and declaring an emergency.

Referred to Committee on State Government.

HB 1355 by Representatives Bristow, McLean, Grimm, Holland, May, Betrozoff and Brough; by request of Governor Gardner

AN ACT Relating to state general obligation bonds; and amending RCW 43.99G.020 and 43.99G.102.

Referred to Committee on Ways & Means.

HB 1356 by Representatives Valle, Miller, Jacobsen, Wineberry, Silver, Belcher, Nelson, P. King and Hine

AN ACT Relating to college savings bonds; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1357 by Representatives Day, Taylor, Lewis, Braddock, Vekich, Cantwell, Sprenkle, Bristow, Rayburn, Dellwo, P. King, Kremen, Wineberry, Doty, Hine and Fuhrman

AN ACT Relating to educational assistance for nurses; adding a new chapter to Title 28B RCW; and creating a new section.

Referred to Committee on Health Care.

HB 1358 by Representatives Day, Kremen, Vekich, Schoon, Rayburn, P. King, B. Williams, Silver, Wineberry and Doty

AN ACT Relating to business and industrial development corporations; adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.16 RCW; adding new sections to chapter 48.14 RCW; adding a new chapter to Title 31 RCW; creating a new section; making appropriations; and providing an effective date.

Referred to Committee on Trade & Economic Development.

HB 1359 by Representatives Holm, Cole, Schoon, Pruitt, Peery and Taylor

AN ACT Relating to institutional educational programs; and amending section 508, chapter 7, Laws of 1987 1st ex. sess. (uncodified).

Referred to Committee on Education.

HB 1360 by Representatives Holm, Cole, Taylor, Schoon, Pruitt, Peery, Wineberry, Leonard, Rasmussen, Spanel, Cooper, K. Wilson and Todd

AN ACT Relating to job search skills and preemployment training for juveniles placed in juvenile rehabilitation facilities; adding a new section to Title 28A RCW; and making an appropriation.

Referred to Committee on Education.

HB 1361 by Representatives Holm, Belcher, Unsoeld, Basich and Rasmussen

AN ACT Relating to the creation of the twenty-fourth community college district; amending RCW 28B.50.040; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1362 by Representatives Nealey, Betrozoff, Rasmussen and McLean

AN ACT Relating to weights and measures; and amending RCW 19.94.410.

Referred to Committee on Agriculture & Rural Development.

HB 1363 by Representatives Nelson, Jacobsen, Barnes and Unsoeld

AN ACT Relating to the undivided ownership of electrical transmission facilities and generating plants; and amending RCW 54.44.020.

Referred to Committee on Energy & Utilities.

HB 1364 by Representatives Sayan, Wang, Patrick, R. King, Winsley, Baugher, Vekich, Walker, Cooper and Todd

AN ACT Relating to public works contracts; and amending RCW 39.06.010.

Referred to Committee on Commerce & Labor.

HB 1365 by Representatives Wang, Winsley, Sayan, Baugher, Lux, Fisher, Patrick, Vekich, Amondson and Walker

AN ACT Relating to crane and hoisting operators licensing; adding a new chapter to Title 18 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1366 by Representatives Hine, Silver, H. Sommers, Walker, Dellwo, Patrick, McLean and Bristow

AN ACT Relating to retirement benefits for judges of the state supreme court, court of appeals and superior courts; amending RCW 2.10.040, 2.10.100, 2.10.140, 41.40.690, 2.56-.030, 41.04.445, and 41.40.120; adding new sections to chapter 2.10 RCW; adding a new section to chapter 41.40 RCW; adding a new chapter to Title 2 RCW; repealing RCW 2.10-.150 and 2.10.160; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1367 by Representatives Armstrong, P. King and Appelwick

AN ACT Relating to administrative law; amending RCW 34.04.010, 34.04.940, 34.04-.150, 34.04.930, 34.04.050, 34.04.020, 34.04.080, 34.04.045, 34.04.060, 34.04.048, 34.04.027, 34.04.030, 34.04.040, 34.04.055, 34.04.057, 34.04.058, 34.04.170, 34.04.090, 34.04.105, 34.04.100, 34.04.135, 34.04.070, 34.04.130, 34.04.210, 34.04.220, 34.04.230, 34.04.240, 34.04.250, 34.04.260, and 42.17.260; creating a new chapter in Title 34 RCW; creating new sections; recodifying sections; repealing RCW 28B.19.010, 28B.19.020, 28B.19.030, 28B.19.033, 28B.19.037, 28B.19-.040, 28B.19.050, 28B.19.060, 28B.19.070, 28B.19.073, 28B.19.077, 28B.19.080, 28B.19.090, 28B-.19.100, 28B.19.110, 28B.19.120, 28B.19.130, 28B.19.140, 28B.19.150, 28B.19.160, 28B.19.163, 28B.19.165, 28B.19.168, 28B.19.200, 28B.19.210, 34.04.022, 34.04.025, 34.04.026, 34.04.052, 34.04.090, 34.04.110, 34.04.120, 34.04.270, 34.04.280, 34.04.290, 34.04.900, 34.04.901, 34.04.910, 34.04.920, 34.04.921, and 34.04.931; repealing section 19, chapter 57, Laws of 1971 ex. sess. (uncodified); repealing section 22, chapter 57, Laws of 1971 ex. sess. (uncodified); and providing an effective date.

Referred to Committee on Judiciary.

HB 1368 by Representative Armstrong

AN ACT Relating to enforcement of judgments; amending RCW 6.13.080, 6.13.090, 6.15.010, 6.15.060, 6.17.100, 6.17.110, 6.17.130, 6.17.140, 6.17.160, 6.17.190, 6.21.020, 6.25.070, 6.25.120, 6.26.010, 6.26.020, 6.26.060, 6.27.080, 6.27.090, 6.27.100, 6.27.110, 6.27.130, 6.27.160, 6.27.180, 6.27.190, 6.27.200, 6.27.250, 6.27.270, 6.27.340, and 6.27.350; reenacting and amending RCW 6.15.020; reenacting RCW 6.25.080 and 6.27.060; adding new sections to chapter 6.01 RCW; adding a new section to chapter 6.26 RCW; and repealing RCW 6.08-.010, 6.08.020, 6.08.030, 6.08.040, 6.08.050, 6.08.060, and 6.25.210.

Referred to Committee on Judiciary.

HB 1369 by Representatives Winsley and Lux

AN ACT Relating to escrow; adding new sections to chapter 18.44 RCW; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1370 by Representatives Holland, Appelwick, Taylor, Grimm, Silver, Braddock, Fuhrman, Bristow, Nealey, Valle, Padden, Brough, McLean, Basich, Schoon, H. Sommers, Winsley, Mary, B. Williams, Beck, Butterfield, Ballard, Baugher, Lewis, J. Williams, Amondson,

Sanders, Kremen, Betrozoff, Rasmussen, Doty, Hankins, Miller, Hine, Holm and Cooper

AN ACT Relating to property tax exemptions for the head of a family; amending RCW 84.36.110; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1371 by Representatives Appelwick and Dellwo

AN ACT Relating to estates and estate tax; amending RCW 83.100.010, 83.100.020, 83.100.030, 83.100.040, 83.100.050, 83.100.060, 83.100.070, 83.100.080, 83.100.090, 83.100.110, 83.100.130, 83.100.140, 83.100.150, 82.32.240, 11.40.080, 11.08.160, 11.62.005, 11.62.010, 83.110.903, 11.108.010, and 11.108.020; adding a new section to chapter 11.108 RCW; adding new sections to chapter 83.100 RCW; creating new sections; repealing RCW 83.100.100; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1372 by Representatives Ebersole and Meyers

AN ACT Relating to retirement age and calculation of final compensation for plan II members of public retirement systems; and amending RCW 41.26.030, 41.26.430, 41.26.450, 41.26.470, 41.26.510, 41.32.010, 41.32.765, 41.32.775, 41.32.790, 41.40.010, 41.40.630, 41.40.650, and 41.40.670.

Referred to Committee on Ways & Means.

HB 1373 by Representatives Unsoeld and Belcher

AN ACT Relating to property tax exemptions; amending RCW 84.36.815; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1374 by Representatives Unsoeld, Jones, Brekke, Pruitt, Lux and Miller

AN ACT Relating to polystyrene; adding a new section to chapter 43.19 RCW; and providing an effective date.

Referred to Committee on Environmental Affairs.

HB 1375 by Representatives Unsoeld, Allen, Belcher, Miller, Jacobsen, Anderson, Wineberry and Holm

AN ACT Relating to a leave contribution program for state employees; and adding new sections to chapter 41.04 RCW.

Referred to Committee on State Government.

HB 1376 by Representatives Unsoeld, Jacobsen, Jones, Basich, Rayburn, Pruitt, Armstrong, Rasmussen, Lux, Valle, Nelson and Cooper

AN ACT Relating to postretirement adjustments for public employees; and adding a new chapter to Title 41 RCW.

Referred to Committee on Ways & Means.

HB 1377 by Representatives Cooper, Padden, Armstrong, Sanders, Heavey, Wineberry, Pruitt, Rasmussen, May and Haugen; by request of Pharmacy Board

AN ACT Relating to certain substances that may be used to produce controlled substances; adding a new chapter to Title 69 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1378 by Representatives Zellinsky, Winsley and P. King

AN ACT Relating to the licensure of insurance companies; amending RCW 48.05.340; adding a new section to chapter 48.07 RCW; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HJR 4222 by Representatives Holland, Appelwick, Taylor, Grimm, Silver, Braddock, Fuhrman, Bristow, Nealey, Valle, Padden, Brough, McLean, Basich, Schoon, H. Sommers, Winsley, Mary, B. Williams,

Butterfield, Beck, Ballard, Lewis, J. Williams, Amondson, Sanders, Kremen, Betrozoff, Miller, Hine, Holm and Cooper

Increasing the head of family personal property tax exemption.

Referred to Committee on Ways & Means.

MOTION

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

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

Representative B. Williams was excused.

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

THIRD READING

SUBSTITUTE HOUSE BILL NO. 12, by Committee on Ways & Means/Appropriations (originally sponsored by Representatives Rust, Walker, Valle, May, Nutley, Allen, Unsoeld, Brekke, Lux, Pruitt, Jacobsen, Belcher and P. King)

Authorizing grants for mediation of disputes involving natural resources.

On motion of Mr. Ebersole, the rules were suspended and Substitute House Bill No. 12 was returned to second reading for the purpose of amendment.

Substitute House Bill No. 12 was read the second time.

Ms. Rust moved adoption of the following amendments by Representatives Rust and Walker:

On page 3, line 30, after "January 1," strike "1990" and insert "1991"

On page 4, line 6, after "June 30," strike "1990" and insert "1991"

On page 4, line 7, after "The sum of" strike "one hundred" and insert "forty-nine"

Representatives Rust and Walker spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rust and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 12, and the bill passed the House by the following vote: Yeas, 91; absent, 3; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 91.

Absent: Representatives Baugher, Belcher, and Mr. Speaker - 3.

Excused: Representatives Allen, Moyer, Todd, Williams B - 4.

Engrossed Substitute House Bill No. 12, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Ebersole, the House deferred consideration of Substitute House Bill No. 13, Substitute House Bill No. 22 and Substitute House Bill No. 23, and the bills were ordered to hold their places on today's third reading calendar.

SUBSTITUTE HOUSE BILL NO. 53, by Committee on Ways & Means/Appropriations (originally sponsored by Representatives H. Sommers, Grimm, B. Williams, Silver, Brekke and Winsley)

Modifying retirement provisions for higher education personnel.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 53, and the bill passed the House by the following vote: Yeas, 88; nays, 6; excused, 4.

Voting yea: Representatives Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Anderson, Jacobsen, King R, Lux, Nelson, Wineberry - 6.
Excused: Representatives Allen, Moyer, Todd, Williams B - 4.

Substitute House Bill No. 53, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Ebersole, the House deferred consideration of Engrossed Substitute House Bill No. 115, Engrossed Substitute House Bill No. 243, Engrossed House Bill No. 254 and Substitute House Bill No. 264, and the bills were ordered to hold their place on today's third reading calendar.

HOUSE BILL NO. 280, by Representatives Heavey, Schmidt and Walk; by request of Department of Licensing

Changing provisions relating to the suspension of a driver's license for failure to report an accident.

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

Representative Heavey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 280, and the bill passed the House by the following vote: Yeas, 92; nays, 2; excused, 4.

Voting yea: Representatives Amondson, Anderson, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Appelwick, Brough - 2.
Excused: Representatives Allen, Moyer, Todd, Williams B - 4.

House Bill No. 280, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 294, by Representatives Heavey, Padden, Armstrong and Kremen; by request of Department of Licensing

Eliminating hearings in certain drivers' license suspensions.

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

Representatives Heavey and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 294, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Bumgarner - 1.

Excused: Representatives Allen, Moyer, Todd, Williams B - 4.

House Bill NO. 294, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

On the final passage of HB 294 I apparently did not press the vote button hard enough. I intended to vote AYE.

Gary D. Bumgarner, 5th District.

SUBSTITUTE HOUSE BILL NO. 439, by Committee on Housing (originally sponsored by Representatives Nutley, Nelson and Ferguson)

Regulating unfit conditions on premises.

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

Representative Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 439, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Moyer, Todd, Williams B - 4.

Substitute House Bill No. 439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Ebersole, House Bill No. 802 was referred from Committee on Ways & Means to Committee on Financial Institutions & Insurance.

On motion of Mr. Ebersole, House Bill No. 1326 was referred from Committee on Environmental Affairs to Committee on Ways & Means.

MOTION

On motion of Mr. Ebersole, the House was adjourned until 10:00 a.m., Friday, January 15, 1988.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, January 15, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Dellwo, Lewis, Miller, R. King and Wineberry. Representatives Allen, Dellwo, Lewis, Miller and Wineberry were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages John Carlson and Jennifer Zahn. Prayer was offered by The Reverend Ron Hastie, Minister of the Evergreen Christian Center of Olympia.

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

MESSAGE FROM THE SECRETARY OF STATE

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

Mr. Speaker:

We respectfully transmit for your consideration Engrossed House Bill 1239 which has been vetoed by the Governor, together with the veto message of the Governor setting forth his objections to the bill as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have set my hand and affixed the Seal of the State of Washington at Olympia, this eleventh day of January, 1988.

(Seal)

Ralph Munro, Secretary of State.

The Speaker (Mr. O'Brien presiding) referred Engrossed House Bill No. 1239 to Committee on Rules.

MESSAGE FROM THE SECRETARY OF STATE

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

Mr. Speaker:

We respectfully transmit for your consideration the following bills which have been partially vetoed by the Governor, together with the official veto messages of the Governor setting forth his objections to the sections or items of each of the bills as required by Article III, Section 12, of the Washington State Constitution:

Section 12 of Engrossed Second Substitute House Bill 196, the remainder of which has been designated Chapter 388, Laws of 1987;

Sections 1 and 5 of House Bill 135, the remainder of which has been designated Chapter 389, Laws of 1987;

Section 2 of House Bill 171, the remainder of which has been designated Chapter 407, Laws of 1987;

Section 4 of Engrossed Substitute House Bill 134, the remainder of which has been designated Chapter 412, Laws of 1987;

Section 12 of Engrossed Substitute House Bill 88, the remainder of which has been designated Chapter 414, Laws of 1987;

Section 3 of Substitute House Bill 767, the remainder of which has been designated Chapter 415, Laws of 1987;

Sections 3(6), 3(16), 20(7) and 20(8) of Engrossed Second Substitute House Bill 448, the remainder of which has been designated Chapter 434, Laws of 1987;

Section 29 of Engrossed Substitute House Bill 648, the remainder of which has been designated Chapter 438, Laws of 1987;

Section 1112 of Engrossed Substitute House Bill 927, the remainder of which has been designated Chapter 442, Laws of 1987;

Sections 6 and 15 of Substitute House Bill 2, the remainder of which has been designated Chapter 449, Laws of 1987;

Part of Section 5 of Second Substitute House Bill 684, the remainder of which has been designated Chapter 456, Laws of 1987;

Sections 6 and 23 of House Bill 1228, the remainder of which has been designated Chapter 458, Laws of 1987;

Sections 32, 33, 34, 37, 52, 53 and 54 of Substitute House Bill 48, the remainder of which has been designated Chapter 460, Laws of 1987;

Section 3 of House Bill 462, the remainder of which has been designated Chapter 470, Laws of 1987;

A portion of Section 1(1) of Second Substitute House Bill 813, the remainder of which has been designated Chapter 473, Laws of 1987;

Section 29 of Engrossed Second Substitute House Bill 1006, the remainder of which has been designated Chapter 476, Laws of 1987;

Sections 3, 5, 6, 7, 8, 9, and 10 of Engrossed Substitute House Bill 995, the remainder of which has been designated Chapter 482, Laws of 1987;

Part of Section 1 of Substitute House Bill 630, the remainder of which has been designated Chapter 485, Laws of 1987;

A portion of Section 4(1), sections 5, 6, 7, 10, 15, 16 and 17 of Second Substitute House Bill 586, the remainder of which has been designated Chapter 503, Laws of 1987;

Sections 1, 20, 23, 75 and 86 of Engrossed Substitute House Bill 25, the remainder of which has been designated Chapter 505, Laws of 1987;

Sections 57 and 74(2) of Engrossed Second Substitute House Bill 758, the remainder of which has been designated Chapter 506, Laws of 1987;

Sections 2(1)(k), 5, 10 and 12 of Engrossed Substitute House Bill 26, the remainder of which has been designated Chapter 511, Laws of 1987;

Section 23(1) of Substitute House Bill 129, the remainder of which has been designated Chapter 512, Laws of 1987;

Sections 4, 5, and 14 of Engrossed Second Substitute House Bill 164, the remainder of which has been designated Chapter 513, Laws of 1987;

Section 8 of Engrossed House Bill 435, the remainder of which has been designated Chapter 514, Laws of 1987;

Section 1(4) of House Bill 1205, the remainder of which has been designated Chapter 516, Laws of 1987;

Sections 1(3), 1(4) and 1(5) of Substitute House Bill 978, the remainder of which has been designated Chapter 517, Laws of 1987;

Sections 111 through 115, 201 through 204, 221, 225 through 232, 306, 307, 308, 309, and 410 of Second Substitute House Bill 456, the remainder of which has been designated Chapter 518, Laws of 1987;

Sections 1 and 3 of Engrossed Substitute House Bill 498, the remainder of which has been designated Chapter 521, Laws of 1987;

Sections 3(1) and 3(3) of Substitute House Bill 425, the remainder of which has been designated Chapter 522, Laws of 1987;

Sections 408(1) and 412 of ReEngrossed Substitute House Bill 327, the remainder of which has been designated Chapter 6, Laws of 1987, First Extraordinary Session;

Sections 2, 3, 107(2), 121(2), 121(3), 201(1)(a), 201(1)(d), 201(3)(c), 202(4), 202(8), 205(2)(a), 207(3), 209(4), 213(3), 303(2), 313(6), 317, 401(3), 402(3), 506(4)(c), (6), (7) and (9), 515(2), 601(5), and 606(2) of Engrossed Substitute House Bill 1221, the remainder of which has been designated Chapter 7, Laws of 1987, First Extraordinary Session;

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this eleventh day of January, 1988.

(Seal)

Ralph Munro, Secretary of State.

The Speaker (Mr. O'Brien presiding) referred the bills listed in the message from the Secretary of State to Committee on Rules.

INTRODUCTIONS AND FIRST READING

HB 1379 by Representatives J. Williams, Leonard, Nutley, Holland, Zellinsky, Hargrove, Amondson, Haugen, Sanders, Heavey, P. King, May, Butterfield, Chandler, Cooper and Ferguson

AN ACT Relating to affordable housing; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committee on Housing.

HB 1380 by Representatives Jacobsen, Miller and Wineberry

AN ACT Relating to college academic performance and high school grade point averages; adding a new section to chapter 28B.20 RCW; and adding a new section to chapter 28B.30 RCW.

Referred to Committee on Higher Education.

HB 1381 by Representatives Jacobsen, Miller, H. Sommers, Brough, Holland, P. King, Dorn, Basich, Silver, Wineberry, Rasmussen and Lux

AN ACT Relating to high school students attending classes at institutions of higher education; and adding new sections to Title 28A RCW.

Referred to Committee on Higher Education.

HB 1382 by Representatives Hankins, H. Sommers and Silver

AN ACT Relating to termination and sunset review; amending RCW 90.44.410, 77.12-.670, 77.12.690, 77.08.045, 1.40.020, and 43.63A.230; adding a new section to chapter 43.155 RCW; adding a new section to chapter 43.168 RCW; adding new sections to chapter 43.131 RCW; repealing RCW 77.12.680, 43.155.030, 43.168.030, 43.240.010, 43.240.020, 43.240.030, 43.240.040, 43.240.050, 43.240.060, 43.240.070, 43.30.380, 31.30.140, 43.63A.310, 43.63A.320, 43.63A.330, 70.94.487, 67.34.011, 67.34.021, and 22.09.436; repealing section 2, chapter 316, Laws of 1986 (uncodified); and providing effective dates.

Referred to Committee on State Government.

HB 1383 by Representatives Leonard and Lux

AN ACT Relating to alcoholism treatment; and amending RCW 69.54.040, 70.96A.040, and 70.96A.050.

Referred to Committee on Human Services.

HB 1384 by Representatives Leonard, Ebersole, P. King, May, Basich and Brekke

AN ACT Relating to juvenile detention standards; and adding new sections to chapter 13.40 RCW.

Referred to Committee on Human Services.

HB 1385 by Representatives Sanders, Nutley, Barnes, J. Williams, Leonard, Wineberry, Heavey, May, D. Sommers, Walker, Brough, Todd, Ferguson

AN ACT Relating to general obligation bonds for handicapped facilities; adding a new chapter to Title 43 RCW; and providing for submission of this act to a vote of the people.

Referred to Committee on Ways & Means.

HB 1386 by Representatives Sanders, Nutley, Padden, J. Williams, Leonard, Wineberry, Todd, Lux and Brekke

AN ACT Relating to rental assistance for single-parent households receiving aid to families with dependent children; amending RCW 67.70.190; adding a new chapter to Title 74 RCW; making an appropriation; providing an effective date; and providing an expiration date.

Referred to Committee on Housing.

HB 1387 by Representatives Leonard, J. Williams, Nutley, Sanders, Wineberry, Anderson, Valle, May, Nelson, Basich, Todd, Lux, Unsoeld and Brække

AN ACT Relating to guaranteed security deposits for qualified homeless persons; adding a new chapter to Title 59 RCW; and making an appropriation.

Referred to Committee on Housing.

HB 1388 by Representatives Nutley, J. Williams, Leonard, Sanders, Barnes, Wineberry, Padden, Heavey, Anderson, Jacobsen, Valle, May, Ballard, Nelson, Jesernig, Todd, Moyer, Lux, Unsoeld, Ferguson and Day

AN ACT Relating to excise taxation on lodging; adding a new section to chapter 82.08 RCW; adding a new section to chapter 67.28 RCW; adding a new section to chapter 67.40 RCW; and providing an effective date.

Referred to Committee on Housing.

HB 1389 by Representatives Nutley, J. Williams, Leonard, Sanders, Wineberry, Heavey, Anderson, Jacobsen, Valle, Nelson, Todd, Lux, Unsoeld and Ferguson

AN ACT Relating to the federal emergency management agency's emergency food and shelter program; adding a new chapter to Title 43 RCW; making appropriations; and providing an expiration date.

Referred to Committee on Housing.

HB 1390 by Representatives H. Sommers, Patrick, Anderson and Sayan

AN ACT Relating to fire fighters and police; and amending RCW 41.26.110, 41.16.020, and 41.20.010.

Referred to Committee on Commerce & Labor.

HB 1391 by Representatives Haugen, S. Wilson, Fox, Zellinsky, J. Williams, P. King, May, Sanders, Unsoeld, Spanel and Ferguson

AN ACT Relating to information for boaters; and amending RCW 88.02.050.

Referred to Committee on Environmental Affairs.

HB 1392 by Representatives D. Sommers, Braddock, Beck, Day, Betrozoff, Moyer, Sanders, Silver and Ferguson

AN ACT Relating to continuing care retirement community; and amending RCW 70.38.025.

Referred to Committee on Health Care.

HB 1393 by Representatives Cantwell, Miller, P. King, Cole, Betrozoff, Rust and Sprenkle

AN ACT Relating to park and recreation service areas; amending RCW 36.68.400, 36.68.470, 36.68.541, 36.68.550, 36.68.570, 36.68.580, 36.68.600, and 67.20.010; and adding a new section to chapter 36.68 RCW.

Referred to Committee on Local Government.

HB 1394 by Representatives Hargrove, Jones, Armstrong, Fuhrman, Wineberry, Bristow, Amondson, Heavey, Walk, Crane, Dellwo, Belcher and Locke

AN ACT Relating to retrocession of jurisdiction; amending RCW 37.12.100, 37.12.110, 37.12.120, and 37.12.140; and adding a new section to chapter 37.12 RCW.

Referred to Committee on Judiciary.

HB 1395 by Representatives Sayan, Patrick and Wang; by request of Department of Labor and Industries

AN ACT Relating to industrial insurance dividends and premium refunds; and amending RCW 51.16.035 and 43.88.140.

Referred to Committee on Commerce & Labor.

HB 1396 by Representatives Wang, Patrick and Cole; by request of Department of Labor and Industries

AN ACT Relating to industrial insurance disability benefits; amending RCW 51.32.050, 51.32.090, 51.32.180, and 51.32.080; reenacting and amending RCW 51.32.060; reenacting RCW 51.32.090; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1397 by Representatives Cooper, Ferguson, Haugen and Butterfield; by request of Department of Community Development

AN ACT Relating to bond information; amending RCW 39.44.200, 39.44.210, 39.44.230, 39.44.240, and 43.63A.155; and repealing RCW 39.44.220.

Referred to Committee on Local Government.

HB 1398 by Representatives R. King, Smith, Wang and Sayan; by request of Department of Labor and Industries

AN ACT Relating to the reserve fund administered by the department of labor and industries; and amending RCW 51.44.080.

Referred to Committee on Commerce & Labor.

HB 1399 by Representatives Cole, Patrick, Wang, R. King and Sayan; by request of Department of Labor and Industries

AN ACT Relating to injured workers' employment; and amending RCW 51.32.095 and 51.32.250.

Referred to Committee on Commerce & Labor.

HB 1400 by Representatives Wang, Smith, Cole and Sayan; by request of Department of Labor and Industries

AN ACT Relating to adjustments to workers' compensation rates; and amending RCW 51.32.075.

Referred to Committee on Commerce & Labor.

HB 1401 by Representatives Spanel, Holland, Belcher, Cole, Ferguson, Grant, Grimm, Winsley, Rayburn, Nutley, Leonard, Doty, Sanders, Lewis, Silver, Wang, Sayan, Appelwick, Bristow, Patrick, Taylor, Heavey, Kremen, Holm, May, Brough, Jesernig, Schoon, Moyer, Rasmussen, Unsoeld, Brekke and Day

AN ACT Relating to the business and occupation tax exemption for sheltered workshops; and amending RCW 82.04.385.

Referred to Committee on Ways & Means.

HB 1402 by Representatives Locke, Prince, Wineberry, Patrick, Cantwell, Winsley, Grant, Belcher, Brough, Spanel, Cooper, Sprengle, Fisher, Sanders, Rust, Silver, Moyer and Unsoeld

AN ACT Relating to an appropriation for a study of the state economy; creating new sections; and making an appropriation.

Referred to Committee on Ways & Means.

HB 1403 by Representatives Bristow, Brooks, Basich, Braddock, Jones, Chandler and Holm

AN ACT Relating to medical care under the limited casualty program; and amending RCW 74.09.700.

Referred to Committee on Health Care.

HB 1404 by Representatives Bristow, Brooks, McLean, Holm, Braddock, Lux, Peery, Cooper and Day

AN ACT Relating to nursing; amending RCW 18.88.150, 18.88.080, 18.88.190, 18.88.200, and 18.88.220; adding new sections to chapter 18.78 RCW; and creating new sections.

Referred to Committee on Health Care.

HB 1405 by Representatives Valle, Fuhrman, Anderson, Heavey, Jacobsen and Lux

AN ACT Relating to earthquakes; adding a new section to chapter 43.63A RCW; creating a new section; and making an appropriation.

Referred to Committee on State Government.

HB 1406 by Representatives Belcher, B. Williams, Hargrove, S. Wilson, Sutherland and Spanel

AN ACT Relating to the retirement of interfund loans from the resource management cost account to the forest development account; amending RCW 76.12.120 and 79.64.030; adding a new section to chapter 79.12 RCW; and creating a new section.

Referred to Committee on Natural Resources.

HB 1407 by Representatives Patrick, Cole and Wang

AN ACT Relating to liquor licenses; and amending RCW 66.24.010.

Referred to Committee on Commerce & Labor.

HB 1408 by Representatives Patrick, Padden, Lewis, May, Betrozoff, McLean, Butterfield, Chandler, Fuhrman, Doty, D. Sommers, Walker, Brough, Sanders, Silver, Armstrong and Ferguson

AN ACT Relating to intoxication as a criminal defense; and amending RCW 9A.16.090.

Referred to Committee on Judiciary.

HB 1409 by Representatives Patrick, Cole, Wang and Barnes

AN ACT Relating to liquor licenses; and amending RCW 66.24.010.

Referred to Committee on Commerce & Labor.

HB 1410 by Representatives Patrick, Butterfield, Lewis, May, Heavey, Kremen, Meyers, Sayan and Doty

AN ACT Relating to property tax exemptions for senior citizens and persons retired because of physical disability; and amending RCW 84.36.383.

Referred to Committee on Ways & Means.

HB 1411 by Representatives Patrick, Padden, J. Williams and Fuhrman

AN ACT Relating to unborn children; and amending RCW 1.16.080, 7.24.130, 9A.04.110 and 9A.16.050.

Referred to Committee on Judiciary.

HB 1412 by Representatives Patrick and May

AN ACT Relating to disclosure of flood plain information by real estate brokers and salespersons; adding a new section to chapter 18.85 RCW; adding a new section to chapter 86.16 RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 1413 by Representatives Patrick, Padden and Fuhrman

AN ACT Relating to abortions for minors; amending RCW 9.02.070; adding new sections to chapter 9.02 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1414 by Representatives Patrick and Locke

AN ACT Relating to transfer of vehicle ownership and registration; and amending RCW 46.12.030 and 46.16.040.

Referred to Committee on Transportation.

HB 1415 by Representatives Patrick and Brough

AN ACT Relating to environmental protection; adding a new section to chapter 70.95 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environmental Affairs.

- HB 1416 by Representatives McLean, Haugen, Rayburn, Ballard, Betrozoff, D. Sommers, Sanders, Nealey and Ferguson
 AN ACT Relating to private ways of necessity; amending RCW 8.24.010 and 8.24.030; and adding new sections to chapter 8.24 RCW.
 Referred to Committee on Judiciary.
- HB 1417 by Representatives Patrick, Wang, Heavey, Sayan, Leonard, Nelson, K. Wilson and Basich; by request of Joint Select Committee on Labor-Management Relations
 AN ACT Relating to unemployment compensation during labor disputes; and amending RCW 50.20.090.
 Referred to Committee on Commerce & Labor.
- HB 1418 by Representatives Rasmussen, S. Wilson, Walk, Schmidt, Dorn and Unsoeld
 AN ACT Relating to the location of hearings on motor freight carrier applications; and amending RCW 81.80.345.
 Referred to Committee on Transportation.
- HB 1419 by Representatives Armstrong, Padden, Locke and P. King; by request of Office of Financial Management
 AN ACT Relating to criminal justice information; amending RCW 10.98.130; and declaring an emergency.
 Referred to Committee on Judiciary.
- HB 1420 by Representatives Haugen, Ferguson, Cooper, Appelwick, Sayan, Brough and H. Sommers
 AN ACT Relating to property taxes; and amending RCW 41.16.060, 39.67.010, 39.67.020, 84.55.092, 84.52.043, and 84.52.100.
 Referred to Committee on Local Government.
- HB 1421 by Representatives Haugen, S. Wilson, Baugher, Vekich, Silver, May, Brough, Sanders, Schoon, Moyer, Nealey and Ferguson; by request of Office of State Auditor
 AN ACT Relating to the state auditor; and amending RCW 43.09.250.
 Referred to Committee on Local Government.
- HB 1422 by Representatives Rust, Betrozoff, Peery, Cole, Valle and P. King
 AN ACT Relating to grade level certification; and amending RCW 28A.70.040.
 Referred to Committee on Education.
- HB 1423 by Representatives Ferguson, Haugen and May
 AN ACT Relating to contracts by port districts; adding a new section to chapter 53.08 RCW; and repealing RCW 53.08.120.
 Referred to Committee on Local Government.
- HB 1424 by Representatives Dellwo, Brooks, Braddock, Grimm, Vekich, Bristow, D. Sommers, Ebersole, Cantwell, Belcher, Locke, Armstrong, Crane, Appelwick, Brough, Bumgarner, Sprenkle, Day, Holland, P. King, McLean, Butterfield, Fuhrman, Doty, Basich, Jesernig, Moyer, Wineberry, Unsoeld and Brekke; by request of Governor Gardner
 AN ACT Relating to community placement; amending RCW 9.94A.150, 72.09.020, 9.94A.170, 9.94A.200, 9.94A.360, and 9.94A.330; reenacting and amending RCW 9.94A.030 and 9.94A.120; adding new sections to chapter 9.94A RCW; adding new sections to chapter 72.09 RCW; creating a new section; prescribing penalties; and providing an effective date.
 Referred to Committee on Health Care.
- HB 1425 by Representative P. King

AN ACT Relating to missing children; and adding new sections to chapter 13.60 RCW.

Referred to Committee on Human Services.

HB 1426 by Representatives Ferguson, Cooper, Patrick, Beck, Baugher, Locke, Silver, Zellinsky and Dellwo

AN ACT Relating to weight restrictions for emergency vehicles; and amending RCW 46.44.093.

Referred to Committee on Transportation.

HB 1427 by Representatives Grant, Brooks, Ebersole, Jesernig and Lux

AN ACT Relating to the impact of the Washington State Penitentiary on Walla Walla county and its municipalities; adding a new section to chapter 72.08 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 1428 by Representatives Jacobsen, Heavey, Miller, Fox, Anderson, Nelson, H. Sommers, Wang, P. King, Hankins, Todd and Unsoeld

AN ACT Relating to the Washington national science fellows program; adding a new section to chapter 28B.80 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1429 by Representatives Appelwick, Patrick, P. King, Brough, Armstrong, Wang, McLean, Butterfield, Chandler, Fuhrman, Doty, Todd, Silver, Moyer and Brække

AN ACT Relating to home detention under the sentencing reform act; amending RCW 9.94A.180 and 9A.76.010; and reenacting and amending RCW 9.94A.030 and 9.94A.120.

Referred to Committee on Judiciary.

HB 1430 by Representatives Holland, Peery, Schoon, Rayburn, Walker, Cole, Betrozoff, Ebersole, Fuhrman, Holm, Taylor, Pruitt, Butterfield, Rasmussen, Spanel, Cooper, P. King, Rust, Valle, Appelwick, Todd and Silver

AN ACT Relating to allowing the superintendent of public instruction to appoint a designee to the board of natural resources; and amending RCW 43.30.040.

Referred to Committee on Education.

HB 1431 by Representatives Crane, Ferguson, Jones and Baugher; by request of Governor Gardner and Attorney General

AN ACT Relating to administrative procedure; amending RCW 34.04.025, 34.04.030, 34.04.080, 34.04.090, 34.04.130, 34.12.040, 28B.19.030, 28B.19.040, 28B.19.120, and 28B.19.150; adding new sections to chapter 34.04 RCW; adding new sections to chapter 28B.19 RCW; repealing RCW 28B.19.033, 34.04.022, and 34.04.045; and providing an effective date.

Referred to Committee on Judiciary.

HB 1432 by Representatives Crane, Butterfield, P. King, Patrick, Cantwell, Basich, Cooper, Baugher, Jones, Todd, Zellinsky, Padden, Hargrove, Appelwick, Peery, Meyers, Kremen, Dorn, Betrozoff, Holland, McLean, May, Fuhrman, B. Williams, Brough, Hankins, Jesernig, Silver, Moyer, Rasmussen and Winsley

AN ACT Relating to criminal mental defenses; amending RCW 9A.12.010, 10.77.010, 10.77.020, 10.77.030, 10.77.060, 10.77.070, 10.77.150, 10.77.163, 10.77.165, and 10.77.200; adding new sections to chapter 10.77 RCW; and repealing RCW 10.77.040, 10.77.080, and 10.77.110.

Referred to Committee on Judiciary.

HB 1433 by Representatives Nelson, H. Sommers and Hankins

AN ACT Relating to the institutional industries board; and amending RCW 72.09.080.

Referred to Committee on State Government.

HB 1434 by Representatives Dellwo, Taylor, Cooper, Winsley, Sutherland, Ebersole, Nutley, Jacobsen, Unsoeld, Todd, Rust, Peery, Nelson, Crane, Kremen, Wang, P. King, Wineberry, O'Brien and Spanel

AN ACT Relating to radioactive materials and waste transportation; adding a new chapter to Title 43 RCW; prescribing penalties; providing an effective date; and making an appropriation.

Referred to Committee on Transportation.

HB 1435 by Representatives Dellwo, Silver, Day, Taylor, D. Sommers and Bumgarner

AN ACT Relating to the sales and use taxation of items purchased by free hospitals; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1436 by Representatives Vekich, Wineberry, Schoon, Cantwell, Winsley, Kremen, Rasmussen, Heavey, Grant, Hargrove, Spanel, Bristow, Crane, Anderson, Meyers, Valle, Sanders, Rayburn, K. Wilson, Basich, Moyer and Cooper

AN ACT Relating to the investigation of in-state investment opportunities by the state investment board; and adding new sections to chapter 43.33A RCW.

Referred to Committee on Trade & Economic Development.

HB 1437 by Representatives Heavey, Schoon, Cantwell, Holm, May, Wineberry, Winsley, Vekich, B. Williams, Kremen, Braddock, Grant, Rasmussen, P. King, Doty, Sanders, Dorn, Ferguson and Day

AN ACT Relating to access to international trade information; adding a new section to chapter 43.31 RCW; creating a new section; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 1438 by Representatives Vekich, Hargrove, Schoon, Kremen, Winsley, B. Williams, Grant, Rasmussen and Wineberry

AN ACT Relating to the establishment of a business and job retention program; adding a new chapter to Title 43 RCW; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Trade & Economic Development.

HB 1439 by Representatives Fox, Hargrove, Vekich, Rasmussen and Appelwick

AN ACT Relating to first source agreements with the employment security department; amending RCW 50.64.050; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 1440 by Representatives Lux, Winsley, Zellinsky, Silver, Nutley, Dorn, Anderson, Crane, Taylor, Chandler, Baugher, Betzoff, Prince, Smith, Meyers, Cooper, Locke, H. Sommers, Braddock, Heavey, Rust, Jacobsen, Cantwell, Bristow, Wineberry, Wang, Sayan, Leonard, Rayburn, K. Wilson, Basich, Unsoeld, Spanel and Brekke

AN ACT Relating to financial planning; adding a new chapter to Title 21 RCW; prescribing penalties; making an appropriation; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1441 by Representatives Lux, Zellinsky, Chandler, Winsley, Silver, Nutley, Ferguson, O'Brien, Anderson, Dorn, Wineberry, Patrick, Meyers, Crane, Nelson, Cooper, Locke, H. Sommers, Jacobsen, Wang, P. King, Sayan, May, Leonard and K. Wilson

AN ACT Relating to check cashers; adding a new chapter to Title 31 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1442 by Representatives Rust, Unsoeld, H. Sommers, Hine, Jacobsen and Brekke

AN ACT Relating to the transfer of the state radiation control agency; amending RCW 70.98.050, 70.98.085, 70.98.095, 70.121.020, 70.121.030, 70.121.040, 70.121.100, 70.121.110, and 70.121.140; reenacting and amending RCW 43.200.040; creating new sections; and providing an effective date.

Referred to Committee on State Government.

HB 1443 by Representatives Grimm, Holland, Locke and Ferguson; by request of Board of Tax Appeals

AN ACT Relating to the board of tax appeals; and amending RCW 82.03.070, 82.03.120, 82.03.140, 82.03.150, 82.03.160, 82.03.170, and 84.08.130.

Referred to Committee on Ways & Means.

HB 1444 by Representatives Cooper, Ferguson, Haugen, Sayan, Brough and Unsoeld

AN ACT Relating to the existence of city or town territory within a library district; amending RCW 27.12.360; adding a new section to chapter 27.12 RCW; adding a new section to chapter 70.44 RCW; adding a new section to chapter 84.09 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 1445 by Representatives Wineberry, Armstrong, Padden, O'Brien, Cole, Crane, Anderson, Heavey, Brough, Valle, P. King, Lewis, Jacobsen, Patrick, Unsoeld, Baugher, Leonard, Meyers, Scott, Haugen, Zellinsky, Lux, Ebersole, Brekke, Kremen, Betzoff, Pruitt, Ballard, May, Fuhrman, Doty, Sutherland, Sanders, Jesernig, Todd, Silver, Moyer, Locke, Rasmussen, Ferguson and Winsley

AN ACT Relating to evicting persons for drug activities in rental dwellings; amending RCW 59.18.130, 59.18.390, 59.18.400, 59.18.415, 59.20.040, 59.20.080, 59.20.140, and 59.18.180; adding a new section to chapter 59.18 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1446 by Representatives Haugen, Ferguson, Sayan, S. Wilson, Jones, May, Dorn, Rasmussen and O'Brien; by request of Department of Community Development

AN ACT Relating to funding emergency public works projects from the public works assistance account; amending RCW 43.155.060 and 43.155.070; and adding a new section to chapter 43.155 RCW.

Referred to Committee on Local Government.

HB 1447 by Representatives H. Sommers and Hankins; by request of Department of Community Development

AN ACT Relating to the denial of fireworks licenses; and amending RCW 70.77.370.

Referred to Committee on State Government.

HB 1448 by Representatives Wineberry, Heavey, Anderson, Holland, Holm, Nelson, Hargrove, Locke, Jones and Unsoeld

AN ACT Relating to countries with apartheid policies; adding new sections to chapter 43.19 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 1449 by Representatives Haugen, S. Wilson, Zellinsky, Schmidt and May

AN ACT Relating to floating aquaculture; amending RCW 34.04.150, 90.58.030, and 90.58.180; adding a new section to chapter 90.58 RCW; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 1450 by Representatives Vekich, Schoon, Fox, Hargrove, Wineberry, B. Williams, Peery, Betzoff, P. King, Sayan, McLean, May, Fuhrman, Doty, Sutherland, D. Sommers, Walker, Sanders, Rayburn, Moyer, Cooper, O'Brien, Spanel and Day; by request of Governor Gardner

AN ACT Relating to excise tax deferrals and credits for manufacturing and research and development activities; and amending RCW 82.61.010, 82.61.040, 82.61.070, and 82.62.040.

Referred to Committee on Trade & Economic Development.

HB 1451 by Representatives Rust, Sanders, Valle, Miller, Unsoeld, Brække, Sprengle, Jacobsen, Wang and Lux

AN ACT Relating to endangered, threatened, and sensitive species; amending RCW 77.08.010, 77.08.045, 77.12.020, 77.16.040, and 77.16.120; reenacting and amending RCW 77.21.010; adding new sections to chapter 77.12 RCW; adding a new chapter to Title 77 RCW; prescribing penalties; and making appropriations.

Referred to Committee on Environmental Affairs.

HB 1452 by Representatives Sprengle, Brooks, D. Sommers, Locke, Appelwick, Bumgarner, Unsoeld, Rust, Cantwell, Basich, Braddock, Lux, Jacobsen, Leonard, Nelson, Brough, Sanders, Moyer, Armstrong and Brække

AN ACT Relating to the distribution of tobacco product samples; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Health Care.

HB 1453 by Representatives Appelwick, Winsley, Fisher and Jacobsen

AN ACT Relating to disclosure of vehicle registration records; and amending RCW 46.12.380.

Referred to Committee on Constitution, Elections & Ethics.

HB 1454 by Representatives Wang and Belcher

AN ACT Relating to disqualification from unemployment compensation for marital status or domestic responsibilities; and amending RCW 50.20.050.

Referred to Committee on Commerce and Labor.

HB 1455 by Representatives Bristow, Holland, Grimm, McLean and Wineberry; by request of Governor Gardner

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; amending section 155, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 157, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 201, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 216, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 316, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 322, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 407, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 408, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 409, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 503, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 516, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 529, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 530, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 560, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 566, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 577, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 702, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 706, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 712, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 727, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 875, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 879, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 880, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 882, chapter 6, Laws of 1987 1st ex. sess. (uncodified); and amending section 893, chapter 6, Laws of 1987 1st ex. sess. (uncodified); creating new sections; and repealing section 317, chapter 6, Laws of 1987 1st ex. sess. (uncodified); and repealing section 871, chapter 6, Laws of 1987 1st ex. sess. (uncodified).

Referred to Committee on Ways & Means.

HB 1456 by Representatives Wang, Locke, Walker, Rust, Jones, Fisher, Holland, Todd, Lux, Unsoeld and Winsley

AN ACT Relating to beverage containers; amending RCW 70.132.010, 70.132.020, and 70.132.030; and adding a new section to chapter 70.132 RCW.

Referred to Committee on Environmental Affairs.

HB 1457 by Representatives Jones, Sryan, Fox, Basich, Prince, Patrick, Walker, Crane, Kremen, Day, Meyers, P. King, Silver, Wineberry, Rasmussen and Winsley

AN ACT Relating to motor vehicle license plates; adding a new section to chapter 46.16 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1458 by Representatives Dorn, Amondson, K. Wilson, Sutherland, Silver and Rasmussen; by request of Washington State Parks and Recreation Commission

AN ACT Relating to state park camping fees; and repealing RCW 43.51.057.

Referred to Committee on Natural Resources.

HB 1459 by Representatives Barnes, Beck, Sanders, Rasmussen, H. Sommers, K. Wilson and Ferguson

AN ACT Relating to public employment; amending RCW 41.04.010 and 70.84.080; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Commerce & Labor.

HB 1460 by Representatives Armstrong, Locke and May; by request of Office of the Administrator for the Courts

AN ACT Relating to jury selection and summoning; amending RCW 2.36.010, 2.36.050, 2.36.063, 2.36.070, 2.36.093, 2.36.100, 2.36.110, 2.36.130, 8.04.080, 10.27.020, 10.27.040, and 36.24.020; adding new sections to chapter 2.36 RCW; creating a new section; repealing RCW 2.36.060, 2.36.090, 2.36.140, 2.36.160, 12.12.040, 12.12.060, and 12.12.100; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 1461 by Representatives Crane, Locke and Holland

AN ACT Relating to juveniles; and amending RCW 13.40.080.

Referred to Committee on Judiciary.

HB 1462 by Representatives Wineberry, Crane, Meyers, Locke and P. King

AN ACT Relating to juvenile offenders; and amending RCW 13.40.070.

Referred to Committee on Judiciary.

HB 1463 by Representatives Belcher, Locke, Hargrove, Crane, Wang and Todd

AN ACT Relating to parents' compliance with residential provisions for a child; adding a new section to chapter 26.09 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1464 by Representatives Armstrong, Belcher, Brough, Crane, Hargrove, Locke, Zellinsky, Wang, Holland, Schmidt, Doty, B. Williams and Todd

AN ACT Relating to contempt actions for failure to comply with a child support order; and amending RCW 26.18.050.

Referred to Committee on Judiciary.

HB 1465 by Representatives Armstrong, Brough, Belcher, Appelwick, Locke, Schmidt and Todd

AN ACT Relating to child support; amending section 1, chapter 440, Laws of 1987 (uncodified); amending section 2, chapter 440, Laws of 1987 (uncodified); amending RCW 26.09.100, 74.20A.055, and 74.20A.160; adding a new chapter to Title 26 RCW; adding a new section to chapter 26.10 RCW; adding a new section to chapter 26.21 RCW; adding a new section to chapter 13.32A RCW; adding a new section to chapter 13.34 RCW; adding

a new section to chapter 26.26 RCW; repealing RCW 74.20.270; repealing section 4, chapter 440, Laws of 1987 (uncodified); and providing an effective date.

Referred to Committee on Judiciary.

HB 1466 by Representatives Armstrong, Padden, Locke and P. King; by request of Sentencing Guidelines Commission

AN ACT Relating to seriousness levels for unranked felonies; reenacting and amending RCW 9.94A.120 and 9.94A.320; and creating a new section.

Referred to Committee on Judiciary.

HB 1467 by Representatives Armstrong, Padden, Locke and P. King; by request of Sentencing Guidelines Commission

AN ACT Relating to technical corrections in the procedures for sentencing adult felons; amending RCW 9.94A.060, 9.94A.360, 9.94A.380, and 9.94A.400; reenacting and amending RCW 9.94A.030; creating a new section; and repealing RCW 9.94A.330.

Referred to Committee on Judiciary.

HB 1468 by Representatives Fisher, Winsley, Ferguson, Hine, Zellinsky, Moyer, Brooks, Baugher, Rayburn, Rasmussen, Doty, Sprengle, Jacobsen, Leonard, Walker, Locke and Brekke

AN ACT Relating to motorcycles; and reenacting and amending RCW 46.37.530.

Referred to Committee on Transportation.

HB 1469 by Representatives Walk, Betzoff, Patrick, Cantwell and Meyers; by request of Department of Transportation

AN ACT Relating to exchange of property by the department of transportation; and amending RCW 47.12.130.

Referred to Committee on Transportation.

HB 1470 by Representatives Baugher, Schmidt and Walk; by request of Department of Transportation

AN ACT Relating to motor vehicles; and amending RCW 46.04.582 and 46.44.041.

Referred to Committee on Transportation.

HB 1471 by Representatives Baugher, Schmidt and Walk; by request of Department of Transportation

AN ACT Relating to purchase of additional tonnage for motor vehicles; and amending RCW 46.44.095 and 46.44.160.

Referred to Committee on Transportation.

HB 1472 by Representatives Baugher, McLean, Nealey, Rayburn, Doty, Grant, Rasmussen, Holm and Todd; by request of Department of Agriculture

AN ACT Relating to apiaries; amending RCW 15.60.005, 15.60.015, 15.60.020, 15.60.025, 15.60.030, 15.60.040, 15.60.043, 15.60.050, 15.60.100, 15.60.110, 15.60.120, and 15.60.140; adding new sections to chapter 15.60 RCW; and repealing RCW 15.60.045, 15.60.060, 15.60.080, 15.60.115, and 15.60.130.

Referred to Committee on Agriculture & Rural Development.

HB 1473 by Representatives McLean, Doty, Rasmussen and Holm; by request of Department of Agriculture

AN ACT Relating to food processors; amending RCW 69.07.040, 69.07.050, 19.02.110, 69.07.100, and 69.08.045; and repealing RCW 69.12.010, 69.12.020, 69.12.030, 69.12.040, 69.12.050, 69.12.060, 69.12.070, 69.12.080, 69.12.110, 69.12.120, 69.16.010, 69.16.015, 69.16.020, 69.16.021, 69.16.022, 69.16.023, 69.16.030, 69.16.040, 69.16.050, 69.16.060, 69.16.070, 69.16.080, 69.16.090, 69.16.100, 69.16.110, 69.16.115, 69.16.120, 69.16.130, 69.16.160, 69.16.170, 69.16.900, 69.20.005, 69.20.007, 69.20.010, 69.20.011, 69.20.012, 69.20.013, 69.20.014, 69.20.020, 69.20.030, 69.20.040, 69.20.050, 69.20.060, 69.20.070, 69.20.080, 69.20.090, 69.20.110, 69.20.120, 69.20.150, and 69.20.900.

Referred to Committee on Agriculture & Rural Development.

HB 1474 by Representatives H. Sommers, Sutherland, Winsley, Scott, P. King, Todd and Wineberry

AN ACT Relating to the family independence program; and amending RCW 74.21-.020 and 74.21.140.

Referred to Committee on Human Services.

HB 1475 by Representatives Haugen, Ferguson, Zellinsky, Beck, Nutley, Nealey, Brooks, Bumgarner, Rayburn and May

AN ACT Relating to utility service installation in first-class cities; and amending RCW 35.22.640.

Referred to Committee on Energy & Utilities.

HB 1476 by Representatives Brough, K. Wilson, Heavey, Jesernig and Rasmussen

AN ACT Relating to recreational fishing licenses; and amending RCW 75.25.110.

Referred to Committee on Natural Resources.

HB 1477 by Representatives Zellinsky, Padden, Heavey, Patrick, Kremen, Bristow, Haugen, Schmidt, Crane, P. King, Holm, May, Jesernig and Silver

AN ACT Relating to arrest of fugitives; and adding a new section to chapter 10.34 RCW.

Referred to Committee on Judiciary.

HB 1478 by Representatives Zellinsky, Walk, Schmidt, Haugen, K. Wilson, Baugher and Crane

AN ACT Relating to vehicle license plates; and amending RCW 46.16.230.

Referred to Committee on Transportation.

HB 1479 by Representatives Nelson, Barnes, Jacobsen and Wang; by request of Washington State Energy Office

AN ACT Relating to energy conservation; amending RCW 35.92.360 and 54.16.280; and providing an effective date.

Referred to Committee on Energy & Utilities.

HB 1480 by Representatives Jesernig, Hankins, Barnes, Sprenkle, Brooks, Wineberry, May, Pruitt, Miller, Ferguson, Wang, Cantwell, Lux, Braddock, Anderson, Meyers, B. Williams, Silver, Locke and O'Brien

AN ACT Relating to guide dogs and service dogs; and adding a new section to chapter 70.84 RCW.

Referred to Committee on State Government.

HJM 4030 by Representatives Wineberry, Vekich, Holm, Heavey, Cantwell, Hargrove, Kremen, Braddock, Rasmussen, Appelwick, Anderson, P. King, Leonard, K. Wilson, Lux, Spanel and Basich

Requesting Congress to establish a state economic development block grant program.

Referred to Committee on Trade & Economic Development.

HJM 4031 by Representatives Haugen, Hargrove, Basich, S. Wilson, Bumgarner, Zellinsky and Rasmussen

Petitioning Congress to revise the Marine Mammal Protection Act.

Referred to Committee on Natural Resources.

HJR 4223 by Representatives Nelson, Barnes, Jacobsen and Wang; by request of Washington State Energy Office

Extending and expanding the authorization for government utilities to lend money for energy conservation.

Referred to Committee on Energy & Utilities.

HCR 4429 by Representatives Wang, Patrick, Cole, Holland and Sanders

Establishing a joint select committee to review liquor laws and policy.

Referred to Committee on Commerce & Labor.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 14, 1988

HB 662 Prime Sponsor, Representative Vekich: Specifying the grounds for bringing a products liability action based on design defects for fire-arms or ammunition. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representative Braddock

Passed to Committee on Rules for second reading.

January 14, 1988

HB 1318 Prime Sponsor, Representative Holm: Extending the time period for applications for the schools for the twenty-first century pilot project. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Valle and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Holland.

Absent: Representatives Appelwick, Ebersole, Fuhrman and Todd

Passed to Committee on Rules for second reading.

On motion of Mr. Ebersole, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 13, by Committee on Environmental Affairs (originally sponsored by Representatives Valle, Rust, Brekke, Jacobsen and Nelson)

Regulating smoking in the workplace.

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

Representatives Valle and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 13, and the bill passed the House by the following vote: Yeas, 68; nays, 23; absent, 2; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Crane, Dorn, Doty, Ebersole, Ferguson, Fox, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, Jesernig, Jones, King P. Leonard, Locke, Lux, May, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wilson K, Winsley - 68.

Voting nay: Representatives Amondson, Ballard, Chandler, Cooper, Day, Fisher, Fuhrman, Gallagher, Grant, Heavey, Holm, Kremen, McLean, Padden, Schmidt, Scott, Smith C, Taylor, Wang, Williams B, Williams J, Wilson S, Zellinsky - 23.

Absent: Representatives King R, and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller, Wineberry - 5.

Substitute House Bill No. 13, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 22, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisher, Wang, Hine, Heavey, P. King, Wineberry and Belcher)

Revising voter registration periods.

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

Representatives Fisher and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 22, and the bill passed the House by the following vote: Yeas, 83; nays, 8; absent, 2; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Winsley, Zellinsky - 83.

Voting nay: Representatives Fuhrman, Padden, Schmidt, Silver, Smith C, Taylor, Williams J, Wilson S - 8.

Absent: Representatives King R, and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller, Wineberry - 5.

Substitute House Bill No. 22, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Wineberry appeared at the bar of the House.

SUBSTITUTE HOUSE BILL NO. 23, by Committee on Transportation (originally sponsored by Representative Sutherland)

Authorizing green lights on private cars of emergency medical personnel.

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

Representative Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 23, and the bill passed the House by the following vote: Yeas, 79; nays, 13; absent, 2; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Brekke, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, May, Meyers, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 79.

Voting nay: Representatives Amondson, Braddock, Bristow, Brough, Cole, Fisher, Fuhrman, Holland, McLean, Nealey, Padden, Schoon, Silver - 13.

Absent: Representatives King R, and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller - 4.

Substitute House Bill No. 23, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 115, by Committee on Environmental Affairs (originally sponsored by Representatives Rust, Allen, Brekke, May, Walker, Nutley and Lux)

Providing for single authority to be responsible for solid waste management and eliminating city comprehensive solid waste management plans.

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

Representatives Rust and Walker spoke in favor of passage of the bill, and Mr. Chandler opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 115, and the bill passed the House by the following vote: Yeas, 86; nays, 6; absent, 2; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 86.

Voting nay: Representatives Baugher, Chandler, Gallagher, Grant, Hargrove, Smith C - 6.

Absent: Representatives King R, and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller - 4.

Engrossed Substitute House Bill No. 115, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 243, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisher, Pruitt, P. King and Fisch)

Revising the requirements for statements to describe ballot propositions.

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

Representatives Fisher and Sanders spoke in favor of passage of the bill, and Mr. Barnes opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 243, and the bill passed the House by the following vote: Yeas, 75; nays, 17; absent, 2; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, May, Meyers, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 75.

Voting nay: Representatives Amondson, Ballard, Barnes, Betzoff, Bumgarner, Chandler, Doty, Fuhrman, Hankins, Heavey, McLean, Moyer, Nealey, Padden, Patrick, Silver, Sutherland - 17.

Absent: Representatives King R, and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller - 4.

Engrossed Substitute House Bill No. 243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 254, by Representatives Walk, Schmidt and Gallagher; by request of Department of Licensing

Imposing a penalty fee for the renewal of drivers' licenses that have expired.

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

Representative Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 254, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 2; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 91.

Voting nay: Representative Brough - 1.

Absent: Representatives King R. and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller - 4.

Engrossed House Bill No. 254, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 264, by Committee on Environmental Affairs (originally sponsored by Representatives Sprengle, May, D. Sommers, Ferguson, Valle, Lux, Allen, Rust, Walker, Brekke, Moyer, Brooks, Bumgarner, Dellwo, Brough, and Winsley)

Prohibiting use of tobacco products in health care facilities.

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

Representatives Sprengle and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 264, and the bill passed the House by the following vote: Yeas, 87; nays, 5; absent, 2; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 87.

Voting nay: Representatives Amondson, Heavey, Taylor, Wang, Williams J - 5.

Absent: Representatives King R. and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller - 4.

Substitute House Bill No. 264, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 516, by Representatives Rust, Allen, Unsoeld, May and Todd; by request of Puget Sound Water Quality Authority

Revising penalties for violation of water pollution statutes.

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

Representatives Rust and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 516, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 92.

Absent: Representatives King R. and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller - 4.

House Bill No. 516, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 567, by Committee on Human Services (originally sponsored by Representatives Nutley, McMullen, Allen, Wang, Cantwell, Scott, Brough, Winsley, Unsoeld, Leonard, Padden, Cooper, Lewis, R. King, Holm, L. Smith, Betzoff, May, Sprenkle, Todd, Spanel and Miller)

Providing funding sources for county domestic violence prevention programs.

On motion of Mr. Ebersole, the rules were suspended and Substitute House Bill No. 567 was returned to second reading for the purpose of amendment.

Substitute House Bill No. 567 was read the second time.

Representative Nutley moved adoption of the following amendment:

On page 1, after line 4 strike all the material down to and including "dollar," on page 2, line 9, and insert the following:

"Sec. 1. Section 36.18.010, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1987 and RCW 36.18.010 are each amended to read as follows:

County auditors shall collect the following fees for their official services:

For recording instruments, for the first page, legal size (eight and one-half by thirteen inches or less), five dollars; for each additional legal size page, one dollar;

For preparing and certifying copies, for the first legal size page, three dollars; for each additional legal size page, one dollar;

For preparing noncertified copies, for each legal size page, one dollar;

For administering an oath or taking an affidavit, with or without seal, two dollars;

For issuing a marriage license, eight dollars. (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional five-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund, which five-dollar fee shall expire June 30, 1988, plus an additional ten-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund, plus an additional fee in an amount authorized by the county legislative authority under section 2 of this 1988 act. The legislature intends to appropriate an amount at least equal to the revenue generated by this fee for the purposes of the displaced homemaker act, chapter 28B.04 RCW;

For searching records per hour, eight dollars;

For recording plats, fifty cents for each lot except cemetery plats for which the charge shall be twenty-five cents per lot; also one dollar for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of twenty-five dollars per plat;

For recording of miscellaneous records, not listed above, for first legal size page, five dollars; for each additional legal size page, one dollar."

Representative Nutley moved adoption of the following amendment to the amendment:

On page 1, line 33, strike "eight" and insert "((eight)) ten"

Representatives Nutley and Moyer spoke in favor of the amendment to the amendment, and it was adopted.

Representative Nutley spoke in favor of the amendment as amended, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nutley and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 567, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 2; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 91.

Voting nay: Representative Doty - 1.

Absent: Representatives King R. and Mr. Speaker - 2.

Excused: Representatives Allen, Dellwo, Lewis, Miller - 4.

Engrossed Substitute House Bill No. 567, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I erred in voting Nay on ESHB 567, because I looked at the wrong page in the calendar. I wanted to vote YES on ESHB 567.

Shirley L. Doty, 14th District.

MOTION

On motion of Mr. Ebersole, House Bill No. 1338 was referred from Committee on Commerce & Labor to Committee on State Government.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, January 18, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Monday, January 18, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Bumgarner, R. King, Locke, Schoon, Smith and Todd. Representatives Allen, Bumgarner, R. King, Schoon, Smith and Todd were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Daniel Day and Nicole Patrick. Prayer was offered by The Reverend Portia Mather, Minister of St. John's Episcopal Church of Olympia.

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

MESSAGE FROM THE SENATE

January 13, 1988

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4425,
HOUSE CONCURRENT RESOLUTION NO. 4426,
HOUSE CONCURRENT RESOLUTION NO. 4427,
HOUSE CONCURRENT RESOLUTION NO. 4428,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1481 by Representatives Rasmussen, Walker, Pruitt, Betrozoff, Holm, Cooper, Ebersole, Holland, Valle, Rayburn, Peery, Unsoeld, Grant, Dorn, Hargrove, Barnes, Moyer, Wineberry, Anderson, Lewis, Heavey, Crane, Wang, Jesernig, Patrick, Jones, Winsley, Basich, P. King, Hine, Miller, Sanders, Day, Spanel, K. Wilson, Silver, Armstrong, Ferguson and Butterfield

AN ACT Relating to senior citizens volunteering in the schools; adding a new section to Title 28A RCW; and making an appropriation.

Referred to Committee on Education.

HB 1482 by Representatives Rasmussen, Dorn, Winsley, Crane, Holland, Holm, Cooper, Walker, Betrozoff, Rayburn, Scott, Hargrove, Grant, Kremen, Unsoeld, Barnes, Baugher, Doty, Moyer, Wineberry, Anderson, Jesernig, Jones, Brough, Basich, Meyers, Ballard, P. King, Mary, Taylor, Miller, Spanel, Silver, Ferguson and Butterfield

AN ACT Relating to alcohol or drug violations by juveniles; amending RCW 46.04.480; reenacting and amending RCW 46.20.311; adding a new section to chapter 13.40 RCW; adding a new section to chapter 66.44 RCW; adding a new section to chapter 69.50 RCW; and adding a new section to chapter 46.20 RCW.

Referred to Committee on Judiciary.

HB 1483 by Representatives Brekke, Patrick, Armstrong and Winsley

AN ACT Relating to involuntary commitment of alcoholics and drug abusers; amending RCW 5.62.020, 18.83.110, 70.96A.020, 70.96A.120, and 70.96A.140; and reenacting and amending RCW 5.60.060.

Referred to Committee on Human Services.

- HB 1484** by Representatives Fisher, Nelson, Unsoeld, Jacobsen and K. Wilson
AN ACT Relating to reports by employers of registered lobbyists; and amending RCW 42.17.180.
Referred to Committee on Constitution, Elections & Ethics.
- HB 1485** by Representatives Pruitt, Holm, Cooper, Rasmussen, Holland, Ebersole, Walker, Wineberry, Anderson, Heavey, Jesernig, Jacobsen, Winsley, P. King, May, Unsoeld, Sanders, Silver and Ferguson
AN ACT Relating to community service by high school students; creating new sections; making an appropriation; and providing an expiration date.
Referred to Committee on Education.
- HB 1486** by Representatives Pruitt, Holm, Walker, Cooper, Rasmussen, Ebersole, Holland, Anderson, Heavey, Crane, P. King, May, Sanders and Spanel
AN ACT Relating to citizenship education; amending RCW 28A.05.060 and 28A.58.754; and adding new sections to Title 28A RCW.
Referred to Committee on Education.
- HB 1487** by Representatives Lux, Chandler, Anderson, Betrozoff, Crane, May, Braddock, Jacobsen, Walker, Walk, Nutley, Nelson, Todd, Meyers, Scott, Wang, Sayan and Ballard
AN ACT Relating to motor vehicle rentals; adding a new chapter to Title 48 RCW; prescribing penalties; and providing an effective date.
Referred to Committee on Financial Institutions & Insurance.
- HB 1488** by Representatives Sayan, Grimm, Ferguson, Fuhrman, Basich, P. King and Sanders
AN ACT Relating to business and occupation tax credits for employers of volunteer fire fighters; adding a new section to chapter 82.04 RCW; and providing an effective date.
Referred to Committee on Ways & Means.
- HB 1489** by Representatives Sayan, Patrick, Fisher, Walker, Jones, O'Brien, Smith, Cole, Brough and Doty
AN ACT Relating to reports by industrial insurance panel members; and adding a new section to chapter 51.14 RCW.
Referred to Committee on Commerce & Labor.
- HB 1490** by Representatives Heavey, Barnes, Jacobsen, Silver, Unsoeld, Jesernig, Fox, Miller, Prince, K. Wilson, Wineberry, Crane, J. Williams, Basich, P. King, May, Nealey, Rasmussen and Hine
AN ACT Relating to donated equipment for institutions of higher education; adding new sections to chapter 28B.10 RCW; adding a new section to chapter 82.12 RCW; and creating a new section.
Referred to Committee on Higher Education.
- HB 1491** by Representatives Chandler and Rayburn
AN ACT Relating to motor vehicle fuel; and adding a new section to chapter 19.94 RCW.
Referred to Committee on Transportation.
- HB 1492** by Representatives H. Sommers and Chandler; by request of Governor Gardner
AN ACT Relating to state boards and commissions; amending RCW 19.28.005, 19.28.015, 19.28.060, 19.28.065, 19.28.123, 19.28.125, 19.28.210, 19.28.260, 19.28.300, 19.28.310, 19.28.350, 19.28.530, 19.28.540, 19.28.580, 19.28.620, 38.52.040, 46.48.170, and 76.44.020; repealing RCW 31.30.140, 46.48.190, and 76.44.022; and providing an effective date.
Referred to Committee on State Government.
- HB 1493** by Representatives Appelwick, Patrick, P. King and Sanders

AN ACT Relating to the collection of costs incurred by public officials to abate a public nuisance; and amending RCW 7.48.280 and 9.66.040.

Referred to Committee on Ways & Means.

HB 1494 by Representatives Scott, Padden, Leonard, Moyer, Cole, Haugen, Wang, S. Wilson, Lewis, Patrick, Winsley, P. King, Pruitt, Miller, K. Wilson and Locke

AN ACT Relating to limitation of actions; adding a new section to chapter 4.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1495 by Representatives Walker, Peery, Rust, Cole, Holm, Spanel, Rayburn, Taylor, Betzoff, Rasmussen, Pruitt, P. King, Cooper, Holland, Butterfield, Appelwick, Brough, Grimm, Winsley, Valle, May and Doty

AN ACT Relating to elementary school counselors; adding new sections to chapter 28A.03 RCW; and making an appropriation.

Referred to Committee on Education.

HB 1496 by Representatives Kremen, Schoon, Vekich, Hargrove, Basich, Sayan, Jones, Wineberry, P. King and Holm

AN ACT Relating to increased access to international trade information; adding a new chapter to Title 43 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Trade & Economic Development.

HB 1497 by Representatives Kremen, O'Brien, Cooper, Grant, Moyer, Baugher, Doty, Rayburn, Betzoff, Hargrove, Zellinsky, Meyers, Winsley, Dorn, Crane, Rasmussen, Jesernig, Heavey, Hankins, Day, Wineberry, Lewis, Patrick, Dellwo, Brough, P. King, Holm, May, Pruitt and Miller

AN ACT Relating to controlled substances; amending RCW 69.50.505; and creating a new section.

Referred to Committee on Judiciary.

HB 1498 by Representatives Kremen, Ballard and McLean

AN ACT Relating to voting in special districts; and amending RCW 85.38.100 and 85.38.120.

Referred to Committee on Agriculture & Rural Development.

HB 1499 by Representatives Kremen, Holland, Grant, Braddock and May

AN ACT Relating to sand and gravel removal; creating new sections; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 1500 by Representatives Prince, Rayburn, Nealey, Grant, Doty, Rasmussen, Smith, Baugher, Chandler, Fuhrman, Walk, Lewis, Ballard, Kremen and McLean

AN ACT Relating to special fuel record-keeping requirements; and amending RCW 82.38.140.

Referred to Committee on Transportation.

HB 1501 by Representatives Wang, Patrick, Sayan, Zellinsky, O'Brien, Gallagher, Smith, Schoon, Fisher, Walker, Cole, Lux and Doty

AN ACT Relating to motor vehicle aftermarket crash parts; amending RCW 46.71.080 and 46.71.090; adding a new section to chapter 46.71 RCW; adding a new section to chapter 48.30 RCW; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1502 by Representatives Meyers, Schmidt and P. King

AN ACT Relating to secured transactions under the uniform commercial code; and amending RCW 62A.9-203, 62A.9-312, and 62A.9-402.

Referred to Committee on Judiciary.

HB 1503 by Representatives P. King, Padden and Meyers

AN ACT Relating to acknowledgments; and amending RCW 64.08.050, 64.08.060, 64.08.070, and 42.44.100.

Referred to Committee on Judiciary.

HB 1504 by Representatives P. King, Padden and Meyers

AN ACT Relating to trusts and estates; and amending RCW 11.28.340, 11.62.010, 11.68.090, 11.76.090, 11.76.095, 11.96.070, 11.96.170, 11.98.110, 30.22.200, and 64.28.020.

Referred to Committee on Judiciary.

HB 1505 by Representatives Appelwick, Valle, Rust and Dellwo

AN ACT Relating to the collection of retail sales and use taxes; and amending RCW 82.12.040.

Referred to Committee on Ways & Means.

HB 1506 by Representatives Haugen, Appelwick, Taylor, Grimm, Holland, J. Williams, Winsley, Ballard, P. King, May, Doty, Hine, Miller, Spanel, Silver, Ferguson and Butterfield; by request of Governor Gardner

AN ACT Relating to local sales and use tax distributions; amending RCW 82.14.060; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1507 by Representatives Appelwick, Taylor, Grimm, Haugen, Holland and Locke; by request of Governor Gardner

AN ACT Relating to sales or use tax exemptions on food products sold by vendors required to have a worker's permit under RCW 69.06.010; and amending RCW 82.08.0293 and 82.12.0293.

Referred to Committee on Ways & Means.

HB 1508 by Representative Appelwick

AN ACT Relating to public utility district privilege taxes; and amending RCW 54.28.010.

Referred to Committee on Ways & Means.

HB 1509 by Representatives H. Sommers, B. Williams, Silver, Fuhrman, Brekke, Brough and Winsley; by request of Legislative Budget Committee

AN ACT Relating to state salary survey methodology; creating a new section; and making an appropriation.

Referred to Committee on Ways & Means.

HB 1510 by Representatives Fox, Ferguson, Haugen, Bumgarner and Spanel

AN ACT Relating to annexation by water districts and sewer districts; and amending RCW 56.24.070 and 57.24.010.

Referred to Committee on Local Government.

HB 1511 by Representatives Bumgarner, Haugen, Beck, Ferguson and Braddock

AN ACT Relating to water districts and sewer districts; and amending RCW 56.08.010, 56.08.090, 57.08.010 and 57.08.016.

Referred to Committee on Local Government.

HB 1512 by Representatives H. Sommers, Grimm, Holland, Hine, Braddock, Crane, P. King, Holm and Pruitt

AN ACT Relating to school construction funding; creating a new section; and making an appropriation.

Referred to Committee on Ways & Means.

HB 1513 by Representatives Braddock, Lewis, Bumgarner, Day and Dellwo

AN ACT Relating to certification of dietitians and nutritionists; adding a new chapter to Title 18 RCW; prescribing penalties; and making an appropriation.

Referred to Committee on Health Care.

HB 1514 by Representatives Ferguson, Haugen, Sanders, Cooper, Bumgarner and Nutley

AN ACT Relating to fluoridation by water districts; amending RCW 57.08.010; and adding a new section to chapter 57.08 RCW.

Referred to Committee on Local Government.

HB 1515 by Representatives H. Sommers, B. Williams, Silver, Holland, Brekke, Fuhrman, J. Williams and May; by request of Legislative Budget Committee

AN ACT Relating to state government; amending RCW 43.131.215, 43.131.216, 43.131.301, 43.131.302, 43.131.303, 43.131.304, 43.131.323, 43.131.327, 43.131.328, 43.131.329, 43.131.330, 43.131.331, 43.131.332, 43.131.333, and 43.131.334; and repealing RCW 43.117.910, 43.131.269, 43.131.270, and 67.70.900.

Referred to Committee on State Government.

HB 1516 by Representatives Basich, Doty, Vekich, Holm, Rasmussen, Sayan, Hargrove, Jones, Bristow, Pruitt, Wineberry, Locke, Kremen, Nutley, Grimm, Beck, Amondson, McLean, Schoon, Grant, Jacobsen, Winsley, P. King, Unsoeld and Rayburn

AN ACT Relating to the development of local marketplace programs; adding a new chapter to Title 43 RCW; making an appropriation; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

HB 1517 by Representatives Basich, Leonard, Dorn, Peery, Cooper, Cole, Holm, P. King, Wineberry, Brekke, Rasmussen, Pruitt, Unsoeld and K. Wilson

AN ACT Relating to positive youth development; adding new sections to Title 28A RCW; providing an expiration date; and making appropriations.

Referred to Committee on Education.

HB 1518 by Representatives Bristow and Grant

AN ACT Relating to school plant facilities; amending RCW 28A.47.803 and 28A.56.200; and adding a new section to chapter 28A.47 RCW.

Referred to Committee on Ways & Means.

HB 1519 by Representatives Jacobsen, Miller, Grimm, Winsley, Locke, Wineberry, Jesernig, P. King and Spanel

AN ACT Relating to higher education tuition fees; and amending RCW 28B.15.067.

Referred to Committee on Higher Education.

HB 1520 by Representatives Jacobsen, Basich, Heavey, Unsoeld, Miller, Prince, Winsley, Silver, Wineberry, Anderson, Wang, P. King, Hine and Ferguson

AN ACT Relating to community service by students at state institutions of higher education; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1521 by Representatives Jacobsen, Todd, Cole and Wang

AN ACT Relating to lists and directories; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Energy & Utilities.

HB 1522 by Representatives Sayan, Sanders, Hine, Ballard, O'Brien, Allen, Dellwo, Ferguson, Lux, May, Nelson, Miller, Baugher, J. Williams, Cole, Prince, Leonard, Lewis, Jacobsen, Amondson, P. King, Wineberry, Todd, Rayburn, Haugen, Grimm, Pruitt, Valle, Scott, Crane, Barnes, Sutherland and Day

AN ACT Relating to participation and communication on public issues as part of the centennial observance by organizations and citizens; adding new sections to chapter 43.63A RCW; and providing an expiration date.

Referred to Committee on Constitution, Elections & Ethics.

HB 1523 by Representatives Leonard, Belcher, Cole, Brekke, Lux, Anderson, Brough, P. King and Valle

AN ACT Relating to visitation between an abused child and the abuser; and amending RCW 13.34.130 and 26.09.240.

Referred to Committee on Human Services.

HB 1524 by Representatives Cole, Prince, Jacobsen, Fisher, Holm, P. King, Basich, Valle, Lux, Locke, Brough, Winsley, Hankins and Rasmussen

AN ACT Relating to manufacturer rebates; and adding a new chapter to Title 19 RCW.

Referred to Committee on Commerce & Labor.

HB 1525 by Representatives Winsley, Lux, Chandler, P. King, Nutley, Betrozoff, Holland and May

AN ACT Relating to debenture companies; amending RCW 21.20.700, 21.20.705, 21.20.710, 21.20.725, 21.20.732, and 21.20.734; adding new sections to chapter 21.20 RCW; creating a new section; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1526 by Representatives Haugen, Ferguson, Zellinsky and Valle

AN ACT Relating to water wells; and amending RCW 18.104.040 and 43.20.050.

Referred to Committee on Agriculture & Rural Development.

HJR 4224 by Representatives H. Sommers, Grimm, Holland, Hine, Braddock, P. King, Holm and Pruitt

Providing for the increase of the principal of the permanent common school fund.

Referred to Committee on Ways & Means.

HCR 4430 by Representatives Nelson, Barnes, P. King, Sutherland and Spanel

Creating a joint select committee on nuclear affairs.

Referred to Committee on Energy & Utilities.

HCR 4431 by Representatives Jacobsen, Rust, Leonard, Cole, Locke, Winsley, Brough, Peery, Fisher, Holm, Belcher, Pruitt, Jesernig, Haugen, Anderson, Appelwick, Grimm, Basich, Ebersole, Nelson, K. Wilson, Nutley, Crane, Hankins, Bristow, P. King, Rasmussen, Hine and Miller

Establishing a Joint Legislative Advisory Committee on Women in Athletics.

Referred to Committee on Higher Education.

HCR 4432 by Representatives Jesernig, Jacobsen, Anderson, Nelson, P. King, Sutherland and Hine

Establishing the joint select committee on technology transfer.

Referred to Committee on Trade & Economic Development.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 14, 1988

HB 64 Prime Sponsor, Representative Lux: Exempting certain surety bonds from requirements for cancellation or nonrenewal of insurance policies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Crane, Dellwo, Dorn, Ferguson, Nutley and Silver.

Absent: Representatives Chandler, Day, Grimm, P. King and Winsley.

Passed to Committee on Rules for second reading.

January 14, 1988

HB 854 Prime Sponsor, Representative Lux: Requiring insurers to allow conversion of group term insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Dellwo and Grimm.

Passed to Committee on Rules for second reading.

January 15, 1988

HB 1010 Prime Sponsor, Representative Holm: Financing the provision of fire protection services for state-owned buildings. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, Peery, Taylor and Walk.

Absent: Representative O'Brien

Passed to Committee on Rules for second reading.

January 14, 1988

EHB 1093 Prime Sponsor, Representative Zellinsky: Revising deposit, permit, and insurance requirements for public fireworks displays. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Silver.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

January 14, 1988

HB 1291 Prime Sponsor, Representative Cole: Providing for the sale of liquor collections. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, O'Brien, Patrick, Sanders, Sayan, C. Smith and Walker.

Absent: Representatives R. King and Sayan.

Passed to Committee on Rules for second reading.

January 14, 1988

HB 1292 Prime Sponsor, Representative Jones: Revising restrictions on minors employed by liquor licensees. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, O'Brien, Patrick, Sanders, Sayan and C. Smith.

MINORITY recommendation: Do not pass. Signed by Representative Walker.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 14, 1988

HB 1293 Prime Sponsor, Representative R. King: Providing that all conditions and restrictions be listed on liquor licenses. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, O'Brien, Patrick, Sanders, Sayan, C. Smith and Walker.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 14, 1988

HB 1294 Prime Sponsor, Representative Jones: Providing for a liquor broker's license. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, O'Brien, Patrick, Sanders, Sayan, C. Smith and Walker.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 14, 1988

HB 1295 Prime Sponsor, Representative Wang: Revising the fees for liquor licenses. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, O'Brien, Patrick, Sanders, Sayan, C. Smith and Walker.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 14, 1988

HB 1296 Prime Sponsor, Representative Wang: Repealing the report and delivery requirement for seized liquor. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, O'Brien, Patrick, Sanders, Sayan, C. Smith and Walker

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

On motion of Mr. Ebersole, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 645, by Committee on Environmental Affairs (originally sponsored by Representatives Pruitt, May, Miller, Hine, Rust, Unsoeld, Valle and Ferguson; by request of Puget Sound Water Quality Authority)

Requiring disclosures concerning septic systems upon sale of property.

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

Representatives Pruitt, Rust, Lux and Hine spoke in favor of passage of the bill, and Representatives May, D. Sommers, Sanders, Walker and Braddock opposed it.

Mr. Pruitt spoke again in favor of the bill, and Mr. Sanders again opposed it. Mr. Baugher spoke against passage of the bill, and Ms. Haugen spoke in favor of it.

ROLL CALL

The Clerk call the roll on the final passage of Engrossed Substitute House Bill No. 645, and the bill failed to pass the House by the following vote: Yeas, 47; nays, 44; absent, 1; excused, 6.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Belcher, Brekke, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Hine, Holm, Jacobsen, Jones, Leonard, Lux, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H. Spanel, Sprenkle, Sutherland, Unsoeld, Valle, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 47.

Voting nay: Representatives Amondson, Ballard, Baugher, Beck, Betrozoff, Braddock, Bristow, Brooks, Butterfield, Chandler, Dorn, Doty, Ferguson, Fuhrman, Grant, Hankins, Heavey, Holland, Jesernig, King P, Kremen, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Silver, Sommers D, Taylor, Vekich, Walk, Walker, Williams B, Williams J, Wilson S, Zellinsky - 44.

Absent: Representative Locke - 1.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

SUBSTITUTE HOUSE BILL NO. 657, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisher, Sanders, H. Sommers, Miller, Lewis, Prince, Jacobsen, Fisch, Taylor, Jesernig, Wang, D. Sommers, Sutherland, Kremen, May, Brough, Ferguson, L. Smith, Cooper, Betrozoff, Hankins and Spanel; by request of Public Disclosure Commission)

Prohibiting false political advertising.

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

Representatives Fisher and Sanders spoke in favor of passage of the bill.

Representative Locke appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 657, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Substitute House Bill No. 657, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 668, by Representatives Braddock, Brooks and Holm

Authorizing the dental disciplinary board to adopt rules governing the use of anesthesia.

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

Representative Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 668, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Engrossed House Bill No. 668, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 692, by Committee on Judiciary (originally sponsored by Representatives Niemi, Locke, Jacobsen, Leonard, Sanders, P. King, May, Brough, L. Smith and Sprenkle)

Changing opium dens to houses where controlled substances are made or used in moral nuisance statute.

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

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 692, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Substitute House Bill No. 692, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 832, by Committee on Environmental Affairs (originally sponsored by Representatives Sprenkle, Allen, Rust, Grant, Unsoeld and Todd)

Penalizing governmental entities for the unauthorized disposal of solid waste.

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

Representative Sprenkle spoke in favor of passage of the bill, and Representative S. Wilson opposed it. Representative Sprenkle again spoke in favor of the bill, and Representative Taylor spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 832, and the bill passed the House by the following vote: Yeas, 84; nays, 8; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Baugher, Brooks, Chandler, Dellwo, Nealey, Sanders, Williams J, Wilson S - 8.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Substitute House Bill No. 832, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 873, by Committee on Human Services (originally sponsored by Representatives Valle, Jacobsen and Wineberry)

Authorizing a study on teenage suicide.

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

Representatives Valle and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 873, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Substitute House Bill No. 873, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 877, by Committee on Judiciary (originally sponsored by Representatives Armstrong, Hargrove, Crane, Appelwick, Prince, Brough, Scott, L. Smith, Wang, Heavey, Meyers, Cooper, Wineberry and Jesernig)

Specifying period for which prejudgment interest shall be payable.

On motion of Mr. Ebersole, the rules were suspended and Engrossed Substitute House Bill No. 877 was returned to second reading for the purpose of amendment.

The bill was read the second time.

Representative Armstrong moved adoption of the following amendment by Representatives Armstrong and Meyers:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 4, chapter 136, Laws of 1895 as last amended by section 1, chapter 147, Laws of 1983 and RCW 4.56.110 are each amended to read as follows:

Interest on judgments shall accrue as follows:

(1) Judgments founded on written contracts, providing for the payment of interest until paid at a specified rate, shall bear interest at the rate specified in the contracts: PROVIDED, That said interest rate is set forth in the judgment.

(2) Except as provided under RCW 19.52.010, 82.32.060, and subsection (1) of this section, judgments shall bear interest from the date of ((entry)) notice at the maximum rate permitted

under RCW 19.52.020 on the date of ~~((entry thereof))~~ notice: PROVIDED, That in any case where: (a) A court is directed on review to enter judgment on a verdict or in any case where a judgment entered on a verdict is wholly or partly affirmed on review, then interest on the judgment or on that portion of the judgment affirmed shall date back to and shall accrue from the date ((the verdict was rendered)) of notice; (b) any portion of a claim is paid to a plaintiff by a defendant prior to the entry of the judgment, then prejudgment interest shall accrue on the amount of the claim paid from the date of notice to the date of payment; (c) any portion of a claim is found to be future noneconomic damages as defined in RCW 4.56.250, then no prejudgment interest shall accrue on that portion of the claim; (d) the judgment debtor has made a written settlement offer that is not accepted by the judgment creditor within thirty days, or sixty days prior to trial, whichever occurs first, if the settlement offer is made at least ninety days prior to trial, and the settlement offer is not less than seventy-five percent of the judgment amount, then prejudgment interest after the date of service of the settlement offer shall only be calculated on that portion of the judgment which exceeds the settlement offer; (e) an established trial date is continued at solely the plaintiff's request, then prejudgment interest shall not be applied during the period of the continuance unless the court rules that the reason for the continuance was beyond the ability of the requesting plaintiff to control; and (f) if the judgment amount differs from the amount claimed in the notice, then prejudgment interest shall accrue on the judgment amount.

(3) 'Date of notice' as used in subsection (2) of this section means the date a claimant gives written notice of a claim to a potential defendant, which notice may be given by personal service or by registered mail to the potential defendant at the potential defendant's last known address. Written notice of the claim shall include the identification, amount, nature, and elements known at the time of claim. Method of calculation shall also be included.

NEW SECTION, Sec. 2. A new section is added to chapter 4.56 RCW to read as follows:

An attorney shall not receive as compensation any portion of the prejudgment interest awarded pursuant to RCW 4.56.110(2).

NEW SECTION, Sec. 3. Section 1 of this act applies to any judgment entered after the effective date of this section."

Representatives Armstrong and Moyer spoke in favor of the amendment, and it was adopted.

On motion of Mr. Armstrong, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "interest;" strike the remainder of the title and insert "amending RCW 4.56.110; adding a new section to chapter 4.56 RCW; and creating a new section."

The bill was ordered reengrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 877, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brøkke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Prullit, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Reengrossed Substitute House Bill No. 877, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION

Representative Meyers, having voted on the prevailing side, served notice that he would on the next working day move for reconsideration of the vote by which Engrossed Substitute House Bill No. 645 failed to pass the House.

SUBSTITUTE HOUSE BILL NO. 929, by Committee on Local Government (originally sponsored by Representatives Haugen, L. Smith, Allen and Nutley)

Providing for sewer connections by residents of cities, towns, counties, public utility districts, and sewer districts.

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

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 929, and the bill passed the House by the following vote: Yeas, 90; nays, 2; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsöld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Heavey, Holm - 2.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Substitute House Bill No. 929, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I intended to vote NO on SHB 929, regarding sewer connections.

Neil Amondson, 20th District.

SUBSTITUTE HOUSE BILL NO. 932, by Committee on Housing (originally sponsored by Representatives Nutley, Padden, Leonard, Ebersole, Sanders, J. Williams, Lewis, Doty, Nealey, L. Smith, Brough, Winsley, Wineberry, Silver, Ballard, Betzoff, Taylor, Miller and D. Sommers)

Relating to rental payments to landlords from public assistance.

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

Representatives Nutley, Lewis and Taylor spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 932, and the bill passed the House by the following vote: Yeas, 91; nays, 1; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsöld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representative Wang - 1.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Substitute House Bill No. 932, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOMENT OF SILENCE

At the request of the Speaker (Mr. O'Brien presiding), members of the House of Representatives stood in silence in memory of Robert L. Charette, who served in the House of Representatives from 1967 to 1977.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4210, by Committee on Local Government (originally sponsored by Representatives Haugen, Brough, Belcher, May, Hine, Dellwo, Ferguson, Nutley, Bristow, Cooper, Holm, L. Smith and Unsoeld)

Establishing procedures for the adoption of county home rule charters.

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

Representatives Haugen and Ferguson spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 4210, and the resolution passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

Substitute House Joint Resolution No. 4210, having received the constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4402, by Representatives Basich, Haugen, S. Wilson, Sutherland, Sayan, K. Wilson, Spanel, Meyers, Hargrove, P. King and Jacobsen

Establishing Pacific Fisheries Task Force.

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

Representatives Basich and Jacobsen spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 4402, and the resolution was adopted by the following vote: Yeas, 91; nays, 1; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representative Sutherland - 1.

Excused: Representatives Allen, Bumgarner, King R, Schoon, Smith C, Todd - 6.

House Concurrent Resolution No. 4402, having received the constitutional majority, was declared adopted.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4712, by Representatives Wineberry, O'Brien, Jacobsen, Anderson, Lewis, Wang, Hankins, Belcher, Hargrove, Allen, Amondson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, J. King, P. King, R. King, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen,

Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, B. Williams, J. Williams, K. Wilson, S. Wilson, Winsley and Zellinsky

WHEREAS, January 18, 1988 is the observance of Doctor Martin Luther King, Jr.'s birthday as both a federal holiday and a Washington State legal holiday; and

WHEREAS, We, the members of the House of Representatives, as we gather together, are honored to pay tribute to the fifty-ninth anniversary of the Reverend Doctor Martin Luther King, Jr., who set an example of leadership and selfless conduct for all of us to follow; and

WHEREAS, The Reverend Martin Luther King, Jr. demonstrated his love of mankind by devoting his life to fighting poverty, prejudice and racial intolerance and by endeavoring to help all human beings live in freedom and with dignity; and

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

WHEREAS, This Nobel Laureate by his memory continually reminds us to fulfill his dream, a dream depicting a world of human equality; and

WHEREAS, This great American champion of the oppressed was assassinated while espousing his principles of pacifism and the assassination deeply grieved every citizen of this nation; and

WHEREAS, The Congress of the United States has honored Doctor King by creating a permanent federal holiday to commemorate the anniversary of his birth; and

WHEREAS, The Washington State Legislature has established Doctor King's birthday as a school holiday, and has seen fit to honor this man as has the Congress and other states by declaring his birthday a legal, paid state holiday;

NOW, THEREFORE, BE IT RESOLVED, That on this day, we, the members of the House of Representatives of the State of Washington, pause in our endeavors to pay homage to one of America's most honorable and honored citizens, the Reverend Doctor Martin Luther King, Jr., in order to call to the attention of the residents of this state Doctor King's wisdom and accomplishments and to rededicate ourselves to the pursuit of his principles; and

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

Representatives Wineberry, Lewis and Lux spoke in favor of the resolution, and it was adopted.

MOTIONS

On motion of Mr. Ebersole, House Bill No. 1336 was referred from Committee on Agriculture to Committee on Ways & Means.

On motion of Mr. Ebersole, House Bill No. 1379 was referred from Committee on Housing to Committee on Local Government.

On motion of Mr. Ebersole, House Bill No. 1448 was referred from Committee on Ways & Means to Committee on Trade & Economic Development.

On motion of Mr. Ebersole, House Bill No. 1459 was referred from Committee on Commerce & Labor to Committee on State Government.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, January 20, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TENTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, January 20, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Bumgarner, P. King, Schoon and Smith. Representatives Allen, Bumgarner, Schoon and Smith were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Quenley Peterson and Adam Bock. Prayer was offered by The Reverend Portia Mather, Minister of St. John's Episcopal Church of Olympia.

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

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives a group of distinguished visitors in Olympia to take part in a Symposium on Exterior Sandstone and to design an experiment to test alternatives for the preservation and cleaning of the Capitol Campus monumental buildings.

The group included Mr. Henry Chambers, Chambers and Chambers Consulting Historical Architects, Medina, Ohio; Dr. K. Lal Gauri, Chairman and Professor of Geology, University of Louisville, Kentucky; Mr. Patrick F. Rice, Vice President and General Manager, Washington University Technology Associates, St. Louis, Missouri; Mr. Martin Weaver, Adjunct Professor at Columbia University and the University of Victoria, Ottawa, Canada; Mr. Jesse Wilkins, Wilkins Architects, Seattle, Washington; Dr. Erhard Winkler, Professor, Department of Earth Sciences, University of Notre Dame, South Bend, Indiana; Ms. Mary Alice Edison, Assistant Director, Bureau of Capital Management, Department of General Administration, Olympia, Washington.

The Speaker assumed the Chair.

MESSAGE FROM THE SENATE

January 18, 1988

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 8425,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1527 by Representatives Braddock, Brooks, Sprenkle, Moyer, Ebersole, Zellinsky, Valle, Wineberry, Crane, Ballard, Heavey, R. King, Dellwo, Ferguson, Sayan and Silver

AN ACT Relating to sexually transmissible diseases; amending RCW 43.150.050, 28A.05.010, 70.24.050, 70.24.070, 70.24.080, 70.24.110, and 70.24.120; adding a new section to chapter 28A.05 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 28C.04 RCW; adding new sections to chapter 49.60 RCW; adding new sections to chapter 70.24 RCW; adding a new section to chapter 70.48 RCW; creating new sections; repealing RCW 70.24.010, 70.24.020, 70.24.030, 70.24.040, and 70.24.060; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care.

HB 1528 by Representative Braddock

AN ACT Relating to the excise taxation of liquor; amending RCW 82.08.150, 66.24.210, and 66.24.290.

Referred to Committee on Commerce & Labor.

HB 1529 by Representatives Braddock and Wineberry

AN ACT Relating to becoming parents; amending RCW 26.26.050; adding a new chapter to Title 26 RCW; adding a new section to chapter 26.33 RCW; and prescribing penalties.

Referred to Committee on Health Care.

HB 1530 by Representatives Brooks, Braddock, Brough, Cantwell, Sprenkle, Spanel, Wineberry, Day and Miller

AN ACT Relating to nursing assistants; amending RCW 18.52A.020 and 18.52A.030; reenacting and amending RCW 18.120.020 and 18.130.040; adding a new chapter to Title 18 RCW; and making an appropriation.

Referred to Committee on Health Care.

HB 1531 by Representatives Silver, H. Sommers, Anderson, Walk, Fuhrman, Chandler, Brough, Sanders, Moyer, K. Wilson, D. Sommers, Betrozoff and Butterfield

AN ACT Relating to redefining the standards for sunset review of a regulatory entity and extending the duration of the sunset review process; and amending RCW 43.131.060 and 43.131.900.

Referred to Committee on State Government.

HB 1532 by Representatives Locke, Taylor, Rust, Wang, Lux, Basich, Wineberry, Unsoeld, Armstrong, Jacobsen, Fisher, Todd, Winsley, Haugen and Anderson

AN ACT Relating to beverage containers; amending RCW 70.132.010, 70.132.020, and 70.132.030; and adding a new section to chapter 70.132 RCW.

Referred to Committee on Environmental Affairs.

HB 1533 by Representatives Meyers, Schmidt, Zellinsky and Jones; by request of Department of Transportation

AN ACT Relating to the time of implementation of ferry employee collective bargaining agreements upon agreement of the parties; and amending RCW 47.64.190.

Referred to Committee on Transportation.

HB 1534 by Representatives Holm, Leonard, Moyer, Pruitt, Sayan, Cole, Dorn, Cooper, Walker, Rasmussen, Unsoeld, Belcher, Basich, Wang, Jacobsen, Rayburn, Scott, Spanel, Wineberry, Baugher, Jones, Winsley, Brekke, Taylor and Lux

AN ACT Relating to testimony of children; adding new sections to chapter 5.60 RCW; and repealing RCW 9A.44.120.

Referred to Committee on Judiciary.

HB 1535 by Representatives S. Wilson, Haugen, Sprenkle, Miller and Todd

AN ACT Relating to school construction; and amending RCW 28A.47.803.

Referred to Committee on Education.

HB 1536 by Representatives Appelwick, Brough, P. King and May

AN ACT Relating to revising certain provisions of the parenting act of 1987 and related provisions; amending RCW 26.09.181, 26.09.184, 26.09.187, 26.09.191, 26.09.220, 26.09.260, 26.09.285, 26.09.907, 26.10.180, 26.26.130, and 26.50.020; reenacting and amending RCW 26.09.120; adding a new section to chapter 26.26 RCW; adding a new section to chapter 26.50 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1537 by Representatives Braddock, Holland, Grimm, Sprenkle, Peery, Brooks, H. Sommers, Bristow, Wineberry, Winsley, Locke, P. King, May, Silver and Lux; by request of Governor Gardner

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

Referred to Committee on Health Care.

HB 1538 by Representatives Holm, Moyer, Pruitt, P. King, Basich, Sprengle, Cantwell, Bristow, H. Sommers, Cole, Scott, Crane and Lux

AN ACT Relating to a joint select committee to study the integration and coordination of social and health services; creating new sections; and providing an expiration date.

Referred to Committee on Human Services.

HB 1539 by Representatives Dorn, Leonard, Rasmussen, Grant, Brekke, Holm, Heavey, Fox, Vekich, Sprengle, Basich, Ebersole, Winsley, Day, Padden, Ferguson, Fisher, Rayburn, P. King, Anderson, Rust, Todd, Silver and Lux

AN ACT Relating to juvenile court training; amending RCW 2.56.030; and creating a new section.

Referred to Committee on Human Services.

HB 1540 by Representatives Cole, Sayan, Belcher, Wang, Jacobsen, Rust, Basich, Nelson, Crane, Vekich, Fisher and Lux

AN ACT Relating to payment of temporary total disability benefits; and amending RCW 51.32.095.

Referred to Committee on Commerce & Labor.

HB 1541 by Representatives Cole, Belcher, Jacobsen, Rust, Leonard, Basich, Nelson, Crane, Brekke, P. King, Todd, K. Wilson, Lewis, Unsoeld and Ebersole

AN ACT Relating to mental health; adding a new chapter to Title 71 RCW; and making an appropriation.

Referred to Committee on Education.

HB 1542 by Representatives Sayan, Ballard, Grimm, O'Brien, Wineberry, Patrick, Heavey and Winsley

AN ACT Relating to establishing a senior legislature; and creating new sections.

Referred to Committee on State Government.

HB 1543 by Representatives Cantwell, Brooks, Day, Vekich, D. Sommers, Braddock, Bristow, Lux, P. King, Sprengle, Meyers and Lewis

AN ACT Relating to emergency medical technicians; and amending RCW 18.73.081.

Referred to Committee on Health Care.

HB 1544 by Representatives Belcher, Allen, Wang, Ebersole, Appelwick, Cole, Unsoeld, Fisher, Locke, Jacobsen, K. Wilson, Lux, Anderson, Scott, Vekich, Grimm, Brekke, Rust, Basich, Wineberry, Sayan, Braddock, Leonard, H. Sommers, R. King, Nelson, Jones, Heavey and Nutley

AN ACT Relating to the state minimum wage; amending RCW 49.46.010, 49.46.020, and 49.12.121; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1545 by Representatives Brekke, Winsley, Scott, Leonard, H. Sommers, Padden, Moyer and Anderson; by request of Department of Social and Health Services

AN ACT Relating to jurisdiction over voluntary Indian child welfare proceedings; amending RCW 13.04.030; and creating a new section.

Referred to Committee on Human Services.

HB 1546 by Representatives Brekke, Winsley, Scott, Leonard, H. Sommers, Moyer, Padden, Todd and Anderson; by request of Department of Social and Health Services

AN ACT Relating to case planning and consultation for protective service for children and developmentally disabled persons; and reenacting and amending RCW 26.44.030.

Referred to Committee on Human Services.

HB 1547 by Representatives Leonard, Miller, Scott, Brekke, Todd, Anderson, Lux and Unsoeld

AN ACT Relating to restrictions in parenting plans; and amending RCW 26.09.191.

Referred to Committee on Human Services.

HB 1548 by Representatives Sayan, Jones, Ballard, Zellinsky, Basich, Haugen and Cole

AN ACT Relating to towns; and amending RCW 35.27.370.

Referred to Committee on Local Government.

HB 1549 by Representatives Sayan, Ballard, Grimm, S. Wilson, Jones, Winsley and Sanders

AN ACT Relating to county veteran's assistance funds; and amending RCW 73.04.080.

Referred to Committee on Local Government.

HB 1550 by Representatives K. Wilson, Bumgarner, Haugen, Cole, Beck and Fuhrman

AN ACT Relating to forest protection; amending RCW 76.04.610 and 76.04.750; adding new sections to chapter 76.04 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

HB 1551 by Representatives Cole, Leonard, Silver and Jacobsen

AN ACT Relating to urban and community forestry; adding a new chapter to Title 79 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

HB 1552 by Representatives Wang, Fisher, Sayan, Cole, Patrick, Dellwo, Gallagher, O'Brien, P. King, Winsley, Crane, Hargrove, Scott, Ebersole, Appelwick, Jacobsen, R. King, Leonard, Locke and Unsoeld

AN ACT Relating to employer obligations; adding a new chapter to Title 49 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1553 by Representatives Nutley, J. Williams, Leonard, Sanders and Padden

AN ACT Relating to the housing trust fund; amending RCW 43.185.070; and declaring an emergency.

Referred to Committee on Housing.

HB 1554 by Representatives H. Sommers, B. Williams, Brekke, Fuhrman, Silver, Brough, Moyer, May and D. Sommers

AN ACT Relating to state general obligation bonds; amending RCW 43.83A.020, 43.83A.070, 43.99E.015, 43.99E.035, 43.99F.020, 43.99F.060, 75.48.020, and 75.48.060; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1555 by Representatives Brekke, Holland, H. Sommers, B. Williams, Winsley, Kremen, Brough, Moyer, May, Silver and Butterfield; by request of Legislative Budget Committee

AN ACT Relating to information contained in the governor's budget document; and amending RCW 43.88.030.

Referred to Committee on Ways & Means.

HB 1556 by Representatives Brekke, Fuhrman, Holland, Silver, B. Williams, Brough, Moyer, May, D. Sommers and Butterfield

AN ACT Relating to state budget requests; amending RCW 43.88.030; and adding new sections to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

HB 1557 by Representatives Walk, Zellinsky, Patrick, Ferguson and Betrozoff; by request of State Patrol

AN ACT Relating to special mobile equipment; amending RCW 46.16.160; adding a new section to Title 46 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1558 by Representatives Sayan and Grimm; by request of Department of Retirement Systems

AN ACT Relating to actuarially equivalent options for public retirement allowances; amending RCW 41.32.498; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1559 by Representatives Sayan and Grimm; by request of Department of Retirement Systems

AN ACT Relating to termination of membership for members of the teachers' retirement system plan II; amending RCW 41.32.820 and 41.32.825; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1560 by Representatives Sayan and Grimm; by request of Department of Retirement Systems

AN ACT Relating to retirement benefits for persons who have attained age seventy and one-half and are still employed; adding a new section to chapter 41.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1561 by Representatives Nutley, Leonard and Todd

AN ACT Relating to eliminating the title to manufactured housing when it becomes real property; amending RCW 46.12.290; adding a new section to chapter 46.08 RCW; adding a new chapter to Title 65 RCW; and prescribing penalties.

Referred to Committee on Housing.

HB 1562 by Representatives Basich, Beck and Sanders

AN ACT Relating to direct sales of valuable materials from public lands; and amending RCW 79.01.200, 79.01.132, 79.01.184, and 79.01.200.

Referred to Committee on Natural Resources.

HB 1563 by Representatives Wineberry, Beck, Nutley, Leonard, Moyer, Jacobsen, Nelson, Todd, Sanders and Lux

AN ACT Relating to affordable housing; adding a new chapter to Title 43 RCW; making an appropriation; providing an effective date; and providing an expiration date.

Referred to Committee on Housing.

HB 1564 by Representatives Wineberry, Nutley, Locke, B. Williams, Ebersole, Schoon, Scott, Grimm, Cantwell, Brekke, Heavey, Leonard, Barnes, Hargrove, Todd, Wang, Anderson, Kremen, Lux, K. Wilson, Unsoeld and Butterfield

AN ACT Relating to the homeless; adding a new chapter to Title 70 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Housing.

HB 1565 by Representatives Brekke, Winsley, H. Sommers, Silver, Moyer, Braddock, Sutherland, Hine, May, D. Sommers and Butterfield; by request of Department of Social and Health Services

AN ACT Relating to alcoholism and drug addiction treatment; amending RCW 74.50.010, 74.50.030, 74.50.040, 74.50.050, and 74.50.060; and declaring an emergency.

Referred to Committee on Human Services.

HB 1566 by Representatives Todd, Sayan, Nutley, Leonard, Crane, Walk and Unsoeld

AN ACT Relating to mobile home installation and warranty service standards; amending RCW 43.22.440; and declaring an emergency.

Referred to Committee on Housing.

HB 1567 by Representatives Todd, Cooper, Nutley, J. Williams, Leonard and Unsoeld

AN ACT Relating to the transportation of mobile homes; and amending RCW 46.44.093.

Referred to Committee on Housing.

HB 1568 by Representatives Todd, Leonard, Crane, Pruitt and Ebersole

AN ACT Relating to excellence in education; and amending RCW 28A.03.523, 28A.03.532, and 28A.03.535.

Referred to Committee on Education.

HB 1569 by Representatives Todd, Crane, Winsley, Rasmussen, Lux, Valle, Unsoeld, Barnes, Leonard, Patrick and Spanel

AN ACT Relating to the siting of new solid waste incinerators; adding new sections to chapter 70.95 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 1570 by Representatives K. Wilson, Amondson, Butterfield, Spanel and Jacobsen

AN ACT Relating to the Washington coordinate system; amending RCW 58.20.010, 58.20.020, 58.20.030, 58.20.050, 58.20.060, 58.20.070, 58.20.080, and 58.20.090; adding new sections to chapter 58.20 RCW; and repealing RCW 58.20.010, 58.20.020, 58.20.030, 58.20.040, 58.20.050, 58.20.060, 58.20.070, 58.20.080, 58.20.090, and 58.20.900.

Referred to Committee on Natural Resources.

HB 1571 by Representatives Schmidt, Walk, Zellinsky, Wang, Heavey, S. Wilson, J. Williams and Fisher; by request of Washington State Transportation Commission

AN ACT Relating to bonding requirements for repair or maintenance of state ferries; and amending RCW 39.08.010.

Referred to Committee on Transportation.

HB 1572 by Representatives Rust, Brough, K. Wilson, Cole, Jacobsen, Sutherland, Miller, Brekke and Pruitt; by request of Governor Gardner

AN ACT Relating to wetlands management; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Environmental Affairs.

HB 1573 by Representatives D. Sommers, Day, Silver, Fuhrman, Ballard, Nealey, Moyer, McLean and Betrozoff

AN ACT Relating to hospital health care services; and amending RCW 70.39.020 and 70.39.140.

Referred to Committee on Health Care.

HB 1574 by Representatives Wang, R. King, Cole, Belcher, Fisher, Sayan, Patrick, Heavey and Anderson

AN ACT Relating to workers' compensation benefits; amending RCW 51.32.050, 51.32.090, 51.32.180, 51.32.080, 51.08.178, and 74.20A.260; reenacting and amending RCW 51.32.060; reenacting RCW 51.32.090; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1575 by Representatives R. King, Sutherland, Meyers, Cooper and Basich

AN ACT Relating to steelhead punchcards; amending RCW 77.32.360; and providing an effective date.

Referred to Committee on Natural Resources.

HB 1576 by Representatives Hargrove, Jones, Crane, Basich and Sanders

AN ACT Relating to property taxes imposed for veterans' assistance purposes; and amending RCW 73.08.080.

Referred to Committee on Local Government.

HB 1577 by Representatives Zellinsky, Schmidt, Meyers, B. Williams, Patrick, Armstrong, Haugen, Brekke, Sanders, Pruitt and Holm

AN ACT Relating to driving while under the influence of liquor or drugs; and amending RCW 46.20.308, 46.61.502, 46.61.504, 46.61.506, and 46.61.508.

Referred to Committee on Judiciary.

HB 1578 by Representatives Zellinsky, Walk, Meyers, Baugher, Ebersole, Ballard, McLean, Miller, Sayan, B. Williams, Schmidt, Sanders, Vekich, Silver and Lewis

AN ACT Relating to vehicles over forty years old; and amending RCW 46.37.500.

Referred to Committee on Transportation.

HB 1579 by Representatives Bristow, Vekich, Braddock, Jacobsen and Grant

AN ACT Relating to public utility districts offering radio communication services; and adding a new section to chapter 54.16 RCW.

Referred to Committee on Energy & Utilities.

HB 1580 by Representatives Brekke, Hargrove, Ballard, Zellinsky, Silver, Crane, S. Wilson, Kremen, Grant, Rasmussen, Wineberry, Day, Padden, Basich, Heavey, Armstrong, P. King, Grimm, Ebersole, Scott, Jesernig, Meyers, Bristow, Todd, J. Williams, Schmidt, Beck, B. Williams, K. Wilson, Patrick, Appelwick, Sutherland, Peery, Fuhrman, Hankins, Amondson, Rayburn, Lewis, Baugher, D. Sommers, H. Sommers, Fox, May, Dorn, Spanel, Lux, Fisher, Walk, Haugen, Cooper, Jones, Dellwo, Miller, Winsley, Ferguson, Sanders and Butterfield

AN ACT Relating to delivery of social services; creating new sections; and providing an expiration date.

Referred to Committee on Human Services.

HB 1581 by Representatives Nelson, Miller, Todd, Barnes, Gallagher, Hankins, Jacobsen, Meyers, May, Brooks, Jesernig, Armstrong, Sutherland, Unsoeld, S. Wilson, Day and Dorn

AN ACT Relating to authorization for the utilities and transportation commission to approve tariffs for gas companies and electrical companies that include banded rates; adding new sections to chapter 80.28 RCW; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 1582 by Representatives Day, Ferguson, Wineberry, Bumgarner, Jesernig, Rayburn, Bristow, Dorn, Ebersole, Zellinsky, Jacobsen, Baugher, R. King, Dellwo and Holm

AN ACT Relating to city and county seed capital pools; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 1583 by Representatives Day, D. Sommers, Bristow, Hargrove, Baugher, Wineberry, Dellwo, Heavey, Rayburn, P. King, Kremen, Taylor and Sanders

AN ACT Relating to chore services; reenacting and amending section 207, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 2nd ex. sess. and by section 1, chapter 2, Laws of 1987 2nd ex. sess. (uncodified); and making an appropriation.

Referred to Committee on Ways & Means.

HB 1584 by Representatives Locke, Leonard, Brekke, Anderson, P. King and Rust

AN ACT Relating to dependency; and amending RCW 13.34.020, 13.32A.010, 74.13.010, and 26.44.010.

Referred to Committee on Human Services.

HB 1585 by Representatives Leonard, Anderson, Crane, P. King, O'Brien and Rust

AN ACT Relating to juvenile dependency proceedings; amending RCW 13.34.100; and reenacting and amending RCW 26.44.053.

Referred to Committee on Human Services.

HB 1586 by Representatives Jones, Brekke, Anderson, Crane, P. King and Rust

AN ACT Relating to dependency; amending RCW 13.34.130 and 13.34.070; and adding a new section to chapter 13.34 RCW.

Referred to Committee on Human Services.

HB 1587 by Representatives Rayburn, Leonard, Moyer, Anderson, Crane, Dellwo, Rust and Lux

AN ACT Relating to open adoptions; amending RCW 26.33.060 and 26.33.330; and adding a new section to chapter 26.33 RCW.

Referred to Committee on Human Services.

HB 1588 by Representatives Anderson, Winsley, Brekke, Leonard, Jacobsen, Cole, Crane and Rust

AN ACT Relating to dependency proceedings; and amending RCW 13.34.080 and 13.34.180.

Referred to Committee on Human Services.

HB 1589 by Representatives K. Wilson, Ferguson, Walk, Winsley, Crane, Haugen, Cantwell, Scott, Wineberry and Armstrong

AN ACT Relating to dependency of high-risk youths; adding a new section to chapter 13.34 RCW; and adding a new section to chapter 74.13 RCW.

Referred to Committee on Human Services.

HB 1590 by Representatives Cooper, Beck, Nutley, J. Williams, Sutherland, Holm, Todd and Unsoeld

AN ACT Relating to certificates of competency for the installation of mobile homes; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Housing.

HB 1591 by Representatives Sayan, Patrick and Wang; by request of Department of Labor and Industries

AN ACT Relating to apprentice industrial insurance; and amending RCW 51.12.130.

Referred to Committee on Commerce & Labor.

HB 1592 by Representatives Sayan, Cole, O'Brien, Patrick, Walker, Jones, Wineberry, R. King, Winsley, Valle, Jacobsen, Wang, Basich, Fisher, Pruitt, Lux and Unsoeld

AN ACT Relating to industrial insurance benefits for occupational diseases; amending RCW 51.44.033, 51.12.100, and 51.32.180; adding a new section to chapter 51.12 RCW; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1593 by Representatives Belcher, Prince, Locke, Ebersole, H. Sommers, Grimm, Scott, Brooks, Miller, Fisher, Sayan, Cole, Holm, Wineberry, B. Williams, Winsley, Brough, May, Todd, K. Wilson, Unsoeld and Butterfield; by request of Secretary of State

AN ACT Relating to the Washington 20:20 commission; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

Referred to Committee on State Government.

HB 1594 by Representatives Rayburn, Sutherland, Vekich, R. King, Dellwo, Todd and Rasmussen; by request of Governor Gardner

AN ACT Relating to the water use efficiency study; amending RCW 43.83B.300; adding new sections to chapter 43.83B RCW; making an appropriation; and providing an expiration date.

Referred to Committee on Agriculture & Rural Development.

HB 1595 by Representatives Lewis, Jacobsen, Miller and Sanders

AN ACT Relating to higher education tuition and fees; and amending RCW 28B.15.015.

Referred to Committee on Higher Education.

HB 1596 by Representatives Winsley and Fisher

AN ACT Relating to the scheduling of general and special elections; amending RCW 29.13.010 and 29.13.047; and repealing RCW 29.13.075.

Referred to Committee on Constitution, Elections & Ethics.

HB 1597 by Representatives Bumgarner, Sutherland, S. Wilson, Rayburn, Amondson, K. Wilson, Smith, Meyers, Fuhrman, Bristow, Haugen, Jacobsen, Ferguson and Sanders

AN ACT Relating to wildlife propagation reserves; amending RCW 77.12.010, 77.12.030, 77.12.040, and 77.12.240; adding a new section to chapter 16.60 RCW; adding a new chapter to Title 15 RCW; and prescribing penalties.

Referred to Committee on Natural Resources.

HB 1598 by Representatives Bumgarner, Rayburn, S. Wilson, Smith, Haugen, Fuhrman, Bristow, Ferguson and Sanders

AN ACT Relating to ownership of captive-bred wildlife; and amending RCW 77.12.010.

Referred to Committee on Natural Resources.

HB 1599 by Representative Nutley

AN ACT Relating to landlords and tenants; amending RCW 59.04.050, 59.18.040, 59.18.050, 59.18.060, 59.18.080, 59.18.100, 59.18.110, 59.18.200, 59.18.260, 59.20.030, 59.20.040, 59.20.050, 59.20.060, 59.20.070, 59.20.074, 59.20.080, 59.20.130, 59.20.180, and 59.20.220; adding new sections to chapter 59.18 RCW; adding new sections to chapter 59.20 RCW; creating a new section; and repealing RCW 59.04.010.

Referred to Committee on Housing.

HB 1600 by Representatives Lux and Silver

AN ACT Relating to the corporate powers of banks; and amending RCW 30.08.140.

Referred to Committee on Financial Institutions & Insurance.

HB 1601 by Representatives Wineberry, Locke, Armstrong, Anderson, Hine, Ferguson, Nutley, Ebersole, Valle and Nelson.

AN ACT Relating to demolition or change of use of low-income housing; and amending RCW 82.02.020.

Referred to Committee on Housing.

- HB 1602** by Representatives Locke, Wineberry, Nutley, Anderson and Lux
AN ACT Relating to demolition or change of use of low-income housing; and amending RCW 82.02.020.
Referred to Committee on Housing.
- HB 1603** by Representatives Locke, Wineberry, Armstrong, Anderson, Hine, Nutley, Valle and Leonard
AN ACT Relating to multifamily rental housing constructed or substantially rehabilitated pursuant to federal mortgage insurance programs; adding a new chapter to Title 59 RCW; defining crimes; and prescribing penalties.
Referred to Committee on Housing.
- HB 1604** by Representatives H. Sommers, Locke, Wineberry, Armstrong, Barnes, Ebersole, Anderson, Hine, Ferguson, Nutley, Nelson and Leonard
AN ACT Relating to the classification and valuation of multiple-unit buildings devoted primarily to low-income housing at current use value; adding a new chapter to Title 84 RCW; and providing a contingent effective date.
Referred to Committee on Housing.
- HB 1605** by Representatives Scott, Leonard, Hargrove, Padden, Lewis, Brough, R. King, Ballard, Hine, Ebersole, Valle, Patrick, Baugher, Heavey, Todd, Winsley, Peery, P. King, Ferguson, Moyer, May, Dorn, Silver, Holm and Butterfield
AN ACT Relating to sentencing of sexual offenders; and reenacting and amending RCW 9.94A.120.
Referred to Committee on Judiciary.
- HB 1606** by Representatives Day, Winsley, Crane, Silver, Chandler, Ferguson and Lux
AN ACT Relating to escrow; and amending RCW 18.44.360.
Referred to Committee on Financial Institutions & Insurance.
- HB 1607** by Representatives Bumgarner, Cole, Sutherland, Silver, Day, Taylor, Dellwo, D. Sommers, Padden and Moyer
AN ACT Relating to the study and development of wildlife habitat and watershed management for the Spokane river drainage system; creating new sections; providing an expiration date; and declaring an emergency.
Referred to Committee on Natural Resources.
- HB 1608** by Representatives Armstrong, Lewis, Scott, Patrick, Crane and Moyer
AN ACT Relating to superior court fees; and reenacting and amending RCW 36.18.020.
Referred to Committee on Ways & Means.
- HB 1609** by Representatives Sayan and Wang
AN ACT Relating to duties of employers for industrial insurance purposes; amending RCW 51.28.050; and adding a new section to chapter 51.04 RCW.
Referred to Committee on Commerce & Labor.
- HB 1610** by Representatives Sayan, Wang, Patrick, Brough, Moyer, May and Butterfield
AN ACT Relating to payment of medical expenses by self-insurers; and adding a new section to chapter 51.14 RCW.
Referred to Committee on Commerce & Labor.
- HB 1611** by Representatives Sayan, Wang and Patrick
AN ACT Relating to self-insured industrial insurance claims; and adding new sections to chapter 51.28 RCW.
Referred to Committee on Commerce & Labor.

HB 1612 by Representatives Todd, Sayan, Belcher, Valle, Crane, Winsley, Lux, B. Williams, Walk, Barnes, Leonard, Gallagher, Lewis and Ferguson

AN ACT Relating to signing of parking places for disabled persons; amending RCW 46.61.581; reenacting and amending RCW 46.63.020; and prescribing penalties.

Referred to Committee on Transportation.

HB 1613 by Representatives Prince, Chandler, Smith, Nealey and Fuhrman

AN ACT Relating to the distribution of receipts from the privilege tax imposed on public utility districts operating facilities for the generation, distribution, and sale of electric energy; and amending RCW 54.28.010.

Referred to Committee on Local Government.

HB 1614 by Representatives Meyers, Beck, Winsley, Grant, Cole, Amondson, R. King, Sanders, Dorn and Rasmussen

AN ACT Relating to juvenile fishing contests; and amending RCW 77.32.211.

Referred to Committee on Natural Resources.

HB 1615 by Representatives Nutley, Peery, Butterfield, Cooper, Ferguson, Vekich, Lux and Sutherland

AN ACT Relating to exemption from hospital rate review and approval; adding a new section to chapter 70.39 RCW; and providing an expiration date.

Referred to Committee on Health Care.

HB 1616 by Representatives Sprenkle, Ballard, K. Wilson, Sutherland, Jones, Vekich, Miller, Haugen, Basich, O'Brien, Sayan, Spanel and Unsoeld

AN ACT Relating to purchase of certain state trust lands for park and outdoor recreation purposes; amending RCW 43.51.270; and creating a new section.

Referred to Committee on Natural Resources.

HB 1617 by Representatives Locke, Holland, Armstrong, Padden, Hine, Lewis, Belcher, Silver, H. Sommers, Appelwick, Taylor, P. King, Moyer, May and Butterfield; by request of State Auditor and Attorney General

AN ACT Relating to court costs; and amending RCW 3.46.120, 3.50.100, 3.62.020, 3.62.040, 10.82.070, and 35.20.220.

Referred to Committee on Judiciary.

HB 1618 by Representatives Brekke, Winsley, Leonard, Moyer, Padden, Scott, Anderson, Miller, Cooper, Ferguson, Sanders, May, Silver and Butterfield; by request of Department of Social and Health Services

AN ACT Relating to reorganization and clarification of the laws governing developmental disabilities; amending RCW 13.34.030, 43.20B.410, 43.20B.420, 43.20B.425, 43.20B.430, 43.20B.440, 43.20B.445, 43.20B.455, 43.51.055, 71.20.110, 71.28.010, 74.15.020, 74.20A.030, 77.32.230, and 82.04.385, adding a new title to the Revised Code of Washington; creating new sections; and repealing RCW 71.20.010, 71.20.016, 71.20.020, 71.20.030, 71.20.040, 71.20.050, 71.20.060, 71.20.070, 71.20.075, 71.20.080, 71.20.090, 71.30.010, 71.30.020, 71.30.030, 72.30.010, 72.30.020, 72.30.030, 72.30.040, 72.30.050, 72.33.010, 72.33.020, 72.33.030, 72.33.040, 72.33.050, 72.33.070, 72.33.080, 72.33.090, 72.33.100, 72.33.110, 72.33.125, 72.33.130, 72.33.140, 72.33.150, 72.33.161, 72.33.165, 72.33.170, 72.33.180, 72.33.190, 72.33.200, 72.33.210, 72.33.220, 72.33.230, 72.33.240, 72.33.260, 72.33.500, 72.33.510, 72.33.520, 72.33.530, 72.33.540, 72.33.550, 72.33.560, 72.33.570, 72.33.580, 72.33.590, 72.33.800, 72.33.805, 72.33.810, 72.33.815, 72.33.820, 72.33.830, 72.33.840, 72.33.850, 72.33.860, and 72.33.900.

Referred to Committee on Human Services.

HB 1619 by Representatives Padden and Taylor

AN ACT Relating to hazardous waste fees; amending RCW 70.105A.030; and providing an effective date.

Referred to Committee on Environmental Affairs.

HB 1620 by Representatives Padden, Dellwo, Taylor, Day, Lux, Chandler, Crane, Miller and Winsley

AN ACT Relating to group health insurance; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; and adding a new section to 48.46 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1621 by Representatives Padden, Taylor, Dellwo, Day, Ferguson, May and D. Sommers.

AN ACT Relating to counties; amending RCW 36.32.010, 36.32.020, 36.32.070, and 36.16.030; and adding new sections to chapter 36.32 RCW.

Referred to Committee on Local Government.

HB 1622 by Representatives Chandler, Lux and Betrozoff

AN ACT Relating to the publication of interest rates on retail installment contracts for the purchase of motor vehicles; amending RCW 63.14.135; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 1623 by Representatives Lux, Patrick, Todd and Holland

AN ACT Relating to solid waste energy recovery or incineration facilities; and adding new sections to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

HB 1624 by Representatives Lux, Nutley, Anderson, Nelson, Brekke, Jacobsen, Belcher, Cole, Scott and Wineberry

AN ACT Relating to property and casualty insurance; adding new sections to chapter 48.22 RCW; and creating a new section.

Referred to Committee on Financial Institutions & Insurance.

HB 1625 by Representative Lux

AN ACT Relating to the elimination of the social security offset for workers' compensation; and repealing RCW 51.32.225.

Referred to Committee on Commerce & Labor.

HB 1626 by Representatives Braddock, Ballard, Brooks, Moyer and Kremen

AN ACT Relating to emergency medical services; and amending RCW 18.71.010, 18.73.010, and 18.73.030.

Referred to Committee on Health Care.

HB 1627 by Representatives Belcher, Brooks, Hargrove, Grimm, Sayan, Peery, Ebersole, Cole, Scott, Valle, Sprengle, Brekke, Leonard and Locke

AN ACT Relating to family life education; adding new sections to chapter 28A.120 RCW; and making an appropriation.

Referred to Committee on Education.

HB 1628 by Representatives Nutley, Ferguson, Beck, Butterfield, Haugen, Peery and Cooper

AN ACT Relating to treasurers of water districts and sewer districts; amending RCW 56.16.135 and 57.20.135; and creating a new section.

Referred to Committee on Local Government.

HB 1629 by Representatives Schoon, Braddock, Brooks, Moyer, Kremen, D. Sommers, Sprengle, May and Miller

AN ACT Relating to physicians' assistants; and amending RCW 18.71A.010.

Referred to Committee on Health Care.

HB 1630 by Representatives Walk, Schmidt and Gallagher; by request of Department of Licensing

AN ACT Relating to insurance for tow truck operators; and amending RCW 46.55.030.

Referred to Committee on Transportation.

HB 1631 by Representatives Haugen, Brough, Nutley, Doty, Nelson, Cooper, Rayburn, Zellinsky, Jacobsen, Hine, Ferguson, May and Unsoeld; by request of Washington State Local Governance Commission

AN ACT Relating to local government service agreements; adding a new chapter to Title 36 RCW; adding a new section to chapter 36.93 RCW; adding new sections to chapter 43.63A RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 66.08 RCW; adding new sections to chapter 82.14 RCW; adding a new section to chapter 82.44 RCW; making an appropriation; and providing a contingent effective date.

Referred to Committee on Local Government.

HB 1632 by Representatives Haugen, Brough, Nutley, Doty, Cooper, Nelson, Rayburn, Zellinsky, Jacobsen, Hine, Ferguson, Moyer, May, Silver, D. Sommers, Unsoeld and Butterfield; by request of Washington State Local Governance Commission

AN ACT Relating to provision of a process to alter local governments; adding a new chapter to Title 36 RCW; adding new sections to chapter 43.63A RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 66.08 RCW; adding new sections to chapter 82.14 RCW; adding a new section to chapter 82.44 RCW; making an appropriation; and providing a contingent effective date.

Referred to Committee on Local Government.

HB 1633 by Representatives Appelwick and Sanders

AN ACT Relating to neighborhood self-help projects; adding a new section to chapter 35.22 RCW; adding a new section to chapter 35.23 RCW; adding a new section to chapter 35.61 RCW; adding a new section to chapter 36.69 RCW; adding a new section to chapter 39.12 RCW; and adding new sections to chapter 35.80 RCW.

Referred to Committee on Local Government.

HB 1634 by Representatives Valle, Lewis, Day, Miller, Armstrong, Sanders, Cole, Ferguson, Todd and Brooks

AN ACT Relating to occupational therapy; and amending RCW 74.09.520 and 74.09.700.

Referred to Committee on Health Care.

HB 1635 by Representatives Spanel, S. Wilson, Haugen, Zellinsky, Schmidt, Jacobsen, Beck, Rust, Lux, Leonard, Ferguson, Schoon and Brough

AN ACT Relating to floating aquaculture on state-owned aquatic lands; adding new sections to chapter 90.58 RCW; and creating new sections.

Referred to Committee on Natural Resources.

HB 1636 by Representatives Spanel, Vekich, Rust, Taylor, Walker, Lux, Braddock, K. Wilson, Fox, Todd and May

AN ACT Relating to energy recovery or incineration facilities; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

HB 1637 by Representative May

AN ACT Relating to discrepancies in subdivision surveys; and amending RCW 58.17.255.

Referred to Committee on Local Government.

HB 1638 by Representatives Belcher, Spanel, Sutherland and P. King; by request of Department of Community Development

AN ACT Relating to abandoned property with historical value; amending RCW 27.53.060 and 43.19.1919; adding a new section to chapter 27.53 RCW; and creating a new section.

Referred to Committee on Natural Resources.

HB 1639 by Representatives H. Sommers, Silver, Hine, McLean and Bristow

AN ACT Relating to public employment retirement portability benefits; amending RCW 41.54.010, 41.54.030, 41.54.040, 41.54.070, 41.04.270, 41.40.120, and 41.32.010; adding a

new section to chapter 41.54 RCW; adding a new section to chapter 41.32 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1640 by Representatives Fox, Jacobsen, Miller, Kremen, Spanel, Heavey, Silver, Nelson, Jesernig, Braddock, Wineberry, Winsley, R. King, Valle, Leonard, Dellwo, Peery, Haugen, H. Sommers, Jones, Wang, Scott, P. King, Basich, Nutley, O'Brien, Hine, Sanders, Sayan, Pruitt, Todd, Lux, K. Wilson, Unsoeld, Betrozoff and Rust

AN ACT Relating to higher education; adding new sections to Title 28B RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1641 by Representatives Rust, Ferguson, Jacobsen, Haugen, Wineberry, Crane, Barnes, Miller, Sayan, Anderson, Appelwick, Leonard, Hine, Brough, Lux and Nelson

AN ACT Relating to sewer connection charges imposed by a metropolitan municipal corporation; and adding a new section to chapter 35.58 RCW.

Referred to Committee on Local Government.

HB 1642 by Representatives Chandler, Day, Winsley and Crane

AN ACT Relating to escrow; and amending RCW 18.44.070.

Referred to Committee on Financial Institutions & Insurance.

HJM 4032 by Representatives K. Wilson, Bumgarner, Spanel, Beck, Belcher, Basich, Sayan, Meyers, Sutherland and P. King

Requesting increase in Land and Water Conservation Fund appropriation.

Referred to Committee on Natural Resources.

HJR 4225 by Representatives Cole, Jacobsen, Nelson, Scott, Leonard, Brekke and P. King

Establishing a priority for appropriations for dependent children's services.

Referred to Committee on Human Services.

HJR 4226 by Representatives H. Sommers, Locke, Wineberry, Armstrong, Barnes, Ferguson, Anderson, Hine, Ebersole, Nutley, Nelson, Dellwo, Leonard and Sanders

Amending the Constitution to allow current use property tax valuation on low-income housing.

Referred to Committee on Housing.

HJR 4227 by Representatives Haugen, Brough, Nutley, Doty, Nelson, Cooper, Rayburn, Zellinsky, Anderson, Hine, Ferguson, May and Unsoeld; by request of Washington State Local Governance Commission

Amending the state Constitution to allow restructuring of local governments.

Referred to Committee on Local Government.

SCR 8425 by Senators Hayner and Sellar

Amending the joint rules governing conference committees.

Referred to Committee on Rules.

MOTION

Mr. Ebersole moved that the bills, memorial and resolutions listed on today's introduction sheet be considered first reading under the fourth order of business and referred to the committees so designated.

MOTION

Ms. Brough moved that the introduction and referral motion by Mr. Ebersole be amended to place Senate Concurrent Resolution No. 8425 on today's second reading calendar.

Ms. Brough spoke in favor of the motion.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Mr. Ebersole spoke against the motion.

POINT OF INQUIRY

Mr. Ebersole yielded to question by Mr. Prince.

Mr. Prince: I would like to ask if we are going to have the opportunity to debate this and to make certain that the body does have a chance to deliberate on this. I consider this a very vital subject.

Mr. Ebersole: As is our procedure, the measure will receive consideration in Rules. If it is placed on the calendar of the day, then it would have its day on the floor of the House.

Mr. Prince: That is the procedure, but is there a commitment from the majority to discuss it?

Mr. Ebersole: You know, I'm not the chair of the Rules Committee, but it's been my experience that the bills in Rules receive due process. I am sure we will have some discussion in the Rules Committee. I can't predict what measures will come on the floor of the House.

Representatives Prince, Taylor and Padden spoke in favor of the motion, and Ms. Brough again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion by Ms. Brough to amend the introduction and referral motion by Mr. Ebersole and place Senate Concurrent Resolution No. 8425 on today's second reading calendar, and the motion was lost by the following vote: Yeas, 33; nays, 60; absent, 1; excused, 4.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Sommers D. Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 33.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 60.

Absent: Representative King P - 1.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C - 4.

The Speaker stated the question before the House to be the adoption of the introduction and referral motion by Mr. Ebersole.

The motion was adopted.

REPORTS OF STANDING COMMITTEES

January 14, 1988

ESHB 240 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring vehicle insurance policies covering comprehensive and collision to also cover liability. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 7, after "January 1," strike "1988" and insert "1989"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

January 14, 1988

SHB 1175 Prime Sponsor, Committee on Financial Institutions & Insurance: Penalizing operation of a motor vehicle without insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:
On page 5, line 3, strike "1988" and insert "1989"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1270 Prime Sponsor, Representative Braddock: Revising provisions relating to work training release. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Bristow, Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Day, Vice Chair; Bristow and Bumgarner.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1280 Prime Sponsor, Representative Braddock: Revising the crime of custodial assault. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Day, Vice Chair; Bristow and Bumgarner.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1288 Prime Sponsor, Representative Haugen: Modifying hours during which liquor sales are allowed. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representatives R. King, O'Brien and Smith.

Passed to Committee on Rules for second reading.

January 18, 1988

HB 1301 Prime Sponsor, Representative Nutley: Providing for farm-worker housing. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Todd and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Padden, Sanders and J. Williams.

Referred to Committee on Ways & Means.

January 15, 1988

HB 1325 Prime Sponsor, Representative Rust: Changing provisions relating to the state water pollution control agency's authority. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brække, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprenkle, Unsoeld and Walker.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

January 15, 1988

HB 1327 Prime Sponsor, Representative Rust: Changing provisions relating to the authority of state agencies to administer part C of the federal safe drinking water act. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

January 15, 1988

HB 1330 Prime Sponsor, Representative R. King: Changing references to employee classes for collective bargaining purposes. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representatives R. King and Smith.

Passed to Committee on Rules for second reading.

January 18, 1988

HB 1332 Prime Sponsor, Representative Silver: Removing requirement that state bond certificates be printed by the public printer. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

January 15, 1988

HB 1333 Prime Sponsor, Representative Locke: Revising sexual offenses. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wang.

Absent: Representatives Belcher, P. King, Lewis and Wineberry.

Referred to Committee on Ways & Means.

January 18, 1988

HB 1340 Prime Sponsor, Representative Rust: Creating an office of waste reduction. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, May, Pruitt, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen and Schoon.

Passed to Committee on Rules for second reading.

January 18, 1988

HB 1363 Prime Sponsor, Representative Nelson: Expanding the authority of first class cities, public utility districts, and joint operating agencies to enter into agreements for the undivided ownership of electric generating plants and facilities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson, Chair; Todd, Vice

Chair: Armstrong, Barnes, Brooks, Gallagher, Hankins, Jacobsen, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representatives Jesernig and May.

Passed to Committee on Rules for second reading.

January 15, 1988

HB 1367 Prime Sponsor, Representative Armstrong: Enacting a new Administrative Procedure Act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Appelwick, Brough, Hargrove, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wang.

Voting nay: Representative Crane; Vice Chair.

Absent: Representatives Belcher, P. King, Lewis and Wineberry.

Passed to Committee on Rules for second reading.

January 18, 1988

HB 1387 Prime Sponsor, Representative Leonard: Providing for housing security deposits for qualified persons. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry.

Referred to Committee on Ways & Means.

January 15, 1988

HB 1388 Prime Sponsor, Representative Nutley: Exempting temporary lodging for homeless persons from state and local excise taxation. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Barnes, Sanders, J. Williams and Wineberry.

Absent: Representatives Armstrong, Padden and Todd.

Referred to Committee on Ways & Means.

January 18, 1988

HB 1389 Prime Sponsor, Representative Nutley: Creating the emergency food and shelter program revolving account. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry.

Referred to Committee on Ways & Means.

January 15, 1988

HB 1436 Prime Sponsor, Representative Vekich: Requiring investigation of state investment by the state investment board. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representatives Braddock, Cantwell and Hargrove.

Passed to Committee on Rules for second reading.

January 18, 1988

HB 1473 Prime Sponsor, Representative McLean: Revising provisions relating to food processors. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Brooks, Chandler, Doty, Grant, Holm, Moyer, McLean, Nealey and Rasmussen.

Absent: Representatives Bristow and R. King.

Passed to Committee on Rules for second reading.

January 18, 1988

HB 1479 Prime Sponsor, Representative Nelson: Extending the authorization for utilities to lend money for energy conservation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Hankins, Jacobsen, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representatives Jesernig and May.

Passed to Committee on Rules for second reading.

January 15, 1988

HJM 4030 Prime Sponsor, Representative Wineberry: Requesting Congress to establish a state economic development block grant program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Cantwell, Fox, Grant, Heavey, Holm, Kremen and Rasmussen.

MINORITY recommendation: Do not pass. Signed by Representatives Amondson, McLean and Schoon.

Voting nay: Representatives Amondson, McLean, Moyer, Schoon, B. Williams and J. Williams.

Absent: Representatives Braddock, Doty and Hargrove.

Passed to Committee on Rules for second reading.

January 18, 1988

HJR 4223 Prime Sponsor, Representative Nelson: Extending and expanding the authorization for government utilities to lend money for energy conservation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Hankins, Jacobsen, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representatives Jesernig and May.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's committee reports were referred to the committees so designated.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4715, by Representatives O'Brien, Vekich, Hargrove, Basich, Sayan, Jones, R. King, Prince, Walk, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox,

Fuhrman, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, J. King, P. King, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsold, Valle, Walker, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Robert L. Charette recently passed away from cancer, leaving friends and family with warm memories of a loyal husband, loving father and grandfather, trusted friend and splendid public servant; and

WHEREAS, Robert Charette served in the Washington State Senate from 1963 to 1967, and served in the House of Representatives from 1967 through 1978; and

WHEREAS, Charette, former majority leader of the Washington State House of Representatives and a proud, small-town lawyer was a man of sharp wit and deep convictions; and

WHEREAS, Charette was a devoted member of the Grays Harbor community in all respects for his 65 years, serving as Grays Harbor county prosecutor, state legislator, superior court judge and concerned citizen; and

WHEREAS, Charette first served his country with distinction in the 25th "Tropic Lightning" Division in the Solomon Islands and the Philippines, receiving the Purple Heart; and

WHEREAS, As a graduate of Aberdeen's Weatherwax High School and the University of Washington School of Law, Charette let it be known that both country and city folks are good people, but country folks are stronger and wiser; and

WHEREAS, The citizens of Grays Harbor trusted and respected his abilities, judgment and concern for justice and fairness, and greatly benefited from association with him both as a practicing lawyer and as a superior court judge; and

WHEREAS, Magnificent debating skills and a keen understanding of issues bolstered Charette's legislative effectiveness and ability to attract wide-spread, bipartisan support for his ideas; and

WHEREAS, Such abilities elevated him to the position of House Majority Leader, a position he held from 1973 through 1975;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the memory and deeds of Robert L. Charette and recognize the tremendous economic, social and political benefits that, through his public service, he brought to the people of Washington; and

BE IT FURTHER RESOLVED, That the House of Representatives expresses its deep sympathy and offers comfort to his wife, Betty, his children and grandchildren, brother and sister, as well as friends and admirers, and hopes they are comforted in the fact that Charette's commitment to the people of Grays Harbor and others statewide helped them lead happier, fuller and more meaningful lives; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to his wife and children by the Chief Clerk of the House of Representatives.

Mr. O'Brien moved adoption of the resolution.

Representatives O'Brien, Prince, Vekich, Padden, Basich, Barnes and Lux spoke in favor of it, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 88-4714, by Representatives Grimm and Walk

WHEREAS, Puyallup High School's football team, a member of the South Puget Sound League and known as the Puyallup Vikings, was considered an underdog team in the state playoffs by many in the league; and

WHEREAS, The Vikings played extremely well in the playoffs for the state championship, winning eight straight games including several victories over favored teams; and

WHEREAS, The Vikings won their way to the honor of playing the state championship game, vying for the Class AAA Kingbowl XI title in the Seattle Kingdome against the favored defending champions, the Gonzaga Preparatory School's Bullpups from Spokane; and

WHEREAS, The Puyallup Vikings won the championship game and the Class AAA Kingbowl XI title with the score of 27-21; and

WHEREAS, The Vikings' victory was the first Class AAA state football championship for Puyallup High School; and

WHEREAS, The entire Puyallup Viking team played an outstanding championship game; and

WHEREAS, The coaching staff of the Puyallup Vikings instilled in the team the pride in themselves, in each other and in their school that made their spectacular victory possible; and

WHEREAS, Viking wide receiver Dan Thurston was named "Washington State High School Player of the Year" by the Morning News Tribune; and

WHEREAS, Viking Head Coach Mike Huard was named "State Coach of the Year" by the Tacoma News Tribune and by the Seattle Post-Intelligencer;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the Puyallup Vikings for the pride which they brought to the State of Washington, and celebrate the team's victories and achievements; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Mayor of Puyallup, to the Vikings' Coach Mike Huard, and to each member of the Puyallup Vikings' football team.

Mr. Grimm moved adoption of the resolution.

Representatives Walk and Grimm spoke in favor of it.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Holland.

Mr. Holland: Could you share with us the record when you played for the Puyallup High School football team?

Mr. Grimm: Yes, we beat Renton. At Puyallup, when I was there, it was an excellent record. In fact, in my senior year, 1966, it was either 9 or 10 and 0; it was a later career in athletics that proved so very fruitful as well.

Representatives Holland and Dorn spoke in favor of the resolution, and it was adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representative P. King appeared at the bar of the House.

MOTION FOR RECONSIDERATION

Mr. Meyers, having given notice on the preceding day, moved that the House now reconsider the vote by which Engrossed Substitute House Bill No. 645 failed to pass the House.

Representative Lewis demanded an electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion by Mr. Meyers for reconsideration of final passage of Engrossed Substitute House Bill No. 645, and the motion was carried by the following vote: Yeas, 56; nays, 38; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R. Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Amondson, Ballard, Barnes, Beck, Betrozoff, Braddock, Bristow, Brooks, Brough, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, King P, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Sommers D, Taylor, Vekich, Walker, Williams B, Williams J, Wilson S, Winsley - 38.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C - 4.

RECONSIDERATION

The Speaker stated the question before the House to be reconsideration of final passage of Engrossed Substitute House Bill No. 645.

Representatives Pruitt, Rust, Haugen and Brough spoke in favor of the bill, and Representatives May, Sanders and Miller spoke against it.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 645, and the bill passed the House by the following vote:

Yeas, 50; nays, 44; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Brekke, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jones, King R. Leonard, Locke, Lux, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H. Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 50.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betzoff, Braddock, Bristol, Brooks, Butterfield, Chandler, Dorn, Doty, Ferguson, Fuhrman, Grant, Hankins, Holland, Jesernig, King P, Kremen, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Silver, Sommers D, Taylor, Vekich, Walk, Walker, Williams B, Williams J, Wilson S, Zellinsky - 44.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C - 4.

Engrossed Substitute House Bill No. 645, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

SECOND READING

MOTION

Representative Ebersole moved that the House immediately consider House Bill No. 1318. The motion was carried.

HOUSE BILL NO. 1318, by Representatives Holm, Betzoff, Peery, Walker, Spanel, Pruitt and Unsoeld; by request of Governor Gardner

Extending the time period for applications for the schools for the twenty-first century pilot project.

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

Representatives Holm and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1318, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristol, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers H, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C - 4.

House Bill No. 1318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

MOTION

On motion of Mr. Ebersole, Engrossed House Bill No. 752 was referred from Committee on Rules to Committee on Judiciary.

On motion of Mr. Ebersole, House Bill No. 1416 was referred from Committee on Judiciary to Committee on Agriculture & Rural Development.

On motion of Mr. Ebersole, House Bill No. 1493 was referred from Committee on Ways & Means to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1498 was referred from Committee on Agriculture & Rural Development to Committee on Local Government.

On motion of Mr. Ebersole, House Bill No. 1518 was referred from Committee on Ways & Means to Committee on Education.

On motion of Mr. Ebersole, House Concurrent Resolution No. 4432 was referred from Committee on Trade & Economic Development to Committee on Higher Education.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, January 22, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWELFTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, January 22, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Bumgarner, Locke, Schoon, Smith and Wineberry. Representatives Allen, Bumgarner, Smith and Wineberry were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Karla Jones and Eric Enghauser. Prayer was offered by The Reverend Portia Mather, Minister of St. John's Episcopal Church of Olympia.

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

INTRODUCTIONS AND FIRST READING

HB 1643 by Representatives Beck, Zellinsky, Bumgarner, Silver, Nutley, Padden, Day, Ferguson, Grimm, Lux and Baugher

AN ACT Relating to casualty insurance; and adding a new section to chapter 48.22 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1644 by Representatives Haugen, Schmidt, Fisher, J. Williams, Zellinsky, S. Wilson, Cantwell, Ferguson, Sutherland and Cooper

AN ACT Relating to county sales and use tax equalization; amending RCW 82.14.200 and 84.33.081; reenacting and amending RCW 82.44.150; and providing an effective date.

Referred to Committee on Local Government.

HB 1645 by Representatives Todd and Jacobsen

AN ACT Relating to telecommunications; and amending RCW 80.36.330.

Referred to Committee on Energy & Utilities.

HB 1646 by Representatives K. Wilson, Hargrove, Spanel and Haugen

AN ACT Relating to daylight gill net fishing; and amending RCW 75.12.010.

Referred to Committee on Natural Resources.

HB 1647 by Representatives Ebersole, Peery, Holland, Pruitt, Appelwick, Betrozoff, Ferguson, Cole, May, P. King, Brough, Taylor and Unsoeld

AN ACT Relating to the identification of levy reduction funds in the appropriations act; amending RCW 84.52.0531; and declaring an emergency.

Referred to Committee on Education.

HB 1648 by Representatives Sayan, Taylor, Cole, Padden, Baugher, D. Sommers, Rayburn, Sanders, Rust, Ferguson, Vekich, J. Williams, Lewis, Patrick, Hine, Day, Haugen, Valle, Jones, Unsoeld, Brekke and Spanel

AN ACT Relating to reimbursement of institutions for the mentally retarded; and amending RCW 74.09.120.

Referred to Committee on Ways & Means.

HB 1649 by Representatives Sayan, Patrick, H. Sommers, Holland, Basich and D. Sommers

AN ACT Relating to clarifying the administration of public employment retirement portability benefits; amending RCW 41.54.010, 41.54.030, 41.54.040, 41.54.070, and 41.04.270; adding a new section to chapter 41.54 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1650 by Representatives Brekke, Hine, Lux, Nelson and Holland

AN ACT Relating to naturopathic mechanotherapy; and amending RCW 18.36A.040.

Referred to Committee on Health Care.

HB 1651 by Representatives Valle, Jacobsen, Holland, Bristow, Silver, Rust, Walker, Appelwick, Cole and K. Wilson

AN ACT Relating to gifts, grants, conveyances, devises, and bequests to school districts; and adding a new section to chapter 28A.58 RCW.

Referred to Committee on Education.

HB 1652 by Representatives Cooper, Ferguson, Haugen, Beck, Sayan, Holm, Nealey, Zellinsky, D. Sommers, Nutley, Butterfield, Sutherland, Spanel, Peery and Baugher

AN ACT Relating to investment of public funds; amending RCW 48.62.070; and adding a new chapter to Title 39 RCW.

Referred to Committee on Local Government.

HB 1653 by Representatives Grimm, Ballard, Holm, Heavey, Jones, Sayan, P. King, Brough, Dorn and May; by request of Employment Security Department

AN ACT Relating to the Washington youth employment exchange; amending RCW 50.65.020, 43.220.220, 43.220.230, and 50.16.070; adding a new section to chapter 50.65 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1654 by Representatives Meyers, Schmidt, Walk, Gallagher, J. Williams, D. Sommers and Miller; by request of Department of Licensing

AN ACT Relating to driver's license examinations; and amending RCW 46.20.120.

Referred to Committee on Transportation.

HB 1655 by Representatives Peery, Betzoff, Grimm, H. Sommers, Walker and D. Sommers

AN ACT Relating to school district capital expenditures for equipment and furnishings; amending RCW 28A.51.010 and 84.52.053; and declaring an emergency.

Referred to Committee on Education.

HB 1656 by Representatives Brekke and Armstrong

AN ACT Relating to drug addiction; amending RCW 70.96A.020, 70.96A.120, 70.96A.140, 71.05.040, 71.05.150, and 71.05.210; and adding a new section to chapter 70.96A RCW.

Referred to Committee on Human Services.

HB 1657 by Representatives Brekke and P. King

AN ACT Relating to environmental protection; and adding a new section to chapter 70.132 RCW.

Referred to Committee on Environmental Affairs.

HB 1658 by Representatives Kremen, Baugher and Betzoff; by request of Department of Licensing

AN ACT Relating to refund of licensing fees; amending RCW 46.68.010, 82.44.120, and 82.50.170; adding a new section to chapter 82.49 RCW; adding a new section to chapter 88.02 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1659 by Representatives Wineberry, Brekke, Hine, Wang, Scott, Moyer, Holm, Leonard, P. King, Winsley, Anderson, Crane and Unsoeld

AN ACT Relating to child care licensing; creating new sections; and making an appropriation.

Referred to Committee on Human Services.

HB 1660 by Representatives Meyers, Walk, Vekich, S. Wilson, Gallagher, Fisher, Hankins, Cantwell, Cooper, Day and Unsoeld

AN ACT Relating to motorcycle skills education; adding a new chapter to Title 46 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Transportation.

HB 1661 by Representatives R. King, Patrick and Cole

AN ACT Relating to workers' compensation; amending RCW 51.32.095 and 51.32.090; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1662 by Representatives R. King, Patrick and Cole

AN ACT Relating to workers' compensation; amending RCW 51.32.080, 51.28.050, and 51.28.055; adding new sections to chapter 51.28 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1663 by Representatives R. King and Cole

AN ACT Relating to workers' compensation; and amending RCW 51.32.160.

Referred to Committee on Commerce & Labor.

HB 1664 by Representatives R. King and Cole

AN ACT Relating to industrial insurance appeals; and amending RCW 51.52.130.

Referred to Committee on Commerce & Labor.

HB 1665 by Representatives Crane, Todd, Brough, Sanders and May

AN ACT Relating to a central registry of judgments; amending RCW 4.56.200; and adding a new chapter to Title 4 RCW.

Referred to Committee on Judiciary.

HB 1666 by Representatives Berozoff and Miller

AN ACT Relating to telephone exchanges; and creating a new section.

Referred to Committee on Energy & Utilities.

HB 1667 by Representatives Berozoff and Miller

AN ACT Relating to telephone exchanges; and amending RCW 80.36.230.

Referred to Committee on Energy & Utilities.

HB 1668 by Representatives Zellinsky, Schmidt, Haugen, P. King, Dorn and Winsley

AN ACT Relating to school district boards of directors; and adding new sections to chapter 28A.57 RCW.

Referred to Committee on Education.

HB 1669 by Representatives Wang, Patrick, Ebersole, O'Brien, Locke, Sayan and Winsley

AN ACT Relating to maintaining existing collective bargaining agreements; and adding a new section to chapter 49.36 RCW.

Referred to Committee on Commerce & Labor.

HB 1670 by Representatives Cooper, D. Sommers, Sprengle, May, Meyers, Jacobsen, Ferguson, Fisher, Walker, Peery, Holland, Pruitt, Rust, Todd and Unsoeld

AN ACT Relating to certification of operators of solid waste facilities; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

- HB 1671** by Representatives Ferguson, Miller, Jones, Nutley and Haugen
AN ACT Relating to water and sewer districts; and amending RCW 56.08.070 and 57.08.050.
Referred to Committee on Local Government.
- HB 1672** by Representatives Rasmussen, Schmidt, Walk, S. Wilson, Brough, May and Beck
AN ACT Relating to identification of trucks; and adding a new section to chapter 46.37 RCW.
Referred to Committee on Transportation.
- HB 1673** by Representatives Todd, Barnes, Nutley, Cooper, Cantwell, Sanders, Sayan, Crane, Unsoeld, Rasmussen, Sprengle, J. Williams, Leonard, Cole, Dorn, Patrick, Pruitt and Beck
AN ACT Relating to an office of mobile home affairs; adding a new section to chapter 59.22 RCW; and adding a new section to chapter 84.52 RCW.
Referred to Committee on Housing.
- HB 1674** by Representatives Lux, Chandler, Armstrong and Crane
AN ACT Relating to subcontractor indemnity; and amending RCW 4.24.115.
Referred to Committee on Financial Institutions & Insurance.
- HB 1675** by Representatives Bristow, Leonard, Day and Cooper
AN ACT Relating to community action agencies; and making an appropriation.
Referred to Committee on Human Services.
- HB 1676** by Representatives Leonard, Hine, Lewis, Pruitt, R. King, Brekke, Lux, Fisher, Rasmussen, Cooper, Anderson, P. King and Todd
AN ACT Relating to community action agencies; and adding new sections to chapter 43.63A RCW.
Referred to Committee on Human Services.
- HB 1677** by Representatives Valle, Wineberry, Vekich, Rasmussen, Ferguson, Winsley and Walker
AN ACT Relating to transient accommodations; and amending RCW 70.62.210.
Referred to Committee on Trade & Economic Development.
- HB 1678** by Representatives Crane, Winsley, Cole, Scott, Valle, Todd, Moyer, Brekke, Lux, Leonard, P. King, Walker, Day and Miller
AN ACT Relating to juvenile sex offenders; creating new sections; and making an appropriation.
Referred to Committee on Human Services.
- HB 1679** by Representatives Locke, Patrick, Belcher, Miller, Rust, Armstrong, Barnes, Brough, Zellinsky, Sanders, O'Brien, May, Valle, Betzoff, Wineberry, Ferguson, Hankins, Ballard, Cantwell, Silver, D. Sommers, Taylor, Amondson, Padden, H. Sommers, Fuhrman, Lux, Pruitt, P. King, Walker, Fisher, Anderson, Todd, Crane, Unsoeld, Cooper, Rayburn and Brekke; by request of Secretary of State
AN ACT Relating to political contributions by charitable organizations; and adding a new section to chapter 19.09 RCW.
Referred to Committee on Constitution, Elections & Ethics.
- HB 1680** by Representatives Nutley, Peery, Butterfield, Cooper and Sutherland
AN ACT Relating to the taxation of sales to nonresidents; and amending RCW 82.08.0273.
Referred to Committee on Ways & Means.
- HB 1681** by Representatives Nutley, Peery, Butterfield, Cooper and Sutherland

AN ACT Relating to the taxation of sales to nonresidents; and amending RCW 82.08.0273.

Referred to Committee on Ways & Means.

HB 1682 by Representatives O'Brien, Patrick, R. King, Cole and Sayan

AN ACT Relating to industrial insurance benefits; and amending RCW 51.32.160.

Referred to Committee on Commerce & Labor.

HB 1683 by Representatives Cantwell, Todd, Ebersole, Crane, Dorn and Sayan

AN ACT Relating to civil remedies for violation of the mobile home landlord tenant act; amending RCW 59.20.220; adding new sections to chapter 59.20 RCW; and prescribing penalties.

Referred to Committee on Housing.

HB 1684 by Representatives Sprenkle, May, Rust, Pruitt, D. Sommers, Cooper, Walker, Unsoeld, Nelson, Brekke, Ferguson, Todd and Spanel

AN ACT Relating to solid waste management; amending section 15, chapter 528, Laws of 1987 (uncodified); and adding new sections to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

HB 1685 by Representatives Grimm, Holland, Locke, Silver, H. Sommers, Pruitt, Brough, May and Ferguson

AN ACT Relating to fiscal matters; amending RCW 82.01.125, 82.01.130, 82.01.135, 41.06.087, 43.88.030, and 43.88.120; and reenacting and amending RCW 82.01.120.

Referred to Committee on Ways & Means.

HB 1686 by Representatives Nealey, Fisher, Belcher, Walker, Chandler, Beck, Grant, Silver, Fuhrman, May, Rasmussen, Moyer, Sanders, McLean and Miller

AN ACT Relating to the seal of the state of Washington; adding a new chapter to Title 43 RCW; repealing RCW 9.91.050 and 9.91.055; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 1687 by Representatives Schoon, Vekich, B. Williams, Cantwell, Holm, Rasmussen, Moyer, Hargrove, Wineberry, Pruitt and Ferguson

AN ACT Relating to the business assistance center; and adding a new section to chapter 43.31 RCW.

Referred to Committee on Environmental Affairs.

HB 1688 by Representatives Schoon, Rust, Moyer and Unsoeld

AN ACT Relating to smoking in restaurants; and amending RCW 70.160.040.

Referred to Committee on Environmental Affairs.

HB 1689 by Representatives Haugen, Beck, Cooper, Zellinsky, D. Sommers, Butterfield, Sutherland, Bristow, Nutley, Nealey, Jones, Prince, Ballard and Rayburn

AN ACT Relating to the distribution and payment of investment earnings on property tax receipts; and amending RCW 36.29.020, 84.56.230, and 84.56.280.

Referred to Committee on Local Government.

HB 1690 by Representatives Ferguson, Cooper, Winsley, Miller, Nutley, Crane, Baugher, Sanders, Lux, Haugen, Beck, Day, Meyers, Betrozoff, Nelson and Cantwell

AN ACT Relating to manufactured homes; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; and adding a new section to chapter 36.70 RCW.

Referred to Committee on Housing.

HB 1691 by Representatives Walk, Grimm and Belcher

AN ACT Relating to billboards in commercial and industrial zones; and amending RCW 47.42.020 and 47.42.063.

Referred to Committee on Transportation.

HB 1692 by Representative Walk

AN ACT Relating to names and addresses for drivers' licenses and indenticards; and amending RCW 46.20.205.

Referred to Committee on Transportation.

HB 1693 by Representatives Cooper, Butterfield, Peery, Nutley, Sutherland, Brough, Day, Fuhrman, May and Barnes

AN ACT Relating to authorizing educational service districts to contract with the school for the deaf and the school for the blind; and amending RCW 28A.21.010, 28A.21.086, and 28A.21.090.

Referred to Committee on Education.

HB 1694 by Representatives Betzoff, Peery, Holland, Rasmussen and P. King; by request of Superintendent of Public Instruction

AN ACT Relating to the personal qualifications of applicants for certificates issued by the superintendent of public instruction; amending RCW 28A.70.005; repealing RCW 28A.70.140; and declaring an emergency.

Referred to Committee on Education.

HB 1695 by Representatives Dorn, Betzoff, Peery, Cole, Rust, Taylor, Rasmussen, Valle, Spanel, Holland, Rayburn, P. King and Winsley; by request of Superintendent of Public Instruction

AN ACT Relating to minimum standards for the evaluation of certificated personnel; and amending RCW 28A.67.225.

Referred to Committee on Education.

HB 1696 by Representatives Grant, Appelwick, Baugher, Nealey, Rayburn, Brooks and Kremen

AN ACT Relating to excise tax exemptions for agriculture; reenacting and amending RCW 82.04.050; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

HB 1697 by Representatives Zellinsky, Ferguson, Schmidt and Grant

AN ACT Relating to local government; and amending RCW 70.95.180 and 70.95.185.

Referred to Committee on Environmental Affairs.

HB 1698 by Representatives Brooks, Sprengle, Hankins, Bristow, Silver, Moyer, Jesernig, Braddock, Grant, Ballard, McLean, D. Sommers, Baugher, May, Miller and Nealey

AN ACT Relating to the transfer of programs from the department of social and health services to a department of public health and safety; amending RCW 43.17.010, 43.17.020, 43.20A.010, 43.20A.030, 43.20A.060, 43.20A.140, 43.20A.360, 17.21.230, and 28B.20.456; reenacting and amending RCW 43.20.030; adding new sections to chapter 43.131 RCW; adding a new chapter to Title 43 RCW; creating new sections; repealing RCW 43.20A.600, 43.20A.615, 43.20A.620, 43.20A.625, 43.20A.635, 43.20A.640, 43.20A.645, 43.20A.650, 43.20A.655, and 43.20A.665; and providing an effective date.

Referred to Committee on Health Care.

HB 1699 by Representatives Sayan, Lux, Cole, Fisher, Jones, Nelson and Unsoeld

AN ACT Relating to agricultural workers; and amending RCW 15.24.080.

Referred to Committee on Commerce & Labor.

HB 1700 by Representatives H. Sommers, Baugher, Chandler, Unsoeld and Brough; by request of Office of Financial Management

AN ACT Relating to state employee salary overpayments; and adding a new section to chapter 42.16 RCW.

Referred to Committee on State Government.

HB 1701 by Representatives Walk, Schmidt and Baugher; by request of Office of Financial Management

AN ACT Relating to transportation appropriations; amending section 3, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 18, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 20, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 25, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 26, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 29, chapter 10, Laws of 1987 1st ex. sess. (uncodified); and amending section 30, chapter 10, Laws of 1987 1st ex. sess. (uncodified); making appropriations and authorizing expenditures; and declaring an emergency.

Referred to Committee on Transportation.

HB 1702 by Representatives Nutley, Ferguson, Doty, Haugen, Brough and Nelson; by request of Washington State Local Governance Commission

AN ACT Relating to annexation for municipal purposes; amending RCW 35.13.020, 35.13.060, 35.13.125, 35.13.130, 35A.14.020, 35A.14.050, 35A.14.120, 35A.14.295, 35A.14.299, and 42.17.130; adding a new section to chapter 35.13 RCW; and repealing RCW 35.13.025.

Referred to Committee on Local Government.

HB 1703 by Representatives Braddock and Brooks; by request of Pharmacy Board

AN ACT Relating to the board of pharmacy; amending RCW 18.64.044, 18.64.245, 18.64.080, and 69.41.020; and adding a new section to chapter 69.41 RCW.

Referred to Committee on Health Care.

HB 1704 by Representatives P. King, Sanders, Bristow, Leonard and J. Williams

AN ACT Relating to mobile home park landlord's liens; and creating a new section.

Referred to Committee on Housing.

HB 1705 by Representatives P. King, Bristow, Nutley and Leonard

AN ACT Relating to fire insurance for mobile homes; and creating a new section.

Referred to Committee on Housing.

HB 1706 by Representatives Todd, J. Williams, Patrick, Sanders, Nutley, Leonard and Sayan

AN ACT Relating to mobile home dealer's licenses; and amending RCW 46.70.023.

Referred to Committee on Housing.

HB 1707 by Representatives Todd, Sanders, Patrick, Nutley, Leonard and Sayan

AN ACT Relating to mobile home support systems; and adding a new section to chapter 43.22 RCW.

Referred to Committee on Housing.

HB 1708 by Representatives Padden, Brough, Sanders, McLean, Walker, Fuhrman, Ballard, May, Barnes, Beck, Butterfield and Nealey

AN ACT Relating to the state purchasing services by contract; amending RCW 41.06.380 and 28B.16.240; and declaring an emergency.

Referred to Committee on State Government.

HB 1709 by Representatives Silver, Moyer, Braddock, Lewis, Patrick, Brough, Crane, B. Williams and Ferguson

AN ACT Relating to acquired immune deficiency syndrome; adding a new chapter to Title 9 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

- HB 1710** by Representatives Jones, Ferguson, Fox, Brough, Walker, Fuhrman, Ballard and May
 AN ACT Relating to projects recommended by the public works board; creating a new section; and declaring an emergency.
 Referred to Committee on Ways & Means.
- HB 1711** by Representatives Hargrove, Patrick, Padden, Locke and Brough
 AN ACT Relating to assault; amending RCW 9A.36.021; adding a new section to chapter 9A.36 RCW; prescribing penalties; and providing an effective date.
 Referred to Committee on Judiciary.
- HB 1712** by Representatives Dellwo and P. King
 AN ACT Relating to limitations of actions; and amending RCW 4.16.100.
 Referred to Committee on Judiciary.
- HB 1713** by Representatives Braddock, Ballard, Sprengle, Vekich, Lux, Haugen, Holm, Sayan, Winsley, Anderson and Baugher
 AN ACT Relating to trauma care; amending RCW 46.20.181; creating new sections; and making an appropriation.
 Referred to Committee on Health Care.
- HB 1714** by Representative Braddock
 AN ACT Relating to nursing home patients; adding a new section to chapter 18.51 RCW; adding a new section to chapter 74.09 RCW; and adding a new section to chapter 74.42 RCW.
 Referred to Committee on Health Care.
- HB 1715** by Representatives Holland, Brough, Taylor, May and Miller
 AN ACT Relating to the retail sales and use taxation of materials and labor used in the construction or renovation of common schools; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.
 Referred to Committee on Education.
- HB 1716** by Representatives Holland, Lewis, Brough, May, Padden, Ballard, Fuhrman, D. Sommers, J. Williams, B. Williams, Butterfield and Nealey
 AN ACT Relating to acquired immunodeficiency syndrome; amending RCW 70.24-.010; and prescribing penalties.
 Referred to Committee on Health Care.
- HB 1717** by Representatives Cole, R. King, Fisher, Winsley, Leonard, Anderson, Ebersole, Dellwo, Miller, Allen, Wang, Sayan, Nelson, Vekich, Lux and Unsoeld
 AN ACT Relating to workplace safety; adding a new chapter to Title 49 RCW; and prescribing penalties.
 Referred to Committee on Commerce & Labor.
- HB 1718** by Representatives Locke and May
 AN ACT Relating to the limited waiver of the one hundred six percent property tax limitation; and amending RCW 84.55.050.
 Referred to Committee on Ways & Means.
- HB 1719** by Representatives Doty, H. Sommers, Hankins, Padden, Lewis, Sanders, Walker and Beck
 AN ACT Relating to anonymous disclosures of improper governmental actions; amending RCW 42.40.040; and creating a new section.
 Referred to Committee on State Government.
- HB 1720** by Representative Jacobsen

AN ACT Relating to the reduction in classroom size based on the actual number of students assigned to the class; and adding a new section to chapter 28A.04 RCW.

Referred to Committee on Education.

HB 1721 by Representative Jacobsen

AN ACT Relating to library services provided by the state institutions of higher education; adding a new section to chapter 28B.85 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1722 by Representatives Ferguson, Dellwo, Bristow, Miller, Moyer and Lux

AN ACT Relating to health care insurance for dependent children; and amending RCW 48.20.430, 48.21.155, 48.44.212, and 48.46.250.

Referred to Committee on Financial Institutions & Insurance.

HB 1723 by Representatives Nelson and Wineberry

AN ACT Relating to the business and occupation taxation of manufacturing or selling nuclear fuel assemblies; and amending RCW 82.04.260.

Referred to Committee on Ways & Means.

HB 1724 by Representatives Hine, Haugen and Barnes

AN ACT Relating to city and town boundary changes; adding new sections to chapter 35.13 RCW; adding a new section to chapter 35A.14 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 1725 by Representatives Sayan, Vekich, Bristow, Scott, Lewis, Jones, Lux, Ballard, Leonard, Armstrong, Brekke, P. King and Unsoeld

AN ACT Relating to reimbursement of incarceration costs; and amending RCW 70.48.440 and 72.72.030.

Referred to Committee on Ways & Means.

HB 1726 by Representatives Hine, Ferguson, Nelson, Brough, H. Sommers, Valle, Holland, Rust, Appelwick, Locke, Heavey, Miller, May, Lux, Brekke, Todd, O'Brien, Patrick, Wineberry, Crane, Cantwell, Anderson, Jacobsen, J. Williams, Leonard, Armstrong, P. King, Barnes, Betzoff, Cole, Haugen, Fisher, Nutley and Unsoeld

AN ACT Relating to metropolitan municipal corporations; amending RCW 35.58.040 and 36.56.040; adding new sections to chapter 35.58 RCW; creating a new section; repealing RCW 35.58.118, 35.58.120, 35.58.130, 35.58.140, 35.58.150, 35.58.160, and 35.58.270; and declaring an emergency.

Referred to Committee on Local Government.

HB 1727 by Representatives Wang and R. King

AN ACT Relating to agricultural labor market information collection and analysis; amending RCW 50.16.010, 15.65.420, 15.65.430, 15.65.460, and 15.66.180; adding a new section to chapter 50.16 RCW; adding a new section to chapter 15.24 RCW; adding a new section to chapter 15.28 RCW; adding a new section to chapter 15.65 RCW; adding a new section to chapter 15.66 RCW; adding a new section to chapter 15.04; creating a new section; and making an appropriation.

Referred to Committee on Commerce & Labor.

HB 1728 by Representatives Wang, Patrick, R. King, P. King, Winsley and Cooper

AN ACT Relating to an office of information and assistance in the department of labor and industries; adding new sections to chapter 43.22 RCW; and making an appropriation.

Referred to Committee on Commerce & Labor.

HB 1729 by Representatives Wang, Patrick and Locke

AN ACT Relating to corporations; amending RCW 23A.50.010, 23A.50.020, 23A.28.129, 23A.32.200, and 23A.32.010; repealing RCW 23A.50.901; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1730 by Representatives Gallagher, Cooper, J. Williams and P. King; by request of Department of Licensing

AN ACT Relating to sample license plates; reenacting and amending RCW 46.63.020; adding a new section to chapter 46.16 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1731 by Representatives Zellinsky, Padden, Sutherland and J. Williams; by request of Department of Licensing

AN ACT Relating to vehicle licensing and registration; and amending RCW 46.16.220 and 82.44.060.

Referred to Committee on Transportation.

HB 1732 by Representatives Rayburn, Nealey and Unsoeld; by request of Department of Ecology

AN ACT Relating to emergency drought relief; amending RCW 43.83B.210, 43.83B.300, 43.83B.310, 43.83B.342, and 43.83B.344; amending section 704, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 303, chapter 7, Laws of 1987 1st ex. sess. (uncodified); and declaring an emergency.

Referred to Committee on Agriculture & Rural Development.

HB 1733 by Representatives Grimm, Ballard, Wang and Locke; by request of Department of Labor and Industries

AN ACT Relating to investment of funds of the department of labor and industries; and amending RCW 43.33A.110.

Referred to Committee on Commerce & Labor.

HJM 4033 by Representatives Jones, Vekich, Fisher, Schmidt, Baugher, Unsoeld, Prince, Walk, Walker, Lux, Hine, Crane, S. Wilson, Hargrove, Anderson, Leonard, Pruitt, Brough, Basich, Dorn, Day, Haugen, Sayan, Winsley, Cooper, Belcher, Nelson, May, Miller, Butterfield, Ferguson, Spanel and Nealey

Petitioning Congress to adopt legislation establishing a uniform closing time for polling places.

Referred to Committee on Constitution, Elections & Ethics.

HJM 4034 by Representatives Schoon, Fuhrman, Nealey, Chandler, Brooks, J. Williams, Lewis and Brough

Petitioning Congress to recognize English as the official language of the United States.

Referred to Committee on Education.

HJM 4035 by Representatives Unsoeld, Sayan, Anderson, Nelson, Patrick, Jacobsen, Rust, Todd, Ferguson, Meyers, Sutherland, Holm, Holland, D. Sommers, Sanders, Heavey, Rasmussen, Grant, Appelwick, Basich, Pruitt, Dellwo, Peery, Fisher, H. Sommers, Wang, Jones, Nutley, Jesernig, Belcher, R. King, O'Brien, Sprenkle, Leonard, Cooper, Walk, Dorn, Lewis, P. King, Brough, Winsley, Miller, Brekke and Spanel

Petitioning Congress to study the claims of veterans exposed to Agent Orange.

Referred to Committee on State Government.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 19, 1988

HB 318 Prime Sponsor, Representative Lux: Revising provisions on insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Day, Dorn, Grimm, Nutley, Silver and Winsley.

Absent: Representatives Dellwo, Ferguson and P. King.

Passed to Committee on Rules for second reading.

January 21, 1988

ESHB 509 Prime Sponsor, Committee on Environmental Affairs: Limiting the use of landfills for solid waste disposal. Reported by Committee on Rules

Rereferred to Committee on Environmental Affairs.

January 19, 1988

SHB 511 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring motor vehicle liability insurance policies to provide personal injury protection benefits. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 16, strike "1987" and insert "1988"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Dorn, Nutley, Silver and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Day.

Absent: Representatives Dellwo, Ferguson and P. King.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 802 Prime Sponsor, Representative Unsoeld: Revising provisions governing tax deferred annuities for educational employees. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Day and Grimm.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1269 Prime Sponsor, Representative Braddock: Revising provisions relating to community supervision. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Bristow, Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Day, Vice Chair; Bristow and Bumgarner.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1271 Prime Sponsor, Representative Armstrong: Revising provisions relating to the department of corrections. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Bristow, Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Day, Vice Chair; and Bumgarner.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1272 Prime Sponsor, Representative H. Sommers: Revising department of corrections employee assault benefits. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16, after "employee" insert "while the employee is performing the employee's official duties"

On page 2, line 27, after "right," insert the following:

"(10) For the purposes of this section, 'offender' means: (a) inmate as defined in RCW 72.09-.020, (b) offender as defined in RCW 9.94A.030, and (c) any other person in the custody of or subject to the jurisdiction of the department of corrections."

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1279 Prime Sponsor, Representative Braddock: Revising provisions relating to financial and legal obligations of offenders. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Day, Vice Chair; Bristow and Bumgarner.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1303 Prime Sponsor, Representative Kremen: Providing for a distribution from the liquor revolving fund to border areas. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representative Bumgarner

Referred to Committee on Ways & Means.

January 18, 1988

HB 1304 Prime Sponsor, Representative Kremen: Providing for marketing agreements to allow members to participate in regulatory proceedings. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 13, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 15.66 RCW to read as follows:

Any marketing agreement or order may authorize the members of a commodity commission, or their agents or designees, to participate in federal or state hearings or other proceedings concerning regulation of the manufacture, distribution, sales, or use of any pesticide as defined by RCW 15.58.030(1) or any agricultural chemical which is of use or potential use in producing the affected commodity. Any marketing agreement or order may authorize the expenditure of commodity commission funds for this purpose."

On page 1, line 1 of the title, after "agreements;" strike "and" and after "RCW" on line 2 of the title insert "; and adding a new section to chapter 15.66 RCW"

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, McLean, Moyer, Nealey and Rasmussen.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 20, 1988

HB 1306 Prime Sponsor, Representative Peery: Specifying the disciplinary authority and protecting classified school employees. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Rasmussen, Rayburn, Rust, Taylor, Todd, Valle and Walker.

Absent: Representatives Appelwick, Holm, Pruitt and Schoon.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1316 Prime Sponsor, Representative Haugen: Revising provisions for meetings of boards of county commissioners. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Rayburn.

Absent: Representative Bumgarner

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1322 Prime Sponsor, Representative Lux: Revising insurance form and rate filing requirements. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Day and Grimm.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1324 Prime Sponsor, Representative Hankins: Providing for sunset review and termination dates. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1351 Prime Sponsor, Representative H. Sommers: Authorizing the state auditor to contract with certified public accountants. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1368 Prime Sponsor, Representative Armstrong: Revising provisions on enforcement of judgments. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Hargrove, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Brough and P. King.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1382 Prime Sponsor, Representative Hankins: Providing for sunset review and termination dates. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Hankins, O'Brien, Peery, Taylor and Walk.

Absent: Representative Baugher.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1439 Prime Sponsor, Representative Fox: Restricting first source agreements with the employment security department. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen and B. Williams.

Absent: Representatives Holm, Schoon and J. Williams.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1446 Prime Sponsor, Representative Haugen: Authorizing loans for emergency public works projects. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representative Bumgarner.

Referred to Committee on Ways & Means.

January 21, 1988

HB 1447 Prime Sponsor, Representative H. Sommers: Providing for an administrative hearing on the denial of fireworks licenses. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

January 15, 1988

HB 1450 Prime Sponsor, Representative Vekich: Extending the excise tax deferral and credit programs for manufacturing and research and development activities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Fox, Grant, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representatives Braddock, Doty and Hargrove

Referred to Committee on Ways & Means.

January 21, 1988

HB 1463 Prime Sponsor, Representative Belcher: Providing for orders requiring parents to comply with residential provisions for a child. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough Hargrove, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Brough, Locke and Wang.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1464 Prime Sponsor, Representative Armstrong: Strengthening contempt orders for the failure to pay child support. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Brough, P. King, Locke, Scott and Wang.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1470 Prime Sponsor, Representative Baugher: Regulating tandem-axle vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Prince, Schmidt, Sutherland, Vekich, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Kremen, Smith, D. Sommers, Sutherland, Todd and J. Williams.

Passed to Committee on Rules for second reading.

January 19, 1988

HB 1471 Prime Sponsor, Representative Baugher: Updating tonnage purchase laws. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Prince, Schmidt, Sutherland, Vekich, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Kremen, Smith, D. Sommers, Sutherland, Todd and J. Williams.

Passed to Committee on Rules for second reading.

January 18, 1988

HB 1472 Prime Sponsor, Representative Baugher: Revising provisions relating to apiaries. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, McLean, Moyer, Nealey and Rasmussen.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1493 Prime Sponsor, Representative Appelwick: Facilitating collection of costs incurred by public officials in abating a public nuisance. Reported by Committee on Rules

Referred to Committee on Ways & Means.

January 19, 1988

HB 1516 Prime Sponsor, Representative Basich: Authorizing local marketplace programs. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Amondson, Beck, Braddock, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, Kremen, McLean and B. Williams.

Absent: Representatives Holm, Schoon and J. Williams.

Referred to Committee on Ways & Means.

January 20, 1988

HB 1568 Prime Sponsor, Representative Todd: Including school administrators in the excellence in education program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Rasmussen, Rayburn, Rust, Taylor, Todd, Valle and Walker.

Absent: Representatives Appelwick, Ebersole, P. King, Pruitt and Schoon.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Albert Gore, Sr., former U.S. Senator from the State of Tennessee. Senator Gore briefly addressed the members of the House of Representatives.

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

SECOND READING

HOUSE BILL NO. 64, by Representatives Lux, Chandler and P. King

Exempting certain surety bonds from requirements for cancellation or nonrenewal of insurance policies.

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

Representatives Lux and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 64, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeid, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Locke - 1.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

House Bill No. 64, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 662, by Representatives Vekich, McMullen, Grant, P. King, Hargrove, Madsen, Haugen, Zellinsky, Baugher, Bristow, Bumgarner, Fuhrman, Holland, Chandler, Nealey, L. Smith, Ferguson, Betrozoff, Moyer, Amondson, D. Sommers, McLean, Cooper, Rasmussen, Kremen, Fisch, Meyers, Todd, Jesernig, K. Wilson, S. Wilson, Sanders, Sutherland, Doty, May, Brough, Cantwell, Padden, Winsley and Holm

Specifying the grounds for bringing a products liability action based on design defects for firearms or ammunition.

The bill was read the second time.

Mr. Vekich moved adoption of the following amendment by Representatives Vekich and B. Williams:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 4, chapter 27, Laws of 1981 and RCW 7.72.030 are each amended to read as follows:

(1) A product manufacturer is subject to liability to a claimant if the claimant's harm was proximately caused by the negligence of the manufacturer in that the product was not reasonably safe as designed or not reasonably safe because adequate warnings or instructions were not provided.

(a) A product is not reasonably safe as designed, if, at the time of manufacture, the likelihood that the product would cause the claimant's harm or similar harms, and the seriousness of those harms, outweighed the burden on the manufacturer to design a product that would have prevented those harms and the adverse effect that an alternative design that was practical and feasible would have on the usefulness of the product: PROVIDED, That a firearm or ammunition shall not be deemed defective in design on the basis that the benefits of the product do not outweigh the risk of injury posed by its potential to cause serious injury, damage, or death when discharged.

(b) A product is not reasonably safe because adequate warnings or instructions were not provided with the product, if, at the time of manufacture, the likelihood that the product would cause the claimant's harm or similar harms, and the seriousness of those harms, rendered the warnings or instructions of the manufacturer inadequate and the manufacturer could have provided the warnings or instructions which the claimant alleges would have been adequate.

(c) A product is not reasonably safe because adequate warnings or instructions were not provided after the product was manufactured where a manufacturer learned or where a reasonably prudent manufacturer should have learned about a danger connected with the product after it was manufactured. In such a case, the manufacturer is under a duty to act with regard to issuing warnings or instructions concerning the danger in the manner that a reasonably prudent manufacturer would act in the same or similar circumstances. This duty is satisfied if the manufacturer exercises reasonable care to inform product users.

(2) A product manufacturer is subject to strict liability to a claimant if the claimant's harm was proximately caused by the fact that the product was not reasonably safe in construction or not reasonably safe because it did not conform to the manufacturer's express warranty or to the implied warranties under Title 62A RCW.

(a) A product is not reasonably safe in construction if, when the product left the control of the manufacturer, the product deviated in some material way from the design specifications or performance standards of the manufacturer, or deviated in some material way from otherwise identical units of the same product line.

(b) A product does not conform to the express warranty of the manufacturer if it is made part of the basis of the bargain and relates to a material fact or facts concerning the product and the express warranty proved to be untrue.

(c) Whether or not a product conforms to an implied warranty created under Title 62A RCW shall be determined under that title.

(3) In determining whether a product was not reasonably safe under this section, the trier of fact shall consider whether the product was unsafe to an extent beyond that which would be contemplated by the ordinary consumer."

Mr. Vekich spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Vekich yielded to question by Mr. Lewis.

Mr. Lewis: I just received this on my desk. Is it your understanding that in this striking amendment, the only changes are on lines 30 through 35, the underlined portion to the bill, or is this a substantive change to the bill as was passed?

Mr. Vekich: It's not a substantive change. The underlying bill deals with a grey area in the law where a litigant could possibly bring suit, that a gun by its nature is

a defective weapon—the fact that someone can shoot somebody else. The litigant, the victim, could then sue the firearms' manufacturer, not the perpetrator of the crime. That's the grey area that was found by the National Rifle Association. The amendment is the response by that organization and by the Trial Lawyers' Association to be sure that they were not exempting firearms that were faultily manufactured during the manufacturing process.

Mr. Lewis: All parties, including the NRA, have agreed to this?

Mr. Vekich: Absolutely.

The amendment was adopted.

On motion of Mr. Vekich, the following amendment to the title was adopted:

On page 1, line 2 of the title, after "ammunition," strike the remainder of the title and insert "amending RCW 7.72.030."

The bill was ordered engrossed. On motion of Mr. Vekich, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Mr. Vekich yielded to question by Mr. Nelson.

Mr. Nelson: Now that we have amended this bill, could you tell the body how the original bill differs from the amendment?

Mr. Vekich: The original bill never talked about actual manufacturer of a firearm. Now we are clearly saying that a faultily manufactured firearm is not covered under the bill.

Mr. Nelson: For those of us who are not familiar with the original bill in detail, what did the original bill cover then?

Mr. Vekich: The original bill dealt with the ability of a litigant to bring a cause of action against a firearms' manufacturing company because a criminal shot somebody with that firearm. It's a response to a case in the State of Maryland, where a very enterprising attorney was able to convince the judge and a court that a gun, by the nature of its being able to shoot somebody, was a negligent product and a faulty product and was able to get recovery in the state's product liability suit. In response to that case most courts have overturned it and distinguished it, but there is a concern that this sort of harassment case will be raised in other states. The bill is in response to that.

Mr. Nelson: Do I understand then that the amendment broadens the exemption from liability compared to the original bill?

Mr. Vekich: That is not my understanding at all.

Representative Nelson spoke against passage of the bill, and Representatives Meyers and Vekich spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 662, and the bill passed the House by the following vote: Yeas, 90; nays, 2; absent, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Braddock, Nelson - 2.

Absent: Representative Locke - 1.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

Engrossed House Bill No. 662, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Locke appeared at the bar of the House.

HOUSE BILL NO. 854, by Representative Lux

Requiring insurers to allow conversion of group term insurance.

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

Representatives Lux and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 854, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

House Bill No. 854, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1010, by Representatives Holm, C. Smith, Chandler, Unsoeld, Moyer, Walk, Rasmussen, D. Sommers, Madsen, Belcher, Brooks, Grant and Winsley

Financing the provision of fire protection services for state-owned buildings.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1010 was substituted for House Bill No. 1010 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1010 was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Holm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1010, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

Substitute House Bill No. 1010, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Ebersole, the House deferred consideration of Engrossed House Bill NO. 1093, and the bill was ordered to hold its place on the second reading calendar.

HOUSE BILL NO. 1291, by Representatives Cole, Patrick and Wang; by request of Liquor Control Board

Providing for the sale of liquor collections.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1291 was substituted for House Bill No. 1291, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1291 was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1291, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

Substitute House Bill No. 1291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1292, by Representatives Jones, Patrick and Wang; by request of Liquor Control Board

Revising restrictions on minors employed by liquor licensees.

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

Representatives Jones and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1292, and the bill passed the House by the following vote: Yeas, 89; nays, 4; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Beck, Sommers D, Walk, Walker - 4.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

House Bill No. 1292, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1293, by Representatives R. King, Walker and Wang; by request of Liquor Control Board

Providing that all conditions and restrictions be listed on liquor licenses.

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

Representatives R. King and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1293, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

House Bill No. 1293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1294, by Representatives Jones, Patrick and Wang; by request of Liquor Control Board

Providing for a liquor broker's license.

The bill was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Patrick and Jones:

On page 1, line 14, after "(2)" strike "A business licensed under this section shall not" and insert "A broker's license shall not authorize the licensee to"

Representatives Wang and Patrick spoke in favor of the amendment, and it was adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Patrick and Jones:

On page 1, beginning on line 18, strike all material through "66.24.310" on line 20
Renummer the remaining sections consecutively.

Representative Wang spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jones and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1294, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

Engrossed House Bill No. 1294, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1295, by Representatives Wang, Walker and Cole; by request of Liquor Control Board

Revising the fees for liquor licenses.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1295 was substituted for House Bill No. 1295, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1295 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang and Patrick:

On page 2, line 4, after "annual" insert "retail"

Representative Wang spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1295, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

Engrossed Substitute House Bill No. 1295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1296, by Representatives Wang, Patrick, Cole, Jones and Ferguson; by request of Liquor Control Board

Repealing the report and delivery requirement for seized liquor.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1296 was substituted for House Bill No. 1296, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1296 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1296, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard,

Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Bumgarner, Schoon, Smith C, Wineberry - 5.

Substitute House Bill No. 1296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker, (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

MOTIONS

On motion of Mr. Ebersole, House Bill No. 1155 was referred from Committee on Ways & Means to Committee on Trade & Economic Development.

On motion of Mr. Ebersole, House Bill No. 1608 was referred from Committee on Ways & Means to Committee on Judiciary.

MOTION

On motion of Mr. Ebersole, the House adjourned until Monday, January 25, 1988 at 10:00 a.m.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Monday, January 25, 1988

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Belcher, Bumgarner, Locke, Smith, Taylor, Unsoeld and Vekich. Representatives Belcher, Bumgarner, Smith, Taylor and Unsoeld were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Belling and Shane Kraemer. Prayer was offered by The Reverend Dennis Hartsook, Minister of St. Mark Lutheran Church of Lacey.

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

MESSAGE FROM THE SENATE

January 22, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5020,
SUBSTITUTE SENATE BILL NO. 5333,
SUBSTITUTE SENATE BILL NO. 5334,
SENATE BILL NO. 5667,
SENATE JOINT MEMORIAL NO. 8007.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1734 by Representatives Appelwick, Taylor, Pruitt, Crane, P. King, Brough and Todd

AN ACT Relating to the business and occupation taxation of the care of children; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1735 by Representatives Braddock, P. King, Brekke and Ebersole; by request of Department of Licensing

AN ACT Relating to substance abuse by health care professionals; adding a new section to chapter 18.130 RCW; and making an appropriation.

Referred to Committee on Health Care.

HB 1736 by Representatives Lux, Chandler and Dellwo; by request of Department of General Administration

AN ACT Relating to financial institutions; amending RCW 30.04.060, 30.04.075, 30.04.410, 32.04.220, and 32.32.228; adding a new section to chapter 32.04 RCW; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 1737 by Representatives Haugen, Lewis, S. Wilson, P. King, Nealey and Walk

AN ACT Relating to the preservation of documents recorded or filed with county auditors; amending RCW 36.18.010; adding new sections to chapter 36.18 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1738 by Representatives Sayan, Grimm, Ballard, Bristow, Walker, Basich, B. Williams, Walk, Anderson, Day, Jones, K. Wilson, Jacobsen, Kremen, Winsley, Schoon, Dellwo and Sanders

AN ACT Relating to tax credits for the employment of military reservists and Washington national guards; adding a new chapter to Title 82 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1739 by Representatives Sayan, Grimm, Ballard, Basich, Walker, Walk, B. Williams, Baugher, Anderson, Bristow, Day, Jones, Kremen, Winsley, Schoon, Dellwo and Sanders

AN ACT Relating to the Washington state guard; and adding a new section to chapter 38.16 RCW.

Referred to Committee on State Government.

HB 1740 by Representatives Prince, Unsoeld, Silver, Hankins, Lewis, Patrick, Dellwo, Brough, Sanders, Doty, Rayburn and Ferguson

AN ACT Relating to informational highway signs and highway fatality markers; amending RCW 47.42.020 and 47.42.040; adding a new section to chapter 47.42 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1741 by Representatives Jones, Pruitt, Heavey, Nealey, Beck, Cantwell, P. King, Rayburn, Haugen, Todd and Brekke

AN ACT Relating to criminal justice services and the crime laboratory system; amending RCW 43.43.670; adding new sections to chapter 43.43 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1742 by Representatives Taylor and Haugen

AN ACT Relating to excluding from the definition of collective bargaining subjects or areas governed under RCW 28A.58.758; and amending RCW 41.59.020.

Referred to Committee on Commerce & Labor.

HB 1743 by Representatives Cole, Peery, Taylor, Zellinsky, Rasmussen, Betrozoff, Holm, Haugen, Crane, J. Williams, Patrick, Armstrong, Miller, Kremen, P. King, Winsley, Schoon, Ballard, Brough, Rayburn, Sayan, Todd, Sutherland, Silver, May, Ebersole, Cantwell and Ferguson

AN ACT Relating to persons working at public schools; amending RCW 28A.70.160 and 28A.70.180; and adding new sections to Title 28A RCW.

Referred to Committee on Education.

HB 1744 by Representatives Leonard, Betrozoff, Zellinsky, Peery, Taylor, Haugen, Holm, Cole, J. Williams, P. King and D. Sommers

AN ACT Relating to executive sessions held by school district boards of directors for self-evaluation; and amending RCW 42.30.110.

Referred to Committee on Constitution, Elections & Ethics.

HB 1745 by Representatives Peery, Holm, Taylor, Rasmussen, Betrozoff, Cole, Haugen, Holland, P. King, Schoon, D. Sommers, Dorn and Ebersole

AN ACT Relating to the beginning of the terms of school directors; and amending RCW 28A.57.322.

Referred to Committee on Education.

HB 1746 by Representatives Rasmussen, Peery, Wang, Taylor, Cole, Jacobsen, P. King, Schoon, D. Sommers and Dorn

AN ACT Relating to pooled insurance arrangements for school districts and educational service districts; adding a new section to chapter 28A.58 RCW; and creating a new section.

Referred to Committee on Education.

HB 1747 by Representatives Locke, Padden, Cooper, P. King, Moyer, Patrick, R. King, Kremen, Winsley, Brough, Todd and Fox; by request of Attorney General

AN ACT Relating to crime victims, survivors, and witnesses; amending RCW 7.69.020, 7.69.040, 7.69.050, and 7.69A.030; adding new sections to chapter 7.69 RCW; and repealing RCW 7.69.030.

Referred to Committee on Judiciary.

HB 1748 by Representatives Pruitt, Spanel, Butterfield, Grant, Beck, Jones, Nealey, Sprenkle, Heavey, Cantwell, P. King, Rayburn, Haugen and Todd

AN ACT Relating to criminal procedure; amending RCW 9.95.062; adding a new section to chapter 10.64 RCW; and adding a new section to chapter 10.82 RCW.

Referred to Committee on Judiciary.

HB 1749 by Representatives Braddock, Bristow, Day, Brooks, Brekke, Lewis, Meyers, Winsley, Wang, Ebersole, Kremen, Dellwo, Doty and D. Sommers

AN ACT Relating to nursing homes; and amending RCW 74.46.360.

Referred to Committee on Ways & Means.

HB 1750 by Representatives Jones, Grant, Butterfield, Meyers, Beck, Nealey, P. King, Crane, Haugen and Todd

AN ACT Relating to criminal procedure; amending RCW 7.36.130; adding new sections to chapter 10.73 RCW; and creating new sections.

Referred to Committee on Judiciary.

HB 1751 by Representatives Vekich, Meyers, Bumgarner, Sanders, Lux, Chandler, May, Bristow, Lewis, Cantwell, P. King and Basich

AN ACT Relating to practice rights for chiropractors; amending RCW 18.25.005; and adding a new section to chapter 18.25 RCW.

Referred to Committee on Health Care.

HB 1752 by Representatives Spanel, S. Wilson, Haugen, Sayan, Fox, Hargrove, Cole, Kremen, Amondson, Braddock, Schmidt, Sanders and Cooper

AN ACT Relating to smelt fishing derbies; and amending RCW 75.25.090.

Referred to Committee on Natural Resources.

HB 1753 by Representative Crane

AN ACT Relating to costs of lawsuits; and amending RCW 19.86.090.

Referred to Committee on Judiciary.

HB 1754 by Representatives Appelwick, Winsley, Grimm, Holland, Braddock, Belcher and Prince

AN ACT Relating to tax administration; amending RCW 36.95.080, 82.03.070, 82.03.120, 82.03.140, 82.03.150, 82.03.160, 82.03.170, 84.08.130, 84.08.060, 84.36.385, 84.38.030, 84.38.100, 84.38.120, 84.40.030, 84.40.040, 84.40.060, 84.40.130, 84.40.320, 84.48.010, 84.48.014, 84.48.042, 84.48.075, 84.48.080, 84.52.020, 84.52.070, 84.52.080, 84.56.020, 84.69.050, 84.69.060, and 84.69.140; adding a new section to chapter 84.40 RCW; adding new sections to chapter 84.48 RCW; repealing RCW 84.52.090, 84.56.390, and 84.56.400; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1755 by Representatives Bristow, Grimm, Nealey, Sayan, Belcher, Braddock and Ebersole

AN ACT Relating to special valuation of historic property; and amending RCW 84.26.020, 84.26.050, 84.26.070, and 84.26.080.

Referred to Committee on Ways & Means.

HB 1756 by Representatives Haugen and Dellwo

AN ACT Relating to retail sales and use taxes; and amending RCW 82.14.030.

Referred to Committee on Local Government.

HB 1757 by Representatives Haugen and Dellwo

AN ACT Relating to municipal taxation; and adding a new section to chapter 35.95 RCW.

Referred to Committee on Local Government.

HB 1758 by Representatives Valle, B. Williams, Pruitt, Kremen, Grant, Meyers, Heavey, P. King, Jacobsen, Amondson and May

AN ACT Relating to state government; adding a new section to chapter 39.29 RCW; adding a new section to chapter 35.22 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on State Government.

HB 1759 by Representatives Cooper, Leonard, Brooks, Sprenkle, Zellinsky and Miller

AN ACT Relating to specifying the uses of fees paid for birth certificates suitable for display; and amending RCW 70.58.107.

Referred to Committee on Local Government.

HB 1760 by Representatives Chandler, Winsley, Nutley, Todd, Ferguson, Lux, Betrozoff, Hargrove and Sanders

AN ACT Relating to industrial loan companies; and amending RCW 31.04.090 and 31.04.100.

Referred to Committee on Financial Institutions & Insurance.

HB 1761 by Representatives Todd and Barnes

AN ACT Relating to the dates for submission of the recommendations required under RCW 19.27A.040(4) and for expiration of state supersession of local residential energy codes; and amending RCW 19.27A.030 and 19.27A.040.

Referred to Committee on Energy & Utilities.

HB 1762 by Representatives Jesernig, Miller, Walker, D. Sommers, Meyers, Barnes, Grant, May and Allen

AN ACT Relating to low-level radioactive waste surcharges; and amending RCW 43.200.170.

Referred to Committee on Ways & Means.

HB 1763 by Representatives Jesernig, Holland, Hankins, D. Sommers, Grant, Nealey, Barnes, Walker, Miller, May, Allen, Ballard and Amondson

AN ACT Relating to business and occupation tax rates for processors, disposers, and compactors of low-level radioactive waste; amending RCW 82.04.260; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1764 by Representatives Ebersole, Grimm, Meyers, Wineberry, Armstrong and Winsley

AN ACT Relating to the Goodwill Games; and making an appropriation.

Referred to Committee on Ways & Means.

HB 1765 by Representatives Rust, Walker, Jesernig, Meyers, Hankins, Barnes, Miller, Grant, Brough, Jacobsen, May, Gallagher and Brooks

AN ACT Relating to low-level radioactive waste surveillance fees; and amending RCW 70.98.085.

Referred to Committee on Energy & Utilities.

HB 1766 by Representatives Doty, Vekich, Holland, Patrick, P. King, Sanders, Silver and Ferguson

AN ACT Relating to the Washington state firearm range committee facility; adding a new section to chapter 77.32 RCW; creating new sections; and making an appropriation.

Referred to Committee on Natural Resources.

HB 1767 by Representatives Hine, Brough, Wang, Miller, Wineberry, Leonard, Belcher, Brekke, Dellwo, Lewis, Crane, R. King, Anderson, P. King, Winsley, Todd, Locke and Ebersole

AN ACT Relating to child care development and services; adding new sections to chapter 74.13 RCW; adding a new section to chapter 82.04 RCW; making appropriations; and declaring an emergency.

Referred to Committee on Human Services.

HB 1768 by Representative O'Brien

AN ACT Relating to involuntary commitment; and amending RCW 71.05.020.

Referred to Committee on Human Services.

HB 1769 by Representatives Appelwick, Jacobsen and Brekke

AN ACT Relating to insurance and health care services; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; and adding a new section to chapter 48.46 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1770 by Representatives Fisher, Hankins, Basich, Lewis, Taylor, Day, Belcher, Holland, Wang, Pruitt, Winsley and Schoon; by request of Secretary of State

AN ACT Relating to the presidential nominating process; creating a presidential preference primary for major political parties; adding a new chapter to Title 29 RCW; providing an effective date; and providing for a referendum.

Referred to Committee on Constitution, Elections & Ethics.

HB 1771 by Representatives Wang, Jones, Sayan and R. King; by request of Employment Security Department

AN ACT Relating to actions of the employment security department; and adding a new section to chapter 50.32 RCW.

Referred to Committee on Commerce & Labor.

HB 1772 by Representatives R. King, Wang and Sayan; by request of Employment Security Department

AN ACT Relating to coverage of agricultural labor for unemployment insurance purposes; amending RCW 50.04.150; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1773 by Representatives Sayan, Patrick, R. King, Wang, Dorn and Rasmussen; by request of Employment Security Department

AN ACT Relating to experience rating for unemployment insurance purposes; amending and reenacting RCW 50.29.020; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1774 by Representatives Sayan and Wang; by request of Employment Security Department

AN ACT Relating to shared work payments during labor disputes; and adding a new section to chapter 50.60 RCW.

Referred to Committee on Commerce & Labor.

HB 1775 by Representatives Wang, Patrick, Sayan, R. King, P. King, Todd and Ebersole; by request of Employment Security Department

AN ACT Relating to establishing a computerized labor market information system; amending RCW 50.16.070; creating new sections; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1776 by Representatives Jones, Wang, Sayan, Wineberry, P. King and Basich; by request of Employment Security Department

AN ACT Relating to assistance to employers receiving a federal tax credit; amending RCW 50.16.070; creating new sections; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1777 by Representatives Wang, Patrick, Sayan, P. King, Todd and Ebersole; by request of Employment Security Department

AN ACT Relating to services for employers; amending RCW 50.04.070, 50.04.072, 50.16.010, and 50.29.025; adding new sections to chapter 50.12 RCW; adding a new section to chapter 50.24 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1778 by Representatives Belcher, Sayan, Bristow and Silver

AN ACT Relating to forest protection; and amending RCW 76.04.630.

Referred to Committee on Natural Resources.

HB 1779 by Representatives Locke, Nutley, J. Williams, Jacobsen, Wineberry, Sanders, Nelson, Todd and Ferguson

AN ACT Relating to the housing trust fund; amending RCW 67.70.040, 67.70.190, and 67.70.240; adding a new section to chapter 43.185 RCW; and declaring an emergency.

Referred to Committee on Housing.

HB 1780 by Representatives Jacobsen, Sprenkle, Meyers, Jones, Heavey, P. King, Anderson and Ebersole

AN ACT Relating to a center for participatory management at the University of Washington; adding new sections to chapter 28B.20 RCW; creating a new section; and making an appropriation.

Referred to Committee on Higher Education.

HB 1781 by Representatives Jacobsen, Basich, Patrick, Sayan, Prince, Anderson and Sanders

AN ACT Relating to tuition and fee waivers; and amending RCW 28B.15.535.

Referred to Committee on Higher Education.

HB 1782 by Representatives Crane, Amondson, Todd, Vekich, Beck, Dorn, Chandler, Zellinsky, Winsley and Patrick

AN ACT Relating to a purchase preference for fuels produced within the state of Washington; adding new sections to chapter 39.24 RCW; and repealing RCW 39.24.020, 39.24.030, 39.24.040, and 39.24.050.

Referred to Committee on Commerce & Labor.

HB 1783 by Representatives P. King, Lewis, Day, Braddock and Cantwell

AN ACT Relating to nursing pools; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health Care.

HB 1784 by Representatives Pruitt, Sprenkle, Ferguson, Rust, D. Sommers, Unsoeld, Valle, Brekke, Jesernig and Todd

AN ACT Relating to procurement of recovered materials; amending RCW 43.19.537 and 43.19.538; adding a new section to chapter 70.95 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Environmental Affairs.

HB 1785 by Representatives Fox, Dorn, Vekich, Rasmussen, Doty, Spanel, Kremen, Ballard, Holm, Amondson, Nealey and May

AN ACT Relating to the taxation of farm equipment; and amending RCW 82.12.0258.

Referred to Committee on Ways & Means.

HB 1786 by Representatives Holland, Cole, Leonard, Lux, Pruitt, Taylor, Dorn, Todd, Ferguson, Miller, Wineberry, Winsley, Nealey, Rasmussen and Ebersole

AN ACT Relating to sole source purchasing by vocational-technical institutes; amending RCW 28A.58.135; and adding a new section to chapter 28C.04 RCW.

Referred to Committee on Education.

HB 1787 by Representatives Dorn, Jones, Meyers, Heavey, P. King, Grant, Rayburn, Rasmussen, Pruitt, Winsley, Brough and Ebersole

AN ACT Relating to crimes; amending RCW 13.40.160; adding a new section to chapter 9A.52 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1788 by Representatives Valle and Lux

AN ACT Relating to automobile insurance premiums reduction; and amending RCW 48.19.460.

Referred to Committee on Financial Institutions & Insurance.

HB 1789 by Representatives Brough, Sanders, Beck, Ballard, May, Miller, Barnes, Fuhrman, Doty, Brooks, Ferguson, Padden, J. Williams and Silver

AN ACT Relating to government competition with private business; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on State Government.

HB 1790 by Representative McLean

AN ACT Relating to juveniles; and amending RCW 13.50.010 and 28A.27.100.

Referred to Committee on Education.

HB 1791 by Representative McLean

AN ACT Relating to juveniles; and amending RCW 13.50.010.

Referred to Committee on Education.

HB 1792 by Representative McLean

AN ACT Relating to school detention; and amending RCW 28A.27.100.

Referred to Committee on Education.

HB 1793 by Representatives Ballard, Sanders, Fuhrman, Ferguson, Brough, May, Barnes, Brooks, Beck, Doty, Padden, J. Williams and Silver

AN ACT Relating to government competition in commercial activity; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on State Government.

HB 1794 by Representatives Beck, Sanders, Ballard, Brough, May, Barnes, Brooks, Ferguson, Padden and J. Williams

AN ACT Relating to the state purchasing services by contract; amending RCW 41.06.380 and 28B.16.240; and declaring an emergency.

Referred to Committee on State Government.

HB 1795 by Representatives Ballard, Brough, Sanders, May, Padden, Barnes, Brooks, Doty, Beck, Ferguson and J. Williams

AN ACT Relating to the state purchasing services by contract; amending RCW 41.06-.380 and 28B.16.240; and declaring an emergency.

Referred to Committee on State Government.

HB 1796 by Representatives Padden, Winsley, Brough and D. Sommers

AN ACT Relating to telecommunications; adding a new section to chapter 80.36 RCW; and creating a new section.

Referred to Committee on Energy & Utilities.

HB 1797 by Representatives S. Wilson, Sutherland, Meyers, Fuhrman, Amondson, Sanders and Doty

AN ACT Relating to surface mine reclamation; and amending RCW 78.44.140.

Referred to Committee on Natural Resources.

HB 1798 by Representatives S. Wilson, Walk, Haugen, Betzoff, Schmidt, J. Williams, Heavey, Jacobsen, Day, Cantwell, Zellinsky, Hankins, Miller and May

AN ACT Relating to initial registration of motor vehicles; amending RCW 46.16.010; adding a new section to chapter 46.16 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1799 by Representatives Miller, P. King, Taylor, Cole, Ferguson, Leonard, Dorn, Lux, Todd and Cantwell

AN ACT Relating to vocational-technical institutes; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Education.

HB 1800 by Representatives Basich, Miller, Bristow, Heavey, Baugher, K. Wilson, Dellwo, Grant, Ballard, Unsoeld, Locke, Brooks, Barnes, Holland, Hine, Anderson, Sayan, Rasmussen and Ferguson

AN ACT Relating to the Washington scholars program; amending RCW 28A.58.822; adding a new section to chapter 28B.80 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1801 by Representatives Locke, Grimm, Ferguson, Wineberry, Armstrong, O'Brien and Basich; by request of Governor Gardner

AN ACT Relating to the state convention and trade center; amending RCW 67.40.020, 67.40.025, 67.40.030, 67.40.040, 67.40.055, and 67.40.090; amending section 1, chapter 8, Laws of 1987 1st ex. sess. (uncodified); amending section 9, chapter 8, Laws of 1987 1st ex. sess. (uncodified); adding a new section to chapter 67.40 RCW; creating a new section; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

HJM 4036 by Representatives Valle, May, Rust, Brekke, Jacobsen, Pruitt, Anderson, Todd, Lux and Ferguson

Requesting a Western States Recycling Coalition.

Referred to Committee on Environmental Affairs.

HJM 4037 by Representatives Spanel, Sutherland, Beck, Rust, Walker, May, Fox, Pruitt, Unsoeld, D. Sommers, Cole, Basich, Sayan, Sprengle, K. Wilson, Kremen, Leonard, Braddock, Schmidt, Jesernig, S. Wilson, Jacobsen, Miller, Winsley, Nelson, Todd and Anderson

Requesting Congress to appropriate funds to implement the Marine Plastic Pollution Research and Control Act of 1987.

Referred to Committee on Environmental Affairs.

HJR 4228 by Representatives K. Wilson, Pruitt, Butterfield, Jones, Beck, Meyers, Nealey, Kremen, Sprengle, Heavey, Cantwell, P. King, Patrick,

Hine, Winsley, Dellwo, Brough, Sanders, Rayburn, Holm, Dorn, Haugen, Todd, Rasmussen and Ferguson; by request of Attorney General

Proposing a constitutional amendment creating crime victim's rights.

Referred to Committee on Judiciary.

HJR 4229 by Representatives Butterfield, Ballard, Brooks, Walker, Amondson, Nealey, Padden and Patrick

Requiring state senate districts to contain two representative districts.

Referred to Committee on Constitution, Elections & Ethics.

HCR 4433 by Representatives Jacobsen, Miller, Nelson, Silver, Ebersole, Holland, Heavey, Prince, Cooper, Peery, Jesernig, K. Wilson, Appelwick, Fox, Ferguson, S. Wilson, Unsoeld, Barnes, Basich, P. King, Dellwo, Dorn, Grimm, Spanel and May

Approving the master plan for higher education and establishing a study group.

Referred to Committee on Higher Education.

ESSB 5020 by Committee on Governmental Operations (originally sponsored by Senators McCaslin, Lee, West and Stratton)

Authorizing creation of five-member board of county commissioners.

Referred to Committee on Local Government.

SSB 5333 by Committee on Education (originally sponsored by Senators Gaspard, Bailey, Smitherman, Johnson, Stratton, Conner, Bauer, Kiskaddon, Hayner, Bottiger and Benitz)

Giving all members on the state board of education the authority to vote.

Referred to Committee on Education.

SSB 5334 by Committee on Education (originally sponsored by Senators Bauer, Conner, Stratton, Kiskaddon, Owen, Warnke, McCaslin, Metcalf, Benitz and Nelson)

Authorizing the transportation of private school students on public school buses.

Referred to Committee on Education.

SB 5667 by Senators Warnke, von Reichbauer and Lee

Revising procedures for disposition of personal property.

Referred to Committee on Judiciary.

SJM 8007 by Senators Wojahn, Deccio, Barr and Moore

Petitioning Congress to authorize hospitals to use excess beds for nursing home care.

Referred to Committee on Health Care.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 21, 1988

HB 478 Prime Sponsor, Representative Lux: Requiring permits for the operation of an air contaminant source. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair;

Brekke, Ferguson, Jesernig, Lux, May, Pruitt, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen and Schoon.

Referred to Committee on Ways & Means.

January 22, 1988

HB 1282 Prime Sponsor, Representative Taylor: Exempting certain nonresident employees of state and local governments from nonresident tuition and fees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Referred to Committee on Ways & Means.

January 21, 1988

HB 1284 Prime Sponsor, Representative J. King: Revising provisions governing campaign financing. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; R. King and Leonard.

MINORITY recommendation: Do not pass. Signed by Representatives Amondson, Barnes and Sanders.

Referred to Committee on Ways & Means.

January 21, 1988

HB 1297 Prime Sponsor, Representative Rayburn: Establishing procedures to foreclose on properties with delinquent payments of assessments. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Brooks, Chandler, Doty, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Bristow and Grant.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1320 Prime Sponsor, Representative Lux: Revising provisions on the cancellation and renewal of insurance policies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Day and Grimm.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1341 Prime Sponsor, Representative Sanders: Revising procedures for write-in voting. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 14, after "election," strike all material through "No person" on line 17 and insert "Votes cast for write-in candidates who have filed such declarations shall be counted. Write-in votes cast for a person appointed by a political party to fill a vacancy pursuant to RCW 29.18.160 shall also be counted. Write-in votes for any other person shall not be counted.

No person"

Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Amondson, Barnes, R. King, Leonard and Sanders.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1348 Prime Sponsor, Representative Haugen: Providing additional qualifications for precinct election officers. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Amondson, Barnes, R. King, Leonard and Sanders.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1364 Prime Sponsor, Representative Sayan: Requiring that contractors bidding on public works projects be registered in the state. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1401 Prime Sponsor, Representative Spanel: Expanding the business and occupation tax exemption for sheltered workshops. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Bristow, Dellwo, Holland, Rust, Taylor, Valle and Winsley.

Absent: Representatives Grimm, Holland and Schoon.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1465 Prime Sponsor, Representative Armstrong: Providing for a state-wide child support schedule. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Meyers, Moyer, Patrick, Schmidt, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Absent: Representatives Belcher and Locke.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1533 Prime Sponsor, Representative Meyers: Permitting earlier implementation of ferry employee bargaining agreements. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Meyers, Patrick, Schmidt, D. Sommers, Sutherland, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Kremen, Prince, Smith and Todd.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1543 Prime Sponsor, Representative Cantwell: Eliminating the requirement of a practical examination for recertification of emergency medical technicians if other requirements are met. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Absent: Representatives Bristow and Bumgarner

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1545 Prime Sponsor, Representative Brekke: Clarifying certain provisions governing the relinquishment and adoption of children. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Winsley.

Absent: Representative Sutherland.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1546 Prime Sponsor, Representative Brekke: Revising provisions governing consultation by department of social and health services on reports of abuse. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Winsley.

Absent: Representative Sutherland.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1567 Prime Sponsor, Representative Todd: Verifying validity of a license for mobile home movement. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1592 Prime Sponsor, Representative Sayan: Authorizing workers' compensation for workers with asbestos-related diseases. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1626 Prime Sponsor, Representative Braddock: Amending emergency medical service provisions. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Absent: Representatives Bristow and Bumgarner.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

POINT OF PERSONAL PRIVILEGE

Mr. Beck: Thank you, Mr. Speaker. At this time I would like to welcome back to our Chambers here somebody who has been absent, as far as I am concerned, far too long. She just returned yesterday afternoon and will be here with us for the rest of the session. She is my seatmate and everyone else's good friend. That's Katie Allen. I'd like to welcome her back.

POINT OF PERSONAL PRIVILEGE

Ms. Hine: Thank you, Mr. Speaker. There are all kinds of creatures on this earth and there are lots of birds. One of my favorite is the Katydid. We are so glad that our Katie did come back.

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

SECOND READING

MOTIONS

Mr. Ebersole moved that the House defer consideration of Engrossed House Bill No. 1093, Engrossed Substitute House Bill No. 240 and Substitute House Bill No. 1175 and that the bills hold their place on the second reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately consider House Bill No. 1270, and the motion was carried.

HOUSE BILL NO. 1270, by Representatives Braddock, Brooks, D. Sommers, Kremen, Vekich, Dellwo, Hine, May and P. King; by request of Department of Corrections

Revising provisions relating to work training release.

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

Representatives Braddock, Moyer and Sayan spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Sanders.

Mr. Sanders: Representative Braddock, the summary on our bill says that this would allow the final six months to be on work release. If the offender has not spent his time in jail that he was required by the judge, would he still be able to spend that time in jail during the last six months? Some sentences require the offender to spend ten days of his six-month sentence in jail, and sometimes the judge will allow that ten days to be during the final period of work release. Is this enabling legislation or is it mandatory?

Mr. Braddock: To your question is it enabling, it would in some instances reduce the amount of time that person spends behind the walls in prison, but it does not change the amount of time they are under department custody. It just extends from three months to six months the amount of time they may be in work release.

Mr. Sanders: Thank you. I hope that this would still allow the judge some discretion on when the offender would spend his time in jail.

Mr. Braddock: This would not alter that position.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1270, and the bill passed the House by the following vote: Yeas, 91; absent, 2; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Locke, Vekich - 2.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor, Unsoeld - 5.

House Bill No. 1270, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1280, by Representatives Braddock, Brooks, Sprenkle, Crane, May and P. King; by request of Department of Corrections

Revising the crime of custodial assault.

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

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1280, and the bill passed the House by the following vote: Yeas, 91; absent, 2; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Locke, Vekich - 2.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor, Unsoeld - 5.

House Bill No. 1280, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

Representative Unsoeld appeared at the bar of the House.

HOUSE BILL NO. 1288, by Representatives Haugen, S. Wilson, Rust, Ferguson, Kremen, Baugher, Cole, Vekich, Rayburn and P. King

Modifying hours during which liquor sales are allowed.

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

Representatives Haugen, Patrick and Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1288, and the bill passed the House by the following vote: Yeas, 87; nays, 5; absent, 2; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher,

Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Butterfield, Chandler, Fuhrman, Nealey, Padden - 5.

Absent: Representatives Locke, Vekich - 2.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

House Bill No. 1288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Vekich appeared at the bar of the House.

HOUSE BILL NO. 1325, by Representatives Rust, Walker, Unsoeld, Schoon and Winsley; by request of Department of Ecology

Changing provisions relating to the state water pollution control agency's authority.

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

Representatives Rust and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1325, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

House Bill No. 1325, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1327, by Representatives Rust, Walker and Unsoeld; by request of Department of Ecology

Changing provisions relating to the authority of state agencies to administer part C of the federal safe drinking water act.

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

Representatives Rust and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1327, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Belcher, Bumgarner, Smith C. Taylor - 4.

House Bill No. 1327, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1330, by Representatives R. King, Patrick, Walker, Wang, Sayan, Cole and Jones

Changing references to employee classes for collective bargaining purposes.

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

Representatives R. King and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1330, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Belcher, Bumgarner, Smith C. Taylor - 4.

House Bill No. 1330, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1340, by Representatives Rust, Walker, Valle, Ferguson, Unsoeld, Brekke, Sprenkle, Holland, P. King, May, Pruitt, Lux, Spanel and Todd

Creating an office of waste reduction.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1340 was substituted for House Bill No. 1340, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1340 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1340, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Belcher, Bumgarner, Smith C. Taylor - 4.

Substitute House Bill No. 1340, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1363, by Representatives Nelson, Jacobsen, Barnes and Unsoeld

Expanding the authority of first class cities, public utility districts, and joint operating agencies to enter into agreements for the undivided ownership of electric generating plants and facilities.

The bill was read the second time. On motion of Mr. Nelson, Substitute House Bill No. 1363 was substituted for House Bill No. 1363, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1363 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nelson and Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1363, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

Substitute House Bill No. 1363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1436, by Representatives Vekich, Wineberry, Schoon, Cantwell, Winsley, Kremen, Rasmussen, Heavey, Grant, Hargrove, Spanel, Bristow, Crane, Anderson, Meyers, Valle, Sanders, Rayburn, K. Wilson, Basich, Moyer and Cooper

Requiring investigation of state investment by the state investment board.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 1436 was substituted for House Bill No. 1436, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1436 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Vekich and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1436, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

Substitute House Bill No. 1436, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1473, by Representatives McLean, Doty, Rasmussen and Holm; by request of Department of Agriculture

Revising provisions relating to food processors.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1473 was substituted for House Bill No. 1473, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1473 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1473, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

Substitute House Bill No. 1473, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1479, by Representatives Nelson, Barnes, Jacobsen and Wang; by request of Washington State Energy Office

Extending the authorization for utilities to lend money for energy conservation.

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

Representatives Nelson and Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1479, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

House Bill No. 1479, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Ebersole, the House deferred consideration of House Joint Memorial No. 4030, and the memorial was ordered to hold its place on the second reading calendar.

Representative Locke appeared at the bar of the House.

HOUSE JOINT RESOLUTION NO. 4223, by Representatives Nelson, Barnes, Jacobsen and Wang; by request of Washington State Energy Office

Extending and expanding the authorization for government utilities to lend money for energy conservation.

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

Representatives Nelson and Barnes spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 4223, and the resolution passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

House Joint Memorial No. 4223, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed House Bill No. 1093 on second reading. The motion was carried.

ENGROSSED HOUSE BILL NO. 1093, by Representatives Zellinsky, Lux, Chandler, Schmidt and P. King

Revising deposit, permit, and insurance requirements for public fireworks displays.

The bill was read the second time.

Mr. Meyers moved adoption of the following amendments:

On page 1, line 14 after "sum of" strike "ten thousand" and insert "fifty thousand"

On page 1, line 16 after "individual" strike "ten thousand" and insert "fifty thousand"

On page 1, line 17 after "deposit" strike "fifty thousand" and insert "one hundred thousand"

Representatives Meyers and Zellinsky spoke in favor of the amendments, and Ms. Silver spoke against them. The amendments were adopted.

Ms. Silver moved adoption of the following amendments by Representatives Silver, Moyer, Dellwo and D. Sommers:

On page 1, line 29, after "damages," insert "If the public display of fireworks is in a city with a population of more than 100,000 residents, the applicant for the permit shall include with the application a certificate of insurance evidencing the carrying of appropriate public liability insurance in the amount required by RCW 70.77.295 for the benefit of the person named therein as assured, as evidence of ability to respond in damages."

On page 2, beginning on line 14, after "event," insert "If the public display of fireworks is in a city with a population of more than 100,000 residents, the certificate of insurance required under RCW 70.77.285 shall be not less than fifty thousand dollars and one million dollars for bodily injury liability for each person and event, respectively, and not less than one hundred fifty thousand dollars for property damage liability for each event."

On page 2, line 1, strike "bond or"

Representatives Silver, Dellwo and Locke spoke in favor of the amendments, and Representatives Zellinsky and Hine opposed them.

Ms. Silver again spoke in favor of the amendments.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Silver and others to Engrossed House Bill No. 1093, and the amendments were not adopted by the following vote: Yeas, 37; nays, 57; excused, 4.

Voting yea: Representatives Allen, Armstrong, Ballard, Beck, Betzoff, Brekke, Brooks, Brough, Chandler, Cole, Day, Dellwo, Fisher, Fuhrman, Grant, Hankins, Heavey, Holland, Jesernig, King R. Locke, McLean, Meyers, Miller, Moyer, Nealey, Prince, Rust, Schoon, Scott, Silver, Sommers D, Sommers H, Valle, Walker, Wineberry, Winsley - 37.

Voting nay: Representatives Amondson, Anderson, Appelwick, Barnes, Basich, Baugher, Braddock, Bristow, Butterfield, Cantwell, Cooper, Crane, Dorn, Doty, Ebersole, Ferguson, Fox, Gallagher, Grimm, Hargrove, Haugen, Hine, Holm, Jacobsen, Jones, King P, Kremen, Leonard, Lewis, Lux, May, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Vekich, Walk, Wang, Williams B, Williams J, Wilson K, Wilson S, Zellinsky, and Mr. Speaker - 57.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

Mr. Zellinsky moved adoption of the following amendment:

On page 2, line 1, after "approve the" insert "(bond) deposit"

Mr. Zellinsky spoke in favor of the amendment, and it was adopted.

Mr. Meyers moved adoption of the following amendments:

On page 2, line 11, strike "fifty thousand dollars and" and insert "an aggregate amount of" On page 2, beginning on line 12, strike "For each person and event, respectively,"

Representatives Meyers and Zellinsky spoke in favor of the amendments, and they were adopted.

The bill was ordered reengrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Zellinsky and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1093, and the bill passed the House by the following vote: Yeas, 83; nays, 11; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Bristow, Brooks, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Appelwick, Brekke, Brough, Cole, Dellwo, Heavey, Moyer, Rust, Silver, Sommers D, Valle - 11.

Excused: Representatives Belcher, Bumgarner, Smith C, Taylor - 4.

Reengrossed House Bill No. 1093, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

MOTIONS

On motion of Mr. Ebersole, House Bill No. 1697 was referred from Committee on Environmental Affairs to Committee on Local Government.

On motion of Mr. Ebersole, House Bill No. 1698 was referred from Committee on Health Care to Committee on State Government.

On motion of Mr. Ebersole, House Bill No. 1705 was referred from Committee on Housing to Committee on Financial Institutions & Insurance.

On motion of Mr. Ebersole, House Bill No. 1715 was referred from Committee on Education to Committee on Ways & Means.

On motion of Mr. Ebersole, House Joint Memorial No. 4035 was referred from Committee on State Government to Committee on Human Services.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4716, by Representative Brooks

WHEREAS, The health and future welfare of the citizens of this state are interdependent; and

WHEREAS, January 25, 1988 is designated as the first Legislative Fitness Day in recognition of the importance of physical fitness; and

WHEREAS, To heighten our awareness of the importance of physical fitness the Washington Alliance of Health, Physical Education, Recreation and Dance has volunteered to perform a variety of fitness screening and assessment services for members of the Legislature and legislative employees; and

WHEREAS, A day of physical fitness recognized as such by the Legislature will serve to promote the public's awareness of the importance of physical fitness and good health practices;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the twenty-fifth of January, 1988 be designated as "Legislative Fitness Day"; and

BE IT FURTHER RESOLVED, That all appropriate state agencies are encouraged to promote public awareness of the importance of physical fitness and good health practices.

Mr. Brooks moved adoption of the resolution.

Representatives Brooks and Braddock spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, January 27, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

SEVENTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, January 27, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Ballard, Smith, Wineberry and the Speaker, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erin Kiehl and John Brahy. Prayer was offered by The Reverend Dennis Hartsook, Minister of St. Mark Lutheran Church of Lacey.

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

MESSAGE FROM THE SENATE

January 25, 1988

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5171,
SUBSTITUTE SENATE BILL NO. 5307,
SUBSTITUTE SENATE BILL NO. 6096,
SUBSTITUTE SENATE BILL NO. 6103,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1802 by Representatives Spanel, Peery, Betzozoff, Crane, Walker, Schoon, Silver, Moyer, Butterfield, Doty, May, D. Sommers, Basich, Miller, P. King and Hine

AN ACT Relating to waiver of demonstration basic skills competency for persons entering a teacher preparation program for persons who have completed a baccalaureate degree, graduate degree program, or completed two or more years of college level course work and are over the age of twenty-one; amending RCW 28A.04.122; and declaring an emergency.

Referred to Committee on Education.

HB 1803 by Representatives Todd, Cooper, Leonard, J. Williams, Barnes, Sayan, Nutley and Butterfield

AN ACT Relating to mobile homes, commercial coaches, recreational vehicles, and factory built housing and commercial structures; amending RCW 43.22.480; and creating a new section.

Referred to Committee on Housing.

HB 1804 by Representatives Brekke, Moyer, Sayan, Deliwo, Lewis, Winsley and Anderson

AN ACT Relating to community mental health services; amending RCW 71.24.025; creating a new section; and providing an effective date.

Referred to Committee on Human Services.

HB 1805 by Representative P. King

AN ACT Relating to eminent domain by libraries; and adding a new section to chapter 27.12 RCW.

Referred to Committee on Local Government.

HB 1806 by Representatives Appelwick, Locke, Barnes, Anderson and Brekke

AN ACT Relating to a county tax for housing assistance for alcoholics; amending RCW 66.08.120 and 82.02.020; adding a new section to chapter 70.96 RCW; and adding a new chapter to Title 82 RCW.

Referred to Committee on Health Care.

HB 1807 by Representatives Braddock, Grimm, Sanders and Winsley

AN ACT Relating to nursing home auditing and cost reimbursement; creating new sections; repealing RCW 74.46.010, 74.46.020, 74.46.030, 74.46.040, 74.46.050, 74.46.060, 74.46.080, 74.46.090, 74.46.100, 74.46.105, 74.46.115, 74.46.130, 74.46.150, 74.46.160, 74.46.170, 74.46.180, 74.46.190, 74.46.200, 74.46.210, 74.46.220, 74.46.230, 74.46.240, 74.46.250, 74.46.260, 74.46.270, 74.46.280, 74.46.290, 74.46.300, 74.46.310, 74.46.320, 74.46.330, 74.46.340, 74.46.350, 74.46.360, 74.46.370, 74.46.380, 74.46.390, 74.46.410, 74.46.420, 74.46.430, 74.46.440, 74.46.450, 74.46.460, 74.46.465, 74.46.470, 74.46.475, 74.46.481, 74.46.490, 74.46.495, 74.46.500, 74.46.510, 74.46.530, 74.46.540, 74.46.550, 74.46.560, 74.46.570, 74.46.580, 74.46.590, 74.46.600, 74.46.610, 74.46.620, 74.46.630, 74.46.640, 74.46.650, 74.46.660, 74.46.670, 74.46.680, 74.46.690, 74.46.700, 74.46.710, 74.46.720, 74.46.730, 74.46.740, 74.46.750, 74.46.760, 74.46.770, 74.46.780, 74.46.790, 74.46.800, 74.46.820, 74.46.840, 74.46.900, 74.46.901, 74.46.902, and 74.46.905; and providing an effective date.

Referred to Committee on Health Care.

HB 1808 by Representatives Grant, Beck, Meyers, Jones, Zellinsky, Kremen, Sprenkle, D. Sommers, Heavey, Moyer, Cantwell, P. King, Jesernig, Dorn, Sanders, Winsley, Schoon, B. Williams, Silver, Butterfield, Amondson, Holland, May, Miller, Todd, Delwo and Brough

AN ACT Relating to seizure and forfeiture of property; and adding a new chapter to Title 10 RCW.

Referred to Committee on Judiciary.

HB 1809 by Representatives Fox, Unsoeld, Jacobsen, Heavey, Nelson, Crane, Winsley, Anderson, Ebersole and Wang

AN ACT Relating to institutions of higher education; amending RCW 28B.15.740; adding a new section to chapter 28B.15 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1810 by Representatives Todd, R. King, Lewis, Holland, Valle, Heavey, Prince, Patrick, Gallagher, Sayan, Belcher, Ferguson, P. King, Basich, Schmidt, Nelson, Grant, Unsoeld, Winsley, Crane, Jesernig, S. Wilson, Schoon, Allen, Walker, Doty, Miller, Pruitt, Ebersole and Dorn

AN ACT Relating to the teachers' retirement system; and adding a new section to chapter 41.32 RCW.

Referred to Committee on Ways & Means.

HB 1811 by Representatives Heavey, Doty, Patrick, Betrozoff, Hankins, Jacobsen, Fisher, Peery, Cooper, Wineberry, K. Wilson, Crane, Sanders, Winsley, May, P. King, Pruitt, Brekke, Ebersole, Hine and Rayburn

AN ACT Relating to the recruitment of teachers; adding a new section to Title 28A RCW; creating a new section; and making an appropriation.

Referred to Committee on Education.

HB 1812 by Representatives Zellinsky, Ferguson, Haugen, Chandler, Crane, Betrozoff, Dellwo, Dorn, Winsley, Lux, Silver, P. King, Fisher, Butterfield, Nelson, Cooper, Rayburn, Nutley, Beck, Hine, Jones, Sayan, Meyers, Cantwell, Jesernig, Grant, Schmidt, Patrick, Hankins, Walk, Heavey, Doty, Vekich, J. Williams, D. Sommers, Baugher, Belcher, Scott, Spanel, Hargrove, Rasmussen, Cole, Ebersole, Kremen, May, Taylor, Moyer, Ballard, Padden, Brough, Braddock, Valle, Bristow, Armstrong, Walker, Fuhrman, B. Williams, Day, Basich, Pruitt and Todd

AN ACT Relating to the state lottery account; and adding a new section to chapter 67.70 RCW.

Referred to Committee on Commerce & Labor.

HB 1813 by Representatives Rasmussen, Prince, Basich, Nealey, Grant, Silver, Bristow, Chandler and Crane

AN ACT Relating to the Washington State University agricultural research facility at the Rainier school farm; and amending RCW 28B.30.810.

Referred to Committee on Agriculture & Rural Development.

HB 1814 by Representatives Heavey, Nealey, Jesernig, Grant, Holland, Bristow, Appelwick, Prince, Basich, Silver, Sanders, Moyer, May, P. King and Brough

AN ACT Relating to use tax exemptions for educational institutions; and amending RCW 82.12.0284.

Referred to Committee on Higher Education.

HB 1815 by Representatives Jacobsen and Haugen

AN ACT Relating to contracts for school employees; amending RCW 28A.67.072, 28A.67.073, and 28A.58.137; reenacting and amending RCW 28A.67.070; and adding a new section to chapter 28A.67 RCW.

Referred to Committee on Education.

HB 1816 by Representative Fisher; by request of Secretary of State

AN ACT Relating to the elective franchise of imprisoned felons; amending RCW 29.01.080 and 29.65.010; and declaring a contingent effective date.

Referred to Committee on Constitution, Elections & Ethics.

HB 1817 by Representatives Hine, Patrick, Walk, Cantwell, Ferguson, Allen, Holland, May, P. King and Todd

AN ACT Relating to funding of local improvements; amending RCW 82.02.020 and 36.73.120; adding new sections to chapter 35.43 RCW; adding new sections to chapter 36.88 RCW; adding a new chapter to Title 39 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1818 by Representatives Day, Silver, J. Williams, Lewis, May, D. Sommers, Miller and Dellwo

AN ACT Relating to sale of products of institutional industries; and amending RCW 72.09.100.

Referred to Committee on State Government.

HB 1819 by Representatives Unsoeld, Belcher, Holm, Sayan, Brough, Haugen, Appelwick, Crane, Dellwo and Ebersole

AN ACT Relating to property tax exemptions for homes for the aged; amending RCW 84.36.040 and 84.36.815; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1820 by Representatives Baugher, Amondson, Rayburn, Holm, Zellinsky, Grant, Moyer, Brooks, Haugen, B. Williams, J. Williams, Lewis and Doty

AN ACT Relating to duties of operators and users of commercial ski areas; amending RCW 70.117.010, 70.117.020, and 70.117.030; adding new sections to chapter 70.117 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1821 by Representative Nutley

AN ACT Relating to the recording of real estate contracts; and adding a new section to chapter 61.30 RCW.

Referred to Committee on Housing.

HB 1822 by Representative Nutley

AN ACT Relating to the delinquent payment of excise tax on the sale of real property; and amending RCW 82.45.100.

Referred to Committee on Housing.

HB 1823 by Representatives Nutley and Allen

AN ACT Relating to the designation of treasurers and auditors by regional planning commissions, regional planning councils, regional agencies, and councils of government; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.64 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 39.34 RCW.

Referred to Committee on Local Government.

HB 1824 by Representatives Sayan, Lux, Miller, Anderson and Pruitt

AN ACT Relating to medical malpractice insurance for licensed midwives and registered nurses; and creating a new chapter in Title 48 RCW.

Referred to Committee on Health Care.

HB 1825 by Representatives D. Sommers, Sprenkle, Ferguson, Chandler, Walker, Patrick, May, Pruitt, Todd and Brooks

AN ACT Relating to vehicle battery recycling; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

HB 1826 by Representatives Jones, Jacobsen, Sayan and Hargrove

AN ACT Relating to excise tax deferrals and credits for employee buyouts; and amending RCW 82.60.010, 82.60.020, 82.60.030, 82.60.060, 82.61.010, 82.61.020, 82.61.030, 82.61.040, 82.61.060, 82.61.070, 82.62.010, 82.62.020, 82.62.030, and 82.62.040.

Referred to Committee on Trade & Economic Development.

HB 1827 by Representatives Jones, Jacobsen, Fox, Sayan, Belcher and P. King

AN ACT Relating to the economic stabilization fund; adding new sections to chapter 43.63A RCW; creating a new section; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 1828 by Representatives Jacobsen, Jones, Fox, Belcher and P. King

AN ACT Relating to the promotion of employee involvement programs; adding a new section to chapter 43.63A RCW; creating a new section; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 1829 by Representatives Wang, Crane, Winsley, P. King and Pruitt

AN ACT Relating to teacher abuse; and amending RCW 28A.87.010.

Referred to Committee on Education.

HB 1830 by Representative Appelwick

AN ACT Relating to repealing the use tax exemption for property donated to schools and colleges; and repealing RCW 82.12.0284.

Referred to Committee on Ways & Means.

HB 1831 by Representatives Nealey, Berozoff, Rasmussen, Ebersole, Doty, Prince, Rayburn, Grant, Holm, Ballard, Fuhrman, Allen, Moyer, Lewis and Holland

AN ACT Relating to education; and amending RCW 28A.57.055.

Referred to Committee on Education.

HB 1832 by Representatives Wang, Patrick, Moyer and Brough; by request of Attorney General

AN ACT Relating to the sale of water filtration devices; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1833 by Representatives Dorn, Butterfield, Jones, Nealey, Rayburn, Rasmussen, Fox, Hine, Haugen, Sanders, Ferguson and D. Sommers

AN ACT Relating to town officials; and amending RCW 35.27.160.

Referred to Committee on Local Government.

HB 1834 by Representatives Holland, Leonard, Lux, S. Wilson, Hine, Butterfield, May, Beck, Sutherland, Fuhrman, J. Williams, Cole and Patrick

AN ACT Relating to the removal of accreted material from the mouth of the Cedar River; and creating a new section.

Referred to Committee on Natural Resources.

HB 1835 by Representatives Grant, Hankins, Jesernig, Brooks, Meyers, Ballard, Hine, Rayburn, Sayan, Silver, Appelwick, Moyer, Ebersole, Nealey, Dellwo, Miller, Jacobsen, S. Wilson, Grimm, Chandler, Fuhrman, Schoon, B. Williams, Ferguson, Doty, Day, Basich, P. King, Anderson, Pruitt and Todd

AN ACT Relating to economic diversification in the Tri-Cities region; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 1836 by Representatives Hargrove, Wineberry, Schoon, Vekich, Braddock, Brekke, Sanders, Winsley, Lewis and Todd

AN ACT Relating to economic development; adding a new section to chapter 74.12 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 1837 by Representatives Hargrove and B. Williams

AN ACT Relating to mortgage loans; and adding a new chapter to Title 31 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1838 by Representatives Braddock, Brooks, Moyer, P. King, Hine and Brough; by request of Attorney General

AN ACT Relating to health care neglect in residential facilities; adding a new chapter to Title 9A RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 1839 by Representatives Pruitt, Ebersole, Meyers, Schoon and Spanel

AN ACT Relating to civil immunity; adding a new section to chapter 4.24 RCW; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 1840 by Representatives Pruitt, Vekich, Meyers, Dorn, Rasmussen, Basich and Todd

AN ACT Relating to small business loans; adding a new section to chapter 42.17 RCW; and adding a new chapter to Title 43 RCW.

Referred to Committee on Trade & Economic Development.

HB 1841 by Representatives Cooper, Meyers, Sayan, S. Wilson, Butterfield, B. Williams and Basich

AN ACT Relating to food fish; and amending RCW 75.25.090.

Referred to Committee on Natural Resources.

HB 1842 by Representatives Walk, Cantwell, Schmidt, Heavey, J. Williams, Haugen, Meyers, Betrozoff, Patrick, Sanders, May and Todd

AN ACT Relating to transportation benefit areas; and amending RCW 36.73.120.

Referred to Committee on Transportation.

HB 1843 by Representatives Cantwell, Schmidt, Sanders, Walk, Ferguson, Patrick, Heavey, Ebersole, S. Wilson, Day, R. King, J. Williams,

Beck, Wineberry, Meyers, Betrozoff, Todd, Winsley, May and P. King

AN ACT Relating to economic development considerations in state highway construction programs; and amending RCW 47.04.010, 47.05.030, and 47.05.051.

Referred to Committee on Transportation.

HB 1844 by Representatives Rasmussen, Schoon, Vekich, Hargrove, B. Williams, Doty, Holm, Moyer, Wineberry, Heavey, Grant, Dorn, Sayan, Cooper, Rayburn, Sutherland, Silver and P. King

AN ACT Relating to the development loan fund program; creating a new section; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 1845 by Representatives Anderson, Brough, Wineberry, Winsley, Moyer, H. Sommers and Brekke

AN ACT Relating to the forfeiture of handguns and concealed pistol licenses; amending RCW 9.41.070; reenacting and amending RCW 9.41.098; and prescribing penalties.

Referred to Committee on State Government.

HB 1846 by Representatives Hine, Ballard, Locke, Walker, Patrick, J. Williams, Silver, Nealey, Butterfield, Holland, Barnes, Doty, May, D. Sommers, Miller and Brough

AN ACT Relating to the environment; amending RCW 90.48.460, 90.48.190, and 43.21B.310; adding a new section to chapter 9A.36 RCW; adding a new section to chapter 34.04 RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 70.94 RCW; adding a new section to chapter 70.105 RCW; adding a new section to chapter 90.03 RCW; adding a new section to chapter 90.44 RCW; adding new sections to chapter 90.48 RCW; adding a new section to chapter 90.58 RCW; creating a new chapter in Title 70 RCW; creating a new chapter in Title 82 RCW; creating new sections; repealing RCW 70.105A.010, 70.105A.020, 70.105A.030, 70.105A.040, 70.105A.050, 70.105A.060, 70.105A.070, 70.105A.080, 70.105A.090, 70.105A.900, and 70.105A.905; repealing section 65, chapter 2, Laws of 1987 3rd ex. sess. (uncodified); prescribing penalties; making appropriations; providing an effective date; and providing an expiration date.

Referred to Committee on Environmental Affairs.

HB 1847 by Representatives Appelwick and Braddock

AN ACT Relating to the uniform health-care information act; adding a new section to chapter 42.17 RCW; adding a new chapter to Title 70 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Health Care.

HB 1848 by Representatives Patrick and Leonard

AN ACT Relating to fines imposed by the horse racing commission; and amending RCW 67.16.020.

Referred to Committee on Commerce & Labor.

HB 1849 by Representatives Cantwell, Brooks, Braddock, Silver, Bristow, Grant, Sayan, Day, Dellwo, Lewis, Winsley, Fuhrman, Moyer, Doty, D. Sommers, Brekke and Brough

AN ACT Relating to the state long-term care ombudsman; amending RCW 43.190.030; creating new sections; and providing an effective date.

Referred to Committee on Health Care.

HB 1850 by Representatives P. King, Sanders, Winsley, Ferguson and Anderson

AN ACT Relating to a former prisoner of war recognition day; and amending RCW 1.16.050.

Referred to Committee on State Government.

HB 1851 by Representatives Sayan, Zellinsky, Leonard, Ballard, Scott, Patrick, Braddock, S. Wilson, Cole, Grimm, Locke, Brooks, D. Sommers, Moyer, Grant, K. Wilson, Sprengle, Rust, Dorn, Cooper, Rasmussen,

Jones, Meyers, Sutherland, Nutley, Spanel, Appelwick, Lux, Fuhrman, Pruitt, Hine, Nealey, Ebersole, Brekke, Todd, Nelson, Cantwell, B. Williams, Miller, H. Sommers, Rayburn, Anderson, Butterfield, Winsley, Schoon, Silver, Sanders, Basich, Dellwo, Brough and O'Brien

AN ACT Relating to state residential schools; and amending RCW 72.33.030.

Referred to Committee on Human Services.

HB 1852 by Representatives Sayan and H. Sommers

AN ACT Relating to the committee for deferred compensation; and reenacting and amending RCW 41.04.260.

Referred to Committee on State Government.

HB 1853 by Representatives Kremen, Haugen, Spanel, S. Wilson, Fuhrman, Braddock and Sanders

AN ACT Relating to salmon production in Whatcom county; adding new sections to Title 75 RCW; creating new sections; and making an appropriation.

Referred to Committee on Natural Resources.

HB 1854 by Representatives Kremen, S. Wilson, Haugen, Fuhrman and Braddock

AN ACT Relating to penalties for violations by wholesale fish dealers; and amending RCW 75.10.150.

Referred to Committee on Natural Resources.

HB 1855 by Representatives Doty, Heavey, Patrick, Rasmussen, Walker, Wang, Brough, Cole, Ballard, Day, May, Leonard, Miller, Fuhrman, Hankins, Butterfield, Nealey, Silver, D. Sommers, Brooks, Moyer, Ferguson and Amondson

AN ACT Relating to employment in house-to-house sales; amending RCW 49.12.170; adding new sections to chapter 49.12 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1856 by Representatives Appelwick, Locke, Brooks, Sanders, Ferguson, Holland, Doty, May, D. Sommers and Brough

AN ACT Relating to pharmacist's immunity from implied warranties and civil liability relating to prescription drugs; amending RCW 18.64.270; adding a new section to chapter 70.54 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1857 by Representatives Cantwell, Walk, S. Wilson, Patrick, Fisher, Zellinsky, Jones, Sanders and Todd

AN ACT Relating to transportation; amending RCW 35.77.010, 36.79.110, 36.81.121, 44.40.070, 47.01.031, 47.01.240, 47.26.040, 47.26.080, 47.26.100, 47.26.130, 47.26.140, 47.26.160, 47.26.170, 47.26.180, 47.26.185, 47.26.190, 47.26.220, 47.26.230, 47.26.240, 47.26.260, 47.26.270, 47.26.305, 47.26.310, 47.26.4254, 47.26.430, 47.26.440, 47.26.450, and 47.26.460; reenacting and amending RCW 43.03.028, 47.26.090, and 47.26.150; adding new sections to chapter 47.26 RCW; creating new sections; and repealing RCW 47.26.085, 47.26.120, 47.26.183, 47.26.281, and 47.26.290.

Referred to Committee on Transportation.

HB 1858 by Representatives Sprenkle, Ferguson, Brekke, P. King, Winsley, Leonard, Sutherland, Locke and Anderson

AN ACT Relating to consideration of minority race or minority ethnic heritage in adoptions and foster care placements; amending RCW 26.33.240, 13.34.232, and 13.32A-.170; reenacting and amending RCW 74.13.031 and 74.15.030; adding new sections to chapter 26.33 RCW; and providing an effective date.

Referred to Committee on Human Services.

HB 1859 by Representatives Belcher, Locke, Unsoeld, B. Williams, Dorn, Schoon, Cole, Silver, Valle, Brough, Hine, Ebersole, Winsley, Crane, Walker, Pruitt and Fox

AN ACT Relating to fire fighters; and amending RCW 41.24.010, 41.24.020, 41.24.030, 41.24.031, 41.24.040, 41.24.050, 41.24.080, 41.24.110, 41.24.140, 41.24.150, 41.24.160, 41.24.170, 41.24.175, 41.24.180, 41.24.190, 41.24.200, 41.24.210, 41.24.220, 41.24.230, 41.24.240, 41.24.250, 41.24.290, and 41.24.310.

Referred to Committee on Commerce & Labor.

HB 1860 by Representatives Betzoff, Walk, Schmidt, Patrick, S. Wilson, Ferguson, Silver and Miller

AN ACT Relating to fraudulent failure to register a vehicle, vessel, or aircraft; amending RCW 46.16.010; adding a new section to chapter 47.68 RCW; adding a new section to chapter 88.02 RCW; creating a new section; prescribing penalties; making an appropriation; and providing an effective date.

Referred to Committee on Transportation.

HB 1861 by Representatives Rust, Lux and Ebersole

AN ACT Relating to above-ground storage of oil or oil products; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Environmental Affairs.

HB 1862 by Representatives Cole, Winsley, Sayan, Basich, Scott, Holland, Lux, Wineberry, Belcher, Nutley, Walker, Valle, Haugen, Dorn, Locke, Spanel, Anderson, K. Wilson, Jacobsen, Brekke, Nelson, Leonard and Fisher

AN ACT Relating to the Seashore Conservation Area; amending RCW 43.51.675 and 43.51.685; adding new sections to chapter 43.51 RCW; repealing RCW 43.51.680, 79.94.340, 79.94.350, 79.94.360, 79.94.370, and 79.94.380; and providing an effective date.

Referred to Committee on Natural Resources.

HB 1863 by Representatives McLean, Silver, Doty, D. Sommers and Brough

AN ACT Relating to crisis residential centers; and amending RCW 74.13.032.

Referred to Committee on Human Services.

HB 1864 by Representatives Nelson, Jacobsen and Crane

AN ACT Relating to recommendations on supplemental budget requests submitted by institutions of higher education; and amending RCW 28B.80.330.

Referred to Committee on Higher Education.

HB 1865 by Representatives Nelson, Unsoeld, Hankins, Barnes, Crane, Moyer and Fox

AN ACT Relating to hazardous waste disposal facilities; and amending RCW 70.105-.005 and 70.105.220.

Referred to Committee on Environmental Affairs.

HB 1866 by Representatives Dorn, Ebersole, Holland, Peery, Walker, Holm, Sanders, Winsley, Ferguson, Amondson, P. King, Pruitt, Hine and Wang

AN ACT Relating to parental involvement in the schools; adding a new section to Title 28A RCW; and making an appropriation.

Referred to Committee on Education.

HB 1867 by Representatives Baugher, Brooks, Chandler, Rayburn, Nealey, Grant, Rasmussen, Jesernig and Doty

AN ACT Relating to mediation; amending RCW 62A.9-501, 61.30.030, 60.11.060, and 61.12.120; and adding a new chapter to Title 7 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1868 by Representatives Brekke, Moyer, Holm, Pruitt, Rayburn, Fox, Rasmussen, Cantwell, Scott, H. Sommers, Valle, Dorn, P. King,

Winsley, Silver, Walker, Holland, May, D. Sommers, Zellinsky, Miller, Anderson, Todd, Cooper and Brough

AN ACT Relating to the organization of social and health services functions in state government; creating new sections; and providing an expiration date.

Referred to Committee on Human Services.

HB 1869 by Representatives Hargrove, Patrick, Sanders, J. Williams, Butterfield, Amondson, Holland and Brough

AN ACT Relating to the federal budget deficit; creating new sections; and providing for submission of this act to a vote of the people.

Referred to Committee on State Government.

HB 1870 by Representatives Fox, Ferguson, Nutley, Spanel and Winsley

AN ACT Relating to reporting information related to the excise tax on real estate sales; and amending RCW 82.45.120.

Referred to Committee on Housing.

HB 1871 by Representatives Sutherland, Meyers, K. Wilson, Zellinsky, Basich, Anderson, Holm, Dellwo, Cooper, Spanel, Rasmussen and Dorn

AN ACT Relating to combining existing food and game fish and wildlife licenses; adding a new section to chapter 77.32 RCW; and creating a new section.

Referred to Committee on Natural Resources.

HB 1872 by Representatives Todd and Jacobsen

AN ACT Relating to contracts, agreements or arrangements relating to telecommunications lines or services; and amending RCW 80.36.150.

Referred to Committee on Energy & Utilities.

HB 1873 by Representatives May, Sprenkle, D. Sommers, Brekke, Holland, Walker, Allen, Amondson, Pruitt, Kremen, Todd, Schoon, Leonard, Jesernig, R. King, Silver, Nealey, Doty, Miller, Spanel, Ebersole, Brough and Fox

AN ACT Relating to capital improvements and equipment for the use of recovered materials; and adding new sections to chapter 82.04 RCW.

Referred to Committee on Environmental Affairs.

HB 1874 by Representatives Sprenkle, Brooks and Moyer

AN ACT Relating to the creation of independent practice associations; amending RCW 21.20.321, 24.06.015, and 24.06.030; adding a new section to chapter 19.86 RCW; and adding a new section to chapter 34.04 RCW.

Referred to Committee on Health Care.

HB 1875 by Representatives Locke, Basich and Armstrong

AN ACT Relating to plastic firearms; amending RCW 9.41.190 and 9.41.200; and adding a new section to chapter 9.41 RCW.

Referred to Committee on Judiciary.

HB 1876 by Representatives Wang, Patrick, R. King and Walker

AN ACT Relating to workplace drug testing; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

HJM 4038 by Representatives McLean, Silver, Ferguson, Holland, Doty, May, D. Sommers and Brough

Requesting the Washington Supreme Court to shorten time limits in proceedings for juvenile offenders.

Referred to Committee on Judiciary.

HJM 4039 by Representatives McLean, Silver, D. Sommers and Brough

Requesting the juvenile disposition standards commission to address certain concerns.

Referred to Committee on Judiciary.

HJM 4040 by Representatives Barnes, Nelson, Todd and Jacobsen

Petitioning Congress and the federal energy regulatory commission to oversee a revision to FERC Order No. 481.

Referred to Committee on Energy & Utilities.

HJM 4041 by Representatives Taylor, Jacobsen, Patrick, Sutherland, Barnes, Belcher, Walker, Anderson, Beck, Fisher, Moyer, Grant, Padden, Armstrong, D. Sommers, Crane, Brooks, Leonard, Butterfield, Sayan, Chandler, Winsley, Bailard, S. Wilson, Hargrove, Baugher, Basich, Ebersole, P. King, Peery, Dellwo, Brough, Ferguson, Nealey, Silver, Lewis, Doty, Betzoff, J. Williams, Schmidt, Holland, Prince, Sanders, B. Williams, Miller, Fuhrman, Hankins, McLean, May, Cole, Unsoeld, Schoon, Day, Zellinsky, Walk and Hine

Requesting live television coverage of Apple Cup.

Referred to Committee on Higher Education.

HJR 4230 by Representative Fisher; by request of Secretary of State

Amending constitutional exclusions from the elective franchise.

Referred to Committee on Constitution, Elections & Ethics.

HJR 4231 by Representatives Fisher and Pruitt; by request of Secretary of State

Revising constitutional references to persons with mental or sensory disabilities.

Referred to Committee on Constitution, Elections & Ethics.

HCR 4434 by Representatives Nelson, Barnes, Todd and Jacobsen

Affirming the need for a state hydroelectric development plan.

Referred to Committee on Energy & Utilities.

SB 5171 by Senators Hansen, Barr, Gaspard, Bauer, Anderson and Bailey

Removing presumption of negligence in collisions between motor vehicles and livestock.

Referred to Committee on Judiciary.

SSB 5307 by Committee on Governmental Operations (originally sponsored by Senator McCaslin)

Prohibiting counties from forcing property owners to sign local improvement petitions.

Referred to Committee on Local Government.

SSB 6096 by Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Smitherman, Moore, Gaspard, Johnson and Rasmussen)

Prohibiting a pattern of equity skimming.

Referred to Committee on Financial Institutions & Insurance.

SSB 6103 by Committee on Law & Justice (originally sponsored by Senators Pullen, Talmadge, Bluechel, Moore and Sellar)

Revising provisions on the duties of ski operators and users of commercial ski areas.

Referred to Committee on Judiciary.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 21, 1988

HB 429 Prime Sponsor, Representative Appelwick: Excluding public funds received by nonprofit corporations for conventions, tourism, and economic development from business and occupation taxation. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass with the following amendment:
On page 1, beginning on line 14, strike section 2.

Signed by Representatives Appelwick, Chair; Basich, Bristow, Dellwo, Holland, Taylor, Valle and Winsley.

Voting nay: Representative Rust.

Absent: Representatives Dellwo, Grimm, Holland and Schoon.

Passed to Committee on Rules for second reading.

January 25, 1988

HB 747 Prime Sponsor, Representative Walk: Specifying requirements for salary surveys conducted by the marine employees' commission. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Chandler, Hankins, O'Brien, Peery and Walk.

Voting nay: Representative Baugher.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1089 Prime Sponsor, Representative Rust: Changing provision relating to deduction of amounts received as employee benefits for business and occupation tax purposes. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Bristow, Dellwo, Holland, Rust, Taylor, Valle and Winsley.

Absent: Representatives Grimm, Holland and Schoon.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1240 Prime Sponsor, Representative Ebersole: Providing for compensation of metropolitan park commissioners. Reported by Committee on Rules
Referred to Committee on Local Government.

January 22, 1988

HB 1273 Prime Sponsor, Representative R. King: Extending the effect of collective bargaining agreements. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:
On page 1, beginning on line 10, after "RCW" strike all material through "54.04.180" on line

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick and Walker.

Absent: Representatives Sanders and Smith.

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1278 Prime Sponsor, Representative Winsley: Authorizing continued superior court jurisdiction over weed control in certain lakes. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representative Bumgarner

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1300 Prime Sponsor, Representative Basich: Relating to charter boat licenses. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Butterfield, Cole, Dorn, Fuhrman, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Bumgarner, Hargrove, Sayan and Smith.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1309 Prime Sponsor, Representative Lux: Authorizing collective bargaining for district and municipal court employees. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 25, after "matters is the" strike "administrator" and insert "judge or judge's designee"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick and Walker.

Absent: Representatives Sanders and Smith.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1331 Prime Sponsor, Representative Nealey: Revising provisions for transmittal of vital statistics registrations. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representative Bumgarner

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1337 Prime Sponsor, Representative Rayburn: Providing for the enhancement of agricultural financial and management counseling and instruction at the community colleges. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Brooks, Chandler, Doty, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Bristow and Moyer

Referred to Committee on Ways & Means.

January 25, 1988

HB 1346 Prime Sponsor, Representative Meyers: Providing reduced rental fees for lease of communication sites on state lands. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Butterfield, Cole, Dorn, Fuhrman, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Basich, Butterfield, Hargrove and Smith.

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1349 Prime Sponsor, Representative Grimm: Revising provisions relating to investment of bond proceeds. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Basich, Belcher, Braddock, Brække, Brough, Butterfield, Dellwo, Ebersole, Fuhrman, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Sayan, Schoon, Silver, H. Sommers, Spanel, Sprengle, Taylor, Valle, Wang and Winsley.

Absent: Representative B. Williams.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1357 Prime Sponsor, Representative Day: Establishing a conditional scholarship program for nurses. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Absent: Representatives Bumgarner and Sprengle.

Referred to Committee on Ways & Means.

January 22, 1988

HB 1358 Prime Sponsor, Representative Day: Authorizing the establishment of business and industrial corporations. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Hargrove, Holm, Kremen, Moyer, Rasmussen and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Heavey

Absent: Representatives McLean and Schoon.

Referred to Committee on Ways & Means.

January 26, 1988

HB 1361 Prime Sponsor, Representative Holm: Creating a twenty-fourth community college district. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen and Jesernig.

Passed to Committee on Rules for second reading.

January 21, 1988

HB 1371 Prime Sponsor, Representative Appelwick: Revising transfer tax provisions. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Taylor, Valle and Winsley.

Absent: Representatives Basich, Grimm and Schoon.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1404 Prime Sponsor, Representative Bristow: Revising provisions relating to licensure of nursing. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Absent: Representative Bumgarner.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1428 Prime Sponsor, Representative Jacobsen: Establishing the Washington national science fellows program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen, Jesernig, Silver and K. Wilson.

Referred to Committee on Ways & Means.

January 22, 1988

HB 1437 Prime Sponsor, Representative Heavey: Establishing an international trade leads program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, Kremen, Moyer, Rasmussen and B. Williams.

Absent: Representatives McLean and Schoon.

Referred to Committee on Ways & Means.

January 25, 1988

HB 1456 Prime Sponsor, Representative Wang: Prohibiting the sale of beverage containers connected by plastic rings that are not degradable. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1458 Prime Sponsor, Representative Dorn: Repealing authority for surcharges on nonresidents camping at state parks. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Butterfield, Cole, Dorn, Fuhrman, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Basich, Bumgarner, Hargrove and Smith.

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1469 Prime Sponsor, Representative Walk: Expanding department of transportation property exchange authority. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, D. Sommers, Sutherland, Todd, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Kremen, Smith and Vekich.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1486 Prime Sponsor, Representative Pruitt: Requiring school districts to provide for citizenship education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Betzoff, Butterfield, Cole, Cooper, Fuhrman, Holm, Pruitt, Rasmussen, Rust, Todd, Valle and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Rayburn and Taylor.

Absent: Representatives Appelwick, Ebersole, Holland, P. King and Schoon.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1530 Prime Sponsor, Representative Brooks: Certifying and registering nursing assistants. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Absent: Representative Bumgarner.

Referred to Committee on Ways & Means.

January 25, 1988

HB 1531 Prime Sponsor, Representative Silver: Revising the criteria for sunset review and extending the program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery and Walk.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1539 Prime Sponsor, Representative Dorn: Requiring the development of a juvenile court training curriculum. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Winsley.

Absent: Representative Sutherland.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1544 Prime Sponsor, Representative Belcher: Increasing the state minimum wage. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick and Walker.

Absent: Representatives Sanders and Smith.

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1572 Prime Sponsor, Representative Rust: Creating a wetlands management committee. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1581 Prime Sponsor, Representative Nelson: Permitting banded rate tariffs for natural gas and electric services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 19, after "competition" insert "from energy suppliers not regulated by the Utilities and Transportation Commission"

Signed by Representatives, Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Hankins, Jacobsen, Jesernig, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representatives Gallagher and May.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1622 Prime Sponsor, Representative Chandler: Providing for the publication of the maximum interest rate that may be charged on retail installment contracts for motor vehicles. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representative Grimm

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1650 Prime Sponsor, Representative Brekke: Permitting naturopaths to continue manual manipulation. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Brooks, Bumgarner, Cantwell, Lux, D. Sommers, Sprengle and Vekich.

MINORITY recommendation: Do not pass. Signed by Representative Day, Vice Chair.

Voting nay: Representatives Day, Vice Chair; and Lewis.

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1654 Prime Sponsor, Representative Meyers: Waiving the driving examination for drivers already licensed in other states. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17, after "licensed," insert:

"The director shall establish by rule standards under which actual demonstration of driving by new license applicants may be waived. Criteria shall include, but are not limited to, the review of health, vision, and driving records in states that have issued prior valid driver's licenses to the new license applicant. Any moving violations on the new license applicant's driving record shall automatically require a demonstration of driving."

Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, D. Sommers, Sutherland, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Doty and Fisher.

Absent: Representatives Allen and Smith.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1669 Prime Sponsor, Representative Wang: Requiring successor employers to observe existing collective bargaining agreements. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sayan and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Sanders.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1693 Prime Sponsor, Representative Cooper: Authorizing educational service districts to contract with the school for the deaf and the school for the blind. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Betrozoff, Butterfield, Cole, Cooper, Fuhrman, Holm, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Appelwick, Ebersole, Holland, P. King and Rasmussen.

Referred to Committee on Ways & Means.

January 26, 1988

HB 1695 Prime Sponsor, Representative Dorn: Extending the time period for the superintendent of public instruction to adopt evaluation standards. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Betrozoff, Butterfield, Cole, Cooper, Fuhrman, Holm, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Appelwick, Ebersole, Holland, P. King and Rasmussen.

Passed to Committee on Rules for second reading.

January 25, 1988

HB 1801 Prime Sponsor, Representative Locke: Revising provisions relating to the state convention and trade center. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Basich, Belcher, Brekke, Dellwo, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Sayan, Silver, H. Sommers, Taylor, Valle and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman

Voting nay: Representatives Braddock, Brough, Butterfield, Fuhrman, Grant, Schoon, Spanel, Sprengle and Wang.

Absent: Representative B. Williams.

Passed to Committee on Rules for second reading.

January 25, 1988

HJM 4032 Prime Sponsor, Representative K. Wilson: Requesting increase in Land and Water Conservation Fund appropriation. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Beck, Belcher, Butterfield, Cole, Dorn, Fuhrman, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Basich, Bumgarner, Hargrove and Smith.

Passed to Committee on Rules for second reading.

January 26, 1988

HCR 4433 Prime Sponsor, Representative Jacobsen: Approving the master plan for higher education and establishing a study group. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 23, after "provide" insert "an opportunity for the pursuit of knowledge and"

On page 1, line 30, after "equitable" insert "and affordable"

Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives Representative Kelley Shockman, a three-term member of the North Dakota Legislature, who was in the State of Washington to attend the funeral of his brother, State Wildlife Official Mike Shockman. The Speaker (Mr. O'Brien presiding) expressed condolences on behalf of the members to Representative Shockman.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

The being no objection, the House advanced to the eighth order of business.

MOTION

Mr. Ebersole moved that the rules be suspended, the Committee on Higher Education be relieved of House Joint Memorial No. 4041, and the memorial be placed on the second reading calendar.

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

On motion of Mr. Ebersole, the House reverted to the sixth order of business.

SECOND READING

HOUSE JOINT MEMORIAL NO. 4041, by Representatives Taylor, Jacobsen, Patrick, Sutherland, Barnes, Belcher, Walker, Anderson, Beck, Fisher, Moyer, Grant, Padden, Armstrong, D. Sommers, Crane, Brooks, Leonard, Butterfield, Sayan, Chandler, Winsley, Ballard, S. Wilson, Hargrove, Baugher, Basich, Ebersole, P. King, Peery, Dellwo, Brough, Ferguson, Nealey, Silver, Lewis, Doty, Betzoff, J. Williams, Schmidt, Holland, Prince, Sanders, B. Williams, Miller, Fuhrman, Hankins, McLean, May, Cole, Unsoeld, Schoon, Day, Zellinsky, Walk and Hine

Requesting live television coverage of Apple Cup.

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

Representatives Taylor, Jacobsen, Hine and Barnes spoke in favor of passage of the memorial, and Mr. Heavey opposed it.

Mr. Taylor again spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4041, and the memorial passed the House by the following vote: Yeas, 92; nays, 2; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 92.

Voting nay: Representatives Beck, Heavey - 2.

Excused: Representatives Ballard, Smith C, Wineberry and Mr. Speaker - 4.

House Joint Memorial No. 4041, having received the constitutional majority, was declared passed.

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

MOTIONS

On motion of Mr. Ebersole, House Bill No. 1493 was referred from Committee on Ways & Means to Committee on Local Government.

On motion of Mr. Ebersole, House Bill No. 1741 was referred from Committee on Transportation to Committee on Ways & Means.

On motion of Mr. Ebersole, House Bill No. 1778 was referred from Committee on Natural Resources to Committee on Ways & Means.

On motion of Mr. Ebersole, House Bill No. 1779 was referred from Committee on Housing to Committee on Ways & Means.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, January 29, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

NINETEENTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, January 29, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Ballard, Brekke, Cantwell, Lux, Prince, Taylor, Walk, K. Wilson and Mr. Speaker. Representatives Ballard, Taylor and Mr. Speaker were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Danielle Cauffman and Jeffrey Dobbs. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

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

MESSAGE FROM THE SENATE

January 27, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 6108,
SENATE BILL NO. 6113,
SENATE BILL NO. 6136,
SUBSTITUTE SENATE BILL NO. 6157,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1877 by Representatives Unsoeld, Wang, Belcher, Crane, Pruitt, Fisher, Brekke and Miller

AN ACT Relating to providing limited duty work or leave for pregnant fire fighters and law enforcement officers; adding a new section to chapter 41.04 RCW; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1878 by Representatives Unsoeld, Wang, Belcher, R. King, Pruitt, Fisher, Brekke and Miller

AN ACT Relating to transfer of pregnant employees; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Commerce & Labor.

HB 1879 by Representatives Locke, Wineberry, Armstrong, Anderson, Hine, Nutley, Leonard and R. King

AN ACT Relating to prepayment of federal subsidies on multifamily rental housing developments; adding a new chapter to Title 59 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Housing.

HB 1880 by Representatives Nutley and Hine

AN ACT Relating to the prevention of domestic violence; and amending RCW 26.50-.010 and 26.50.060.

Referred to Committee on Judiciary.

HB 1881 by Representative Appelwick

AN ACT Relating to excise taxation of electrical energy; amending RCW 54.28.010; adding a new section to chapter 82.04 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1882 by Representatives Baugher and Lux

AN ACT Relating to motor vehicle highway safety; adding a new section to chapter 48.22 RCW; and creating a new section.

Referred to Committee on Financial Institutions & Insurance.

HB 1883 by Representatives Walk and Prince

AN ACT Relating to vehicle dealer regulation; and amending RCW 46.70.011, 46.70.021, and 46.70.041.

Referred to Committee on Transportation.

HB 1884 by Representatives Prince, Nealey and D. Sommers

AN ACT Relating to motor vehicles; and amending RCW 46.44.041.

Referred to Committee on Transportation.

HB 1885 by Representatives Nelson, Kremen, Allen, K. Wilson, Crane and P. King

AN ACT Relating to student loans; and repealing RCW 28B.10.281.

Referred to Committee on Higher Education.

HB 1886 by Representatives Nealey, Silver, Padden, Butterfield, Brooks, Cooper, Hankins, D. Sommers and Ferguson

AN ACT Relating to the awarding of printing contracts; adding a new section to chapter 43.19 RCW; and adding a new section to chapter 43.78 RCW.

Referred to Committee on State Government.

HB 1887 by Representatives Appelwick and Holland

AN ACT Relating to the taxation of medical and dental coverage; and amending RCW 48.14.022.

Referred to Committee on Ways & Means.

HB 1888 by Representatives Holm, Jones, Sutherland, Sayan, J. Williams, R. King, P. King, Braddock, Crane, Kremen, Dorn, Rasmussen, D. Sommers, Amondson, Basich and Butterfield

AN ACT Relating to trees and wood; adding a new section to chapter 9.91 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 1889 by Representatives P. King, Lux and Patrick

AN ACT Relating to claims for prophylaxis services; and adding a new section to chapter 48.80 RCW.

Referred to Committee on Health Care.

HB 1890 by Representative Walk

AN ACT Relating to the code of ethics for municipal officers; amending RCW 42.36.080 and 42.36.090; adding a new section to chapter 42.23 RCW; and adding a new section to chapter 42.36 RCW.

Referred to Committee on Local Government.

HB 1891 by Representatives Ebersole, Peery and Pruitt

AN ACT Relating to teachers' salary credits for in-service training; amending RCW 28A.71.110; and adding a new section to chapter 28A.71 RCW.

Referred to Committee on Education.

HB 1892 by Representatives Ebersole, Peery, Pruitt, P. King, Rasmussen, Cole and Spanel

AN ACT Relating to the learning assistance program; amending RCW 28A.120.014, 28A.120.016, and 28A.120.020; and creating a new section.

Referred to Committee on Education.

HB 1893 by Representatives Braddock and Kremen

AN ACT Relating to funding for emergency services communication systems; and amending RCW 82.14B.010, 82.14B.020, and 82.14B.030.

Referred to Committee on Local Government.

HB 1894 by Representative Fisher

AN ACT Relating to counselor and hypnotherapist registration; and amending RCW 18.19.090.

Referred to Committee on Constitution, Elections & Ethics.

HB 1895 by Representative Patrick

AN ACT Relating to health care insurance; amending RCW 48.21.120, 48.21.260, 48.21.270, 48.44.370, 48.44.380, 48.46.450, and 48.46.460; adding a new section to chapter 48.18 RCW; adding a new section to chapter 48.19 RCW; creating a new section; and providing retroactive application.

Referred to Committee on Health Care.

HB 1896 by Representative Patrick

AN ACT Relating to special license plates for World War II veterans who served aboard submarines; and adding a new section to chapter 46.16 RCW.

Referred to Committee on Transportation.

HB 1897 by Representative Patrick

AN ACT Relating to police benefits; and amending RCW 41.20.120.

Referred to Committee on Commerce & Labor.

HB 1898 by Representatives Nutley, J. Williams, Leonard, Barnes, Padden, Sanders, Armstrong, Todd, Patrick, Holland, Wineberry and Winsley

AN ACT Relating to an advisory committee on landlord-tenant issues; adding a new chapter to Title 59 RCW; and providing an expiration date.

Referred to Committee on Housing.

HB 1899 by Representatives Vekich, Unsoeld, Sayan, Basich, Cooper, Jacobsen, Hargrove, Holm, Belcher, Nutley, Appelwick, Hine, Jones, R. King, Rasmussen, Fox, Amondson, Sutherland and Butterfield

AN ACT Relating to unemployment; amending RCW 50.62.020 and 50.20.043; reenacting and amending RCW 50.62.010, 50.62.030, and 42.17.310; adding a new chapter to Title 50 RCW; and creating new sections.

Referred to Committee on Trade & Economic Development.

HB 1900 by Representatives Unsoeld, Allen, Wang, R. King, Patrick, Lux, Sayan, Rust and Jones

AN ACT Relating to the handling of hazardous waste; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1901 by Representative Lux

AN ACT Relating to the processing of timber; adding a new section to chapter 79.01 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Trade & Economic Development.

HB 1902 by Representatives O'Brien and Ferguson

AN ACT Relating to efficiency in the operation of public ports; creating new sections; and providing an expiration date.

Referred to Committee on Local Government.

HB 1903 by Representatives Todd and Crane

AN ACT Relating to the commitment of persons with developmental disabilities who are dangerous to others but incompetent to stand trial or criminally insane; adding a new chapter to Title 72 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care.

HB 1904 by Representatives Winsley and Lux

AN ACT Relating to investments; amending RCW 21.20.005, 21.20.040, 21.20.050, 21.20.060, 21.20.080, 21.20.090, 21.20.100, 21.20.110, 21.20.120, 21.20.130, 21.20.210, 21.20.270, 21.20.310, 21.20.330, 21.20.340, 21.30.350, 21.20.380, 21.20.390, 21.20.430, 21.20.450, and 21.20.530; reenacting and amending RCW 21.20.320; and adding new sections to chapter 21.20 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1905 by Representatives Fisher, Nelson and Unsoeld

AN ACT Relating to grass roots lobbying; amending RCW 42.17.200; and declaring an emergency.

Referred to Committee on Constitution, Elections & Ethics.

HB 1906 by Representatives Baugher, Hankins, H. Sommers, Crane, Lux, Grant, Walk, Zellinsky, Cole, Anderson, Pruitt and Dorn

AN ACT Relating to state government employees' productivity; adding a new section to chapter 43.20A RCW; creating a new section; and providing an expiration date.

Referred to Committee on State Government.

HB 1907 by Representatives Lux, Chandler, Braddock, Patrick and Rayburn; by request of Insurance Commissioner

AN ACT Relating to health care coverage; adding a new section to chapter 48.42 RCW; and creating a new section.

Referred to Committee on Financial Institutions & Insurance.

HB 1908 by Representatives Fuhrman, Padden and Amondson

AN ACT Relating to the right to bear arms; adding a new section to chapter 82.32 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1909 by Representatives Schoon, Vekich, Winsley, Doty, Moyer, Basich and Ferguson

AN ACT Relating to commercial activities; creating a new section; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 1910 by Representatives Schoon, Vekich, Winsley, Fuhrman, Wineberry and Ferguson

AN ACT Relating to the in-state investment opportunities by the state investment board; and adding new sections to chapter 43.33A RCW.

Referred to Committee on Trade & Economic Development.

HB 1911 by Representatives Valle and Brekke

AN ACT Relating to dependent children; amending RCW 13.34.020; and adding a new section to chapter 13.32A RCW.

Referred to Committee on Human Services.

HB 1912 by Representatives Locke, Nutley, Wineberry, Leonard and Nelson

AN ACT Relating to funding the housing trust fund; and amending RCW 59.18.270, 59.20.170, and 43.185.100.

Referred to Committee on Ways & Means.

HB 1913 by Representatives Wang, R. King and Belcher

AN ACT Relating to employer reporting of hours worked by employees; amending RCW 50.12.070; adding a new section to chapter 50.24 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1914 by Representatives Dellwo, Ballard, Meyers, Crane and Butterfield

AN ACT Relating to district court judges' salaries; and amending RCW 3.58.010, 3.58-.020, and 3.34.130.

Referred to Committee on Judiciary.

HB 1915 by Representatives Ebersole, Appelwick, Peery, Holm, Pruitt, Rasmussen and Todd

AN ACT Relating to specification of school district levy bases and levy reduction funds; amending RCW 84.52.0531; creating a new section; and declaring an emergency.

Referred to Committee on Education.

HB 1916 by Representatives Ebersole, Ferguson, Hine, Grimm, Nelson, Appelwick, Haugen, R. King, Jacobsen, Barnes, Walker, Miller, Anderson, Meyers, Rasmussen, Valle, Fisher, Walk, Heavey and Patrick

AN ACT Relating to port commissioner compensation; and amending RCW 53.12.260.

Referred to Committee on Local Government.

HB 1917 by Representatives Ebersole and Ballard

AN ACT Relating to metropolitan park districts; amending RCW 35.61.010, 35.61.020, 35.61.030, 35.61.050, 35.61.100, 35.61.110, 35.61.132, 35.61.210, 82.14.050, and 82.14.060; adding new sections to chapter 35.61 RCW; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Local Government.

HB 1918 by Representative Padden

AN ACT Relating to marriage and dissolution; amending RCW 26.09.030; adding a new chapter to Title 26 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1919 by Representatives Bristow, Lewis, Day and D. Sommers

AN ACT Relating to dentists, osteopathic physicians, and podiatric physicians; and amending RCW 70.41.020, 70.41.200, and 70.41.230.

Referred to Committee on Health Care.

HB 1920 by Representatives Vekich and P. King

AN ACT Relating to dislocated workers; creating a new section; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 1921 by Representatives Vekich and Anderson

AN ACT Relating to the economics of motor vehicle fuel transactions; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Trade & Economic Development.

HB 1922 by Representatives Vekich, Dorn, Basich, Holm, Pruitt, Meyers, Rasmussen, Grant and Butterfield

AN ACT Relating to nonprofit sporting events; and adding new sections to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1923 by Representatives Holm, Vekich and Grant

AN ACT Relating to the deposit or investment of capital or surplus funds by credit unions; and amending RCW 31.12.425.

Referred to Committee on Financial Institutions & Insurance.

HB 1924 by Representatives Holm, Winsley, Cooper, Vekich, Meyers and Butterfield

AN ACT Relating to experience rating for unemployment insurance purposes; and reenacting and amending RCW 50.29.020.

Referred to Committee on Commerce & Labor.

HB 1925 by Representatives Holm, Vekich, Cooper, Basich, Moyer, Pruitt, Wineberry and P. King

AN ACT Relating to local school-based enterprise development; adding a new section to chapter 43.63A RCW; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1926 by Representatives Holm, Winsley, Cooper, Vekich, Meyers, Moyer and P. King

AN ACT Relating to industrial insurance premium adjustments for safety training; and amending RCW 51.16.035.

Referred to Committee on Commerce & Labor.

HB 1927 by Representatives Betrozoff, Patrick, Walk, Jacobsen, Crane, J. Williams, Sanders, Miller and May

AN ACT Relating to regional transportation benefit authorities; amending RCW 82.36.440 and 82.38.280; adding a new chapter to Title 36 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 1928 by Representatives Sanders and J. Williams

AN ACT Relating to the subdivision of land; and reenacting and amending RCW 58.17.060.

Referred to Committee on Local Government.

HB 1929 by Representative Rayburn

AN ACT Relating to extending the effective date of emergency drought relief laws enacted or amended in 1987; amending RCW 43.83B.300, 43.83B.310, and 43.83B.344; and declaring an emergency.

Referred to Committee on Agriculture & Rural Development.

HB 1930 by Representatives Rust, Walker, Unsoeld, May and D. Sommers

AN ACT Relating to underground storage tanks; adding a new chapter to Title 90 RCW; creating a new section; prescribing penalties; and making appropriations.

Referred to Committee on Environmental Affairs.

HCR 4435 by Representatives Cantwell, Vekich, Schoon, K. Wilson, B. Williams, Heavey, Beck, Kremen, Sanders and Fisher

Considering transportation needs in policy development.

Referred to Committee on Trade & Economic Development.

HCR 4436 by Representative Vekich

Establishing the joint select committee on the state's mature industries.

Referred to Committee on Trade & Economic Development.

HCR 4437 by Representatives Nelson, Crane, Wineberry, Spanel, Belcher, Armstrong, K. Wilson, Cole, Basich, Leonard, Lux, Rust, Unsoeld, Anderson, Wang, Fisher, Jones and Brekke

Seeking Congressional opposition to aid to the Contras and a normalization of trade relations with Nicaragua.

Referred to Committee on State Government.

ESB 6108 by Senators Pullen, Talmadge and Rasmussen

Revising provisions relating to defense of persons or property.

Referred to Committee on Judiciary.

SB 6113 by Senator Pullen

Making technical corrections to quasi-community property laws.

Referred to Committee on Judiciary.

SB 6136 by Senators Smith, DeJarnatt, Kreidler, Metcalf and Zimmerman; by request of Washington State Parks and Recreation Commission

Repealing authority for surcharges on nonresidents camping at state parks.

Referred to Committee on Natural Resources.

SSB 6157 by Committee on Education (originally sponsored by Senator Bailey)

Changing provisions relating to student learning objectives.

Referred to Committee on Education.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 27, 1988

HB 972 Prime Sponsor, Representative Lux: Prohibiting the use of plastic grocery bags. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, May, Unsoeld and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Schoon.

Voting nay: Representatives Pruitt, Schoon, D. Sommers and Sprengle.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

January 22, 1988

HB 1155 Prime Sponsor, Representative Vekich: Providing for a study on underemployment in the state. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The second substitute be substituted therefor and the second substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, Kremen, Moyer, Rasmussen, B. Williams and J. Williams.

Absent: Representatives Wineberry, Vice Chair; McLean and Schoon.

Referred to Committee on Ways & Means.

January 27, 1988

HB 1290 Prime Sponsor, Representative Belcher: Changing provisions relating to the interagency committee for outdoor recreation's comprehensive guide of public parks and recreation sites. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Beck, Haugen, Meyers, Smith and S. Wilson.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1334 Prime Sponsor, Representative Haugen: Permitting county employees to transfer to prior existing positions in the sheriff's office. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley and Rayburn.

Absent: Representatives Bumgarner and Zellinsky.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1335 Prime Sponsor, Representative Grimm: Revising the terms of elected officials and the commencement dates for legislative sessions. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 9, after "shall" strike all material through "business" and insert "not pass legislation"

Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Amondson, Barnes, R. King, Leonard and Sanders.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1338 Prime Sponsor, Representative Walk: Providing for a sunset review of the marine employees' commission. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1344 Prime Sponsor, Representative Sanders: Providing for resident tuition and fees for certain students whose parents are out-of-state or out-of-country. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 13, after "state," strike "or"

On page 2, beginning on line 17, after "United States" insert "; or (g) a person honorably discharged from the military and the spouse and dependent children of such person, if the person was serving on active duty status in the state of Washington at the time of discharge, and was enrolled in a state college or university while serving in the military, and continued to be enrolled at the time of discharge, for as long as the person remains continuously enrolled for three quarters or two semesters in any calendar year"

Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen, Jesernig and K. Wilson.

Referred to Committee on Ways & Means.

January 26, 1988

HB 1369 Prime Sponsor, Representative Winsley: Regulating escrow. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Dellwo and Grimm.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1375 Prime Sponsor, Representative Unsoeld: Establishing a leave contribution program for state employees. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1388 Prime Sponsor, Representative Nutley: Exempting temporary lodging for homeless persons from state and local excise taxation. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill by the Committee on Housing be substituted therefor and the substitute bill do pass with the following amendment by the Committee on Ways & Means/Revenue:

On page 1, beginning on line 17, after "RCW" insert "67.28.180 and"

Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1393 Prime Sponsor, Representative Cantwell: Revising provisions for park and recreation service areas. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley and Rayburn.

Absent: Representatives Bumgarner and Zellinsky.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1397 Prime Sponsor, Representative Cooper: Revising provisions on state and local government bond issuance information. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley and Rayburn.

Absent: Representatives Bumgarner and Zellinsky.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1405 Prime Sponsor, Representative Valle: Directing dissemination of information on earthquake hazards by the department of community development. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 1, strike all material down to and including "legislature." on line 2

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien and Taylor.

Absent: Representatives Peery and Walk.

Referred to Committee on Ways & Means.

January 27, 1988

HB 1406 Prime Sponsor, Representative Belcher: Providing for retirement of loans from the resource management cost account to the forest development account. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 3, after line 5, insert a new subsection as follows:

"(3) By December 15, 1988 and every second year thereafter, the department shall report to the appropriate legislative committees on the distribution of proceeds from the sale of cutting rights authorized in subsections (1) and (2) of this section."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Beck, Meyers, Smith and S. Wilson.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1409 Prime Sponsor, Representative Patrick: Amending provisions for liquor sale licensure. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick and Walker.

Absent: Representatives Sanders, Sayan and Smith.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1418 Prime Sponsor, Representative Rasmussen: Holding motor freight carrier hearings in the area of proposed operations. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Sutherland, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Hankins, Kremen, Meyers, Prince, Smith, D. Sommers, J. Williams and K. Wilson.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1424 Prime Sponsor, Representative Dellwo: Revising provisions on community custody. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux and D. Sommers.

Absent: Representatives Sprenkle and Vekich.

Referred to Committee on Ways & Means.

January 27, 1988

HB 1430 Prime Sponsor, Representative Holland: Allowing the superintendent of public instruction to appoint a designee to the board of natural resources. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Ebersole, P. King, Rust and Taylor.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1448 Prime Sponsor, Representative Wineberry: Prohibiting state purchases of products originating in countries with apartheid policies. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Braddock, Cantwell, Fox, Hargrove, Heavey, Holm and Rasmussen.

MINORITY recommendation: Do not pass. Signed by Representatives Amondson, Doty, McLean and Moyer.

Voting nay: Representatives Amondson, Doty, McLean, Moyer, Schoon and B. Williams.

Absent: Representatives Grant and J. Williams.

Referred to Committee on Ways & Means.

January 28, 1988

HB 1462 Prime Sponsor, Representative Wineberry: Amending disposition of juvenile offender charges. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair, Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1482 Prime Sponsor, Representative Rasmussen: Revoking or suspending juveniles' drivers licenses for violation of certain drug or alcohol laws. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Locke.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1490 Prime Sponsor, Representative Heavey: Encouraging the donation of modern equipment to institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Unsoeld and K. Wilson.

Absent: Representatives Allen and Jesernig.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1492 Prime Sponsor, Representative H. Sommers: Revising various boards and commissions. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 10, after line 34, insert the following:

"Sec. 11. Section 18, chapter 169, Laws of 1935 as amended by section 1, chapter 67, Laws of 1979 ex. sess. and RCW 19.28.330 are each amended to read as follows:

All sums received from licenses, permit fees, or other sources, herein shall be paid to the state treasurer and placed in a special fund designated as the 'electrical license fund,' and by him paid out upon vouchers duly and regularly issued therefor and approved by the director of labor and industries or the director's designee following determination by the board ((of electrical examiners)) that the sums are necessary to accomplish the intent of chapter 19.28 RCW. The treasurer shall keep an accurate record of payments into, or receipts of, said fund, and of all disbursements therefrom."

Renumber the sections consecutively and correct internal references accordingly.

On page 1, line 3 of the title, after "19.28.310," insert "19.28.330."

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1515 Prime Sponsor, Representative H. Sommers: Modifying the termination dates of various state agencies. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1518 Prime Sponsor, Representative Bristow: Revising allocations for small school district capital construction. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives P. King and Rust.

Referred to Committee on Ways & Means.

January 26, 1988

HB 1536 Prime Sponsor, Representative Appelwick: Revising the laws governing parenting plans. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1550 Prime Sponsor, Representative K. Wilson: Revising provisions on forest protection. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Belcher, Bumgarner, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Meyers, Smith and S. Wilson.

Referred to Committee on Ways & Means.

January 26, 1988

HB 1552 Prime Sponsor, Representative Wang: Establishing employer obligations for relocation, termination, or sale of a business or part of a business. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 19, after "employees" strike "loose" and insert "lose"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick, Sanders and Walker.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1562 Prime Sponsor, Representative Basich: Exempting materials valued below a certain amount sold from public lands from auction sale requirements. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Sutherland, Chair; Meyers, Smith and S. Wilson.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1565 Prime Sponsor, Representative Brekke: Revising provisions on alcoholism and drug addiction treatment. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Referred to Committee on Ways & Means.

January 27, 1988

HB 1570 Prime Sponsor, Representative K. Wilson: Establishing a revised coordinate system in Washington for defining points on the earth's surface. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Beck, Meyers, Smith and S. Wilson.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1616 Prime Sponsor, Representative Sprenkle: Authorizing purchase of certain state trust lands for parks use. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Beck, Meyers, Smith and S. Wilson.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1618 Prime Sponsor, Representative Brekke: Reorganizing and clarifying the laws regarding services to persons with developmental disabilities. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1640 Prime Sponsor, Representative Fox: Establishing the G. Robert Ross public service award program for outstanding public service by faculty. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Heavey,

Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen, Jesernig and K. Wilson.

Referred to Committee on Ways & Means.

January 27, 1988

HB 1684 Prime Sponsor, Representative Sprenkle: Establishing an analysis process for management of certain categories of solid waste. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brække, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprenkle, Unsoeld and Walker.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1691 Prime Sponsor, Representative Walk: Regulating billboards in commercial and industrial zones. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Gallagher, Hankins, Haugen, Jones, Meyers, Prince, Schmidt, D. Sommers, Vekich and K. Wilson.

Absent: Representatives Allen, Patrick, Smith, Sutherland, Todd, J. Williams, S. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1713 Prime Sponsor, Representative Braddock: Creating a committee to study and design a trauma care system for Washington. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lux, D. Sommers, Sprenkle and Vekich.

Voting nay: Representative Lewis.

Absent: Representatives D. Sommers and Sprenkle.

Referred to Committee on Transportation.

January 26, 1988

HB 1728 Prime Sponsor, Representative Wang: Establishing office of information and assistance within the department of labor and industries. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representative Smith.

Referred to Committee on Ways & means.

January 25, 1988

HB 1730 Prime Sponsor, Representative Gallagher: Authorizing sample license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Heavey, Jones, Kremen, Meyers, Prince, Sutherland, Todd, Vekich, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representative S. Wilson.

Absent: Representatives Allen and Smith.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1733 Prime Sponsor, Representative Grimm: Revising investment policies for funds of the department of labor and industries. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, O'Brien, Patrick, Sanders, Sayan and Walker.

Voting nay: Representative R. King.

Absent: Representative Smith.

Referred to Committee on Ways & Means.

January 26, 1988

HB 1734 Prime Sponsor, Representative Appelwick: Revising the business and occupation taxation of the care of children. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Taylor, Schoon, Valle and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1736 Prime Sponsor, Representative Lux: Revising provisions on banks and trust companies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Crane, Day, Dorn, Ferguson, P. King, Nutley and Winsley.

Absent: Representatives Dellwo and Grimm.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1783 Prime Sponsor, Representative P. King: Requiring the registration of nursing pools. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Veitch.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1802 Prime Sponsor, Representative Spanel: Changing requirements for admission to teacher preparation programs. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Ebersole, P. King and Rust.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1836 Prime Sponsor, Representative Hargrove: Encouraging economic self-sufficiency through self-employment of families receiving aid to families with dependent children. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Braddock, Cantwell, Doty, Fox, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon and B. Williams.

Absent: Representatives Grant and J. Williams.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1848 Prime Sponsor, Representative Patrick: Limiting certain horse racing commission fines. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick and Walker.

Absent: Representatives Sanders, Sayan and Smith.

Passed to Committee on Rules for second reading.

January 27, 1988

HJM 4036 Prime Sponsor, Representative Valle: Requesting a Western States Recycling Coalition. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsöld and Walker.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

MOTION

On motion of Mr. Ebersole, the House advanced to the sixth order of business.

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1269 on second reading. The motion was carried.

HOUSE BILL NO. 1269, by Representatives Braddock, Brooks, D. Sommers, Kremen, Vekich, Grant, Dellwo, Hine, May and P. King; by request of Department of Corrections

Revising provisions relating to community supervision.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1269 was substituted for House Bill No. 1269, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1269 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1269, and the bill passed the House by the following vote: Yeas, 89; absent, 6; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walker, Wang, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 89.

Absent: Representatives Brekke, Cantwell, Lux, Prince, Walk, Wilson K - 6.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Substitute House Bill No. 1269, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Brekke, Cantwell, Lux, Prince, Walk and K. Wilson appeared at the bar of the House.

HOUSE BILL NO. 1272, by Representatives H. Sommers, Hankins and Crane; by request of Department of Corrections

Revising department of corrections employee assault benefits.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 12th Day, January 22, 1988.)

Mr. Anderson moved adoption of the committee amendments. Mr. Anderson spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Anderson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1272, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Engrossed House Bill No. 1272, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1279, by Representatives Braddock, Brooks and May; by request of Department of Corrections

Revising provisions relating to financial and legal obligations of offenders.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1279 was substituted for House Bill No. 1279, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1279 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1279, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Substitute House Bill No. 1279, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1297, by Representatives Rayburn, Nealey, Kremen and McLean

Establishing procedures to foreclose on properties with delinquent payments of assessments.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1297 was substituted for House Bill No. 1297, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1297 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1297, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Substitute House Bill No. 1297, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1304, by Representatives Kremen, Rayburn, Vekich, Grimm, Braddock and Walk

Providing for marketing agreements to allow members to participate in regulatory proceedings.

The bill was read the second time. Committee on Agriculture & Rural Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 12th Day, January 22, 1988.)

Ms. Rayburn moved adoption of the committee amendment. Representatives Rayburn and Nealey spoke in favor of the amendment, and it was adopted.

Ms. Rayburn moved adoption of the committee amendment to the title. Ms. Rayburn spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1304, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Engrossed House Bill No. 1304, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1320, by Representatives Lux, Chandler, Nutley, Betzoff, Peery and Meyers; by request of Office of Insurance Commissioner

Revising provisions on the cancellation and renewal of insurance policies.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1320 was substituted for House Bill No. 1320, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1320 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1320, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Substitute House Bill No. 1320, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1322, by Representatives Lux, Chandler, Nutley, Peery and Meyers; by request of Office of Insurance Commissioner

Revising insurance form and rate filing requirements.

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

Representatives Lux and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1322, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

House Bill No. 1322, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1324, by Representatives Hankins and H. Sommers

Providing for sunset review and termination dates.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1324 was substituted for House Bill No. 1324, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1324 was read the second time.

Ms. H. Sommers moved adoption of the following amendment by Representatives H. Sommers and Hankins:

On page 4, beginning on line 20, strike everything down to and including "RCW 28C.15.900." on page 5, line 1.

Representatives H. Sommers and Hankins spoke in favor of the amendment, and it was adopted.

On motion of Ms. H. Sommers, the following amendments to the title by Representatives H. Sommers and Hankins were adopted:

On page 1, line 5 of the title, after "28B.04.085," insert "and"

On page 1, line 5 of the title, after "28A.125.020" strike ", 28C.15.010, 28C.15.020, 28C.15.030, and 28C.15.900"

The bill was ordered engrossed. On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1324, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland,

Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Engrossed Substitute House Bill No. 1324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1332, by Representatives Silver and H. Sommers

Removing requirement that state bond certificates be printed by the public printer.

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

Representative Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1332, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

House Bill No. 1332, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1351, by Representatives H. Sommers, Silver, Haugen, Taylor, Doty and Miller; by request of Office of State Auditor

Authorizing the state auditor to contract with certified public accountants.

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

Representatives H. Sommers and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1351, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

House Bill No. 1351, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute House Bill No. 240 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Crane, Winsley and Unsoeld)

Requiring vehicle insurance policies covering comprehensive and collision to also cover liability.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 10th Day, January 20, 1988.)

Mr. Lux moved adoption of the committee amendment. Mr. Lux spoke in favor of the amendment, and it was adopted.

The bill was ordered reengrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Crane spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Crane yielded to question by Mr. Barnes.

Mr. Barnes: We have a bill following this one, Substitute House Bill No. 1175, that would mandate liability insurance for everybody driving. Would this only cause the coverage of those who have collision insurance? Perhaps the sponsor would yield to that question.

Mr. Crane: The answer to that is that, if we pass the mandatory insurance bill, then this would be unnecessary, but if we do not pass the mandatory insurance bill, then it will be in effect.

Representatives Barnes and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 240 and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 95.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Reengrossed Substitute House Bill No. 240, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1175, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Baugher, Lux, Rayburn, Wineberry, Meyers, Dellwo, Sprengle, Cooper, Walk, Madsen, Heavey, Pruitt, Nutley, Todd and Grant)

Penalizing operation of a motor vehicle without insurance.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 10th Day, January 20, 1988.)

Mr. Lux moved adoption of the committee amendment. Mr. Lux spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Baugher and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1175, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 94.

Voting nay: Representative Wang - 1.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

Engrossed Substitute House Bill No. 1175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

MOTION

On motion of Mr. Ebersole, House Bill No. 1490 was referred from Committee on Rules to Committee on Ways & Means.

On motion of Mr. Ebersole, House Bill No. 1806 was referred from Committee on Health Care to Committee on Local Government.

On motion of Mr. Ebersole, House Bill No. 1856 was referred from Committee on Judiciary to Committee on Health Care.

MOTION

Mr. Lewis moved that the Committee on Rules be relieved of Senate Concurrent Resolution No. 8425 and that the resolution be placed at the top of the second reading calendar.

Mr. Lewis spoke in favor of the motion, and Mr. Ebersole opposed it.

Representative May demanded an electric roll call vote, and the demand was sustained.

Mr. Lewis again spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Mr. Lewis to relieve the Committee on Rules of Senate Concurrent Resolution No. 8425 and to place the resolution on the top of the second reading calendar, and the motion was lost by the following vote: Yeas, 35; nays, 60; excused, 3.

Voting yea: Representatives Allen, Amondson, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Walker, Williams B, Williams J, Wilson S, Winsley - 35.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky - 60.

Excused: Representatives Ballard, Taylor, and Mr. Speaker - 3.

MOTION

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

POINT OF PERSONAL PRIVILEGE

Mr. Chandler: Thank you, Mr. Speaker. I am so excited about this, I don't know if I can get the message out or not. Our daughter just delivered us a new grandbaby at 9:30 this morning. It's a girl--that's kind of a rarity in our family. That makes our eleventh grandchild, and our twelfth one is expected almost any day now. The only difference is that it'll be a little bit older than this one is when it arrives, because it's coming from Korea. That'll be number twelve, and it's also a girl, so that will add to the female population. I'm sure all you ladies will appreciate that.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, February 1, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWENTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Monday, February 1, 1988

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bumgarner, Cantwell, Day, Dellwo, Dorn, Fuhrman, Grimm, Heavey, Holm, Lux, Peery, Schoon, Silver and Todd. Representatives Cantwell, Dellwo, Dorn, Heavey and and Todd were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Gail Kelso and Jim Parsley. Prayer was offered by The Reverend Peter Mans, Minister of the Olympia Christian Reformed Church.

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

MESSAGE FROM THE SENATE

January 29, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5886,
 SENATE BILL NO. 6184,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6190,
 SENATE BILL NO. 6271,
 SENATE CONCURRENT RESOLUTION NO. 8428.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1931 by Representatives Bumgarner, Haugen and Ferguson

AN ACT Relating to the city and town tax on admissions; and repealing RCW 35.21.280.

Referred to Committee on Local Government.

HB 1932 by Representative Bumgarner

AN ACT Relating to the regulation of guides and outfitters; adding a new section to chapter 4.24 RCW; and adding a new chapter to Title 18 RCW.

Referred to Committee on Natural Resources.

HB 1933 by Representatives Cole, Patrick, Wang, Meyers, Haugen, R. King, P. King and Winsley

AN ACT Relating to law enforcement officers; and amending RCW 41.56.030.

Referred to Committee on Commerce & Labor.

HB 1934 by Representatives Leonard, Grant, Rayburn, Cole, Wineberry, Nutley, Anderson, Jesernig, Jacobsen and Unsoeld

AN ACT Relating to a pilot day care project for migrant and seasonal farmworker families; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Human Services.

HB 1935 by Representatives Vekich, Patrick, Appelwick, Meyers, Grant, Heavey, Beck and Valle

AN ACT Relating to cigarette sales; amending RCW 19.91.010, 19.91.030, and 19.91-.910; adding a new section to chapter 19.91 RCW; and repealing section 14, chapter 321, Laws of 1986 (uncodified).

Referred to Committee on Commerce & Labor.

HB 1936 by Representatives Brough, K. Wilson and Sanders

AN ACT Relating to group fishing permits for groups supervised by health care facility or hospital staff; and amending RCW 75.25.110.

Referred to Committee on Natural Resources.

HB 1937 by Representatives Brekke, Crane, Wineberry and P. King; by request of Governor Gardner

AN ACT Relating to authorizing and modifying the evaluation plan of the family independence program with modifications to the family opportunity councils; amending RCW 74.21.020, 74.21.060, 74.21.140, and 74.21.904; adding a new section to chapter 74.21 RCW; and declaring an emergency.

Referred to Committee on Human Services.

HB 1938 by Representative Sanders

AN ACT Relating to the transfer of land in a preliminarily approved short plat; and amending RCW 58.17.205.

Referred to Committee on Local Government.

HB 1939 by Representative Sanders

AN ACT Relating to competency testing of real estate brokers and salespersons; and adding a new section to chapter 18.85 RCW.

Referred to Committee on Commerce & Labor.

HB 1940 by Representatives Walk, Schmidt, Zellinsky, Pruitt, S. Wilson, Spanel and Schoon; by request of Governor Gardner

AN ACT Relating to motor vehicle excise tax; amending RCW 82.44.110; and reenacting and amending RCW 82.44.020.

Referred to Committee on Transportation.

HB 1941 by Representative Sanders

AN ACT Relating to the subdivision of land; and amending RCW 58.17.095.

Referred to Committee on Local Government.

HB 1942 by Representative Sanders

AN ACT Relating to real estate schools; and amending RCW 18.85.040 and 28C.10.030.

Referred to Committee on Commerce & Labor.

HB 1943 by Representatives Beck, Lewis and Allen

AN ACT Relating to absentee ballots; amending RCW 29.36.097 and 29.36.160; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 1944 by Representatives Basich, Sprenkle, Pruitt, Lewis and Crane

AN ACT Relating to the teachers' retirement system; and adding a new section to chapter 41.32 RCW.

Referred to Committee on Ways & Means.

HB 1945 by Representatives Sanders, Ferguson and J. Williams

AN ACT Relating to financial reporting requirements in small political subdivisions; and amending RCW 42.17.405.

Referred to Committee on Constitution, Elections & Ethics.

HB 1946 by Representative P. King

AN ACT Relating to surgical technologists; reenacting and amending RCW 18.120-.020; adding a new chapter to Title 18 RCW; and providing an effective date.

Referred to Committee on Health Care.

HB 1947 by Representative Braddock

AN ACT Relating to video reproduction games; amending RCW 9.46.0325 and 9.46-.110; reenacting and amending RCW 9.46.230; and adding new sections to chapter 9.46 RCW.

Referred to Committee on Ways & Means.

HB 1948 by Representatives Schoon and Miller

AN ACT Relating to education; adding a new section to chapter 28A.03 RCW; and adding a new section to chapter 28A.04 RCW.

Referred to Committee on Education.

HB 1949 by Representatives Locke, Silver, Brough, Brekke, Winsley, P. King and Valle

AN ACT Relating to child care; and creating a new section.

Referred to Committee on Human Services.

HB 1950 by Representatives Dorn, Rasmussen, Grant, Anderson, Sanders, Winsley, Basich, Valle, Walk and Rayburn

AN ACT Relating to burglary in the second degree; amending RCW 9A.52.030; and reenacting and amending RCW 9.94A.320.

Referred to Committee on Judiciary.

HB 1951 by Representatives Nutley, Peery, Butterfield, Cooper, Ferguson, Lux, Sutherland, Vekich and D. Sommers

AN ACT Relating to exemption from hospital rate review for hospitals within fifteen miles of one or more hospitals located in a metropolitan statistical area; adding a new section to chapter 70.39 RCW; and providing an expiration date.

Referred to Committee on Health Care.

HB 1952 by Representatives Pruitt, Vekich, Heavey, Holm, Sanders and Doty

AN ACT Relating to the conservation corps; and amending RCW 43.220.070.

Referred to Committee on Trade & Economic Development.

HB 1953 by Representatives Peery and H. Sommers

AN ACT Relating to excluding payments for supplemental contracts for incentives from retirement computations; and amending RCW 28A.58.0951.

Referred to Committee on Ways & Means.

HB 1954 by Representatives H. Sommers and Peery

AN ACT Relating to retirement benefits based on excess compensation; and amending RCW 41.50.150.

Referred to Committee on Ways & Means.

HB 1955 by Representatives Holm, Belcher, Cole, Pruitt, Sanders, Wineberry, P. King, Unsoeld and Rayburn

AN ACT Relating to use of funds received for reenactment of crimes; and amending RCW 7.68.240.

Referred to Committee on Judiciary.

HB 1956 by Representatives Rasmussen, Grimm, Holm, Bristow and Pruitt

AN ACT Relating to excise taxes; amending RCW 82.04.080, 82.04.220, 82.04.300, 82.04.310, 82.04.320, 82.04.327, 82.04.330, 82.04.335, 82.04.337, 82.04.360, 82.04.390, 82.04.405, 82.04.408, 82.04.410, 82.04.419, 82.04.4281, 82.04.4286, 82.04.4287, 82.04.4294, 82.04.4284, 82.04.4329, 82.32.045, 70.93.160, 82.01.110, 82.32.060, 82.32.070, 82.34.050, and 84.40.405; reenacting and amending RCW 82.02.030; adding new sections to chapter 82.04 RCW; creating a new section; decodifying RCW 82.34.070; repealing RCW 82.04.010, 82.04.230,

82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, 82.04.280, 82.04.290, 82.04.2901, 82.04.2904, 82.04.315, 82.04.325, 82.04.340, 82.04.350, 82.04.355, 82.04.365, 82.04.370, 82.04.380, 82.04.385, 82.04.395, 82.04.397, 82.04.415, 82.04.417, 82.04.418, 82.04.423, 82.04.425, 82.04.4271, 82.04.4282, 82.04.4283, 82.04.4285, 82.04.4288, 82.04.4289, 82.04.4291, 82.04.4292, 82.04.4293, 82.04.4295, 82.04.4296, 82.04.4297, 82.04.4298, 82.04.431, 82.04.432, 82.04.4322, 82.04.4324, 82.04.4326, 82.04.4328, 82.04.435, 82.04.440, 82.04.444, 82.04.445, 82.04.450, 82.04.460, 82.04.600, and 82.04.900; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1957 by Representatives Nelson and Armstrong

AN ACT Relating to firearms and pistols; and amending RCW 9.41.040 and 9.41.070.

Referred to Committee on Judiciary.

HB 1958 by Representatives Haugen, Appelwick, S. Wilson and Rust

AN ACT Relating to the taxation of fish, shellfish, and seaweed; adding a new chapter to Title 82 RCW; and providing an effective date.

Referred to Committee on Natural Resources.

HB 1959 by Representatives Sprengle, Allen, Braddock and K. Wilson

AN ACT Relating to local government taxes; adding a new chapter to Title 36 RCW; and providing an effective date.

Referred to Committee on Local Government.

HJM 4042 by Representatives Nelson, Crane, Wineberry, Spanel, Belcher, Armstrong, K. Wilson, Cole, Basich, Leonard, Lux, Rust, Unsoeld, Anderson, Wang, Fisher, Jones, Brekke, P. King, Valle and Todd

Petitioning Congress to oppose aid to the Contras and to normalize trade relations with Nicaragua.

Referred to Committee on State Government.

HCR 4438 by Representatives P. King, Barnes and Valle

Establishing a task force to study nonemployee related costs.

Referred to Committee on Education.

HCR 4439 by Representatives Fuhrman, Peery, Sanders, Heavey, Lewis, Brough, Crane, Nealey, Amondson, Butterfield, Dorn, Bumgarner, B. Williams, Taylor, Basich, Holland, Patrick, Anderson, Jones, Winsley, Miller and Todd

Urging the display of the prisoner-of-war and missing-in-action flag.

Referred to Committee on State Government.

ESSB 5886 by Committee on Human Services & Corrections (originally sponsored by Senators Wojahn, Anderson, Vognild, Stratton, Moore, Patterson and Barr)

Revising provisions on certificate of need program for hospitals.

Referred to Committee on Health Care.

SB 6184 by Senators Craswell, Conner, Metcalf, Smith, Rasmussen and Pullen

Authorizing the director of fisheries to extend fishing seasons if storms prevent fishing.

Referred to Committee on Natural Resources.

ESSB 6190 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, McMullen, Anderson and Rasmussen)

Providing for the construction of a spawning channel for salmon on the Skagit river.

Referred to Committee on Natural Resources.

SB 6271 by Senators Deccio, Wojahn, Smith, Kreidler, Nelson and Johnson
Regulating care provided in the home to ill, disabled, or infirm persons.
Referred to Committee on Health Care.

SCR 8428 by Senators DeJarnatt, Patterson, Rasmussen, Zimmerman, Hayner, Garrett, Conner, Bauer, Moore, Smith, Kiskaddon, Rinehart and Lee
Commending Julia Butler Hansen for her career of public service.
Referred to Committee on Rules.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 27, 1988

SHB 537 Prime Sponsor, Committee on Transportation: Creating a single ferry advisory committee. Reported by Committee on Transportation

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Sutherland, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Voting nay: Representative Vekich

Absent: Representatives Allen, Fisher, Hankins, Kremen, Meyers, Prince, Smith, D. Sommers, J. Williams and K. Wilson.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1317 Prime Sponsor, Representative Zellinsky: Revising requirements for publishing notices of actions of cities, towns and counties. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1319 Prime Sponsor, Representative Walker: Establishing minimum standards for leave for family care. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick and Walker.

Absent: Representatives Sanders, Sayan and Smith.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1321 Prime Sponsor, Representative Lux: Requiring notice to certain life insurance policyowners of the nonforfeiture benefits available. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice chair; Anderson, Betrozoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1323 Prime Sponsor, Representative Braddock: Revising the Washington state health insurance coverage access act. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lux, Sprenkle and Vekich.

Absent: Representatives Lewis and D. Sommers.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1333 Prime Sponsor, Representative Locke: Revising sexual offenses. Reported by Committee on Ways & Means/ Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Fuhrman, Grant, Grimm, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Bristow, Ebersole, Hine and Holland.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1353 Prime Sponsor, Representative Locke: Changing provisions governing seizures related to drug trafficking. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Crane, Vice Chair; P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Voting nay: Representative Belcher.

Absent: Representatives Armstrong, Chair; Appelwick, Brough, Hargrove, Locke and Wineberry.

Referred to Committee on Ways & Means.

January 29, 1988

HB 1360 Prime Sponsor, Representative Holm: Adopting a program to help juvenile offenders develop job search skills and find employment. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Todd, Valle and Walker.

Absent: Representatives P. King and Taylor.

Referred to Committee on Ways & Means.

January 27, 1988

HB 1377 Prime Sponsor, Representative Cooper: Regulating precursor drugs. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Crane, Vice Chair; P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Voting nay: Representative Belcher.

Absent: Representatives Armstrong, Chair; Appelwick, Brough, Hargrove, Locke and Wineberry.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1421 Prime Sponsor, Representative Haugen: Authorizing the state auditor to contract with certified public accountants. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1429 Prime Sponsor, Representative Appelwick: Providing for home detention under the sentencing reform act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Crane, Vice Chair; Belcher, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Schmidt.

Absent: Representatives Armstrong, Chair; Appelwick, Brough, Hargrove, Locke and Wineberry.

Passed to Committee on Rules for second reading.

January 26, 1988

HB 1445 Prime Sponsor, Representative Wineberry: Prohibiting drug-related activities in rental dwellings. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wineberry.

Voting nay: Representatives Belcher and Wang.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1451 Prime Sponsor, Representative Rust: Adopting the endangered species conservation act. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Lux, May, Pruitt, Schoon, Sprenkle, Unsoeld and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Ferguson and D. Sommers.

Absent: Representatives Allen and Jesernig.

Referred to Committee on Ways & Means.

January 28, 1988

HB 1453 Prime Sponsor, Representative Appelwick: Restricting disclosure of vehicle registration records. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 26, strike all material through "~~occupation~~;" on line 29 and insert the following:

"This section shall not apply to persons who routinely request disclosure of vehicle registration information for use in the course of their business or occupation."

Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Barnes, R. King and Leonard.

MINORITY recommendation: Do not pass. Signed by Representatives Amondson and Sanders.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1461 Prime Sponsor, Representative Crane: Prohibiting diversion agreements with law enforcement agencies. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Brough, Hargrove, Lewis, Moyer, Padden, Patrick, Schmidt and Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Crane, Vice Chair; Appelwick, Belcher, P. King, Locke, Meyers, Wang and Wineberry.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1466 Prime Sponsor, Representative Armstrong: Establishing seriousness levels for unranked felonies. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Crane, Vice Chair; Belcher, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Armstrong, Chair; Appelwick, Brough, Hargrove, Locke, Scott and Wineberry.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1467 Prime Sponsor, Representative Armstrong: Making technical corrections in procedures for sentencing adult felons. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Crane, Vice Chair; Belcher, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Armstrong, Chair; Appelwick, Brough, Hargrove, Locke and Wineberry.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1494 Prime Sponsor, Representative Scott: Establishing the period when a person can bring an action for damages resulting from childhood sexual abuse. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Voting nay: Representative Crane, Vice Chair.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1514 Prime Sponsor, Representative Ferguson: Authorizing water districts to fluoridate water supply systems. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representatives Bumgarner, Ferguson, Hine and Jones.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1564 Prime Sponsor, Representative Wineberry: Providing employment and self-sufficiency services for the homeless. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry.

Referred to Committee on Ways & Means.

January 27, 1988

HB 1672 Prime Sponsor, Representative Rasmussen: Requiring identification on large trucks. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Haugen, Heavey, Jones, Kremen, Meyers, Patrick, Schmidt, Sutherland, Todd, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Hankins, Kremen, Prince, Smith, D. Sommers and J. Williams.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1849 Prime Sponsor, Representative Cantwell: Revising the office of the state long-term care ombudsman. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, Sprenkle and Vekich.

Absent: Representatives Bristow and D. Sommers.

Passed to Committee on Rules for second reading.

January 28, 1988

HJR 4226 Prime Sponsor, Representative H. Sommers: Amending the Constitution to allow current use property tax valuation on low-income housing. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry

Referred to Committee on Ways & Means.

January 29, 1988

HCR 4431 Prime Sponsor, Representative Jacobsen: Establishing a Joint Legislative Advisory Committee on Women in Athletics. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 17, after "levels" insert ", support services, and coaching staffs"

Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen and Prince.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 836 on second reading. The motion was carried.

HOUSE BILL NO. 836, by Representatives Sprengle, Dellwo, Grant, Scott and Todd

Changing provisions relating to excise taxation of amounts derived from bazaars and rummage sales.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 836 was substituted for House Bill No. 836, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 836 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 836, and the bill passed the House by the following vote: Yeas, 84; absent, 9; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Chandler, Cole, Cooper, Crane, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Absent: Representatives Bumgarner, Day, Fuhrman, Grimm, Holm, Lux, Peery, Schoon, Silver - 9.

Excused: Representatives Cantwell, Dellwo, Dorn, Heavey, Todd - 5.

Substitute House Bill No. 836, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Bumgarner, Heavey, Holm, Lux, Peery and Silver appeared at the bar of the House.

HOUSE BILL NO. 1368, by Representative Armstrong

Revising provisions on enforcement of judgments.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1368 was substituted for House Bill No. 1368, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1368 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1368, and the bill passed the House by the following vote: Yeas, 90; absent, 4; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Cole, Cooper, Crane, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers

H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Day, Fuhrman, Grimm, Schoon - 4.

Excused: Representatives Cantwell, Dellwo, Dorn, Todd - 4.

Substitute House Bill No. 1368, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Cantwell, Fuhrman, Grimm and Schoon appeared at the bar of the House.

STATEMENT FOR THE JOURNAL

I would have voted "Yes" on final passage of SHB 836 and SHB 1368.

STEVE FUHRMAN, 7th District.

HOUSE BILL NO. 1382, by Representatives Hankins, H. Sommers and Silver

Providing for sunset review and termination dates.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1382 was substituted for House Bill No 1382, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1382 was read the second time.

Ms. Hankins moved adoption of the following amendment by Representatives Hankins and H. Sommers:

On page 7, beginning on line 22, strike everything down to and including "1995." on line 26.

Ms. Hankins spoke in favor of the amendment.

POINT OF INQUIRY

Ms. Hankins yielded to question by Mr. Sanders.

Mr. Sanders: Representative Hankins, how many times in the last five years has this committee met?

Ms. Hankins: To my knowledge the committee has never met, but they asked to remain on the list to have the opportunity if they ever need to look at a grain problem.

Ms. H. Sommers spoke in favor of the amendment, and it was adopted.

On motion of Mr. Ebersole, the following amendments to the title were adopted:

On page 1, line 8 of the title, after "67.34.011," insert "and"

On page 1, line 8 of the title, after "67.34.021" strike ", and 22.09.436"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended the second reading considered the third, and the bill was placed on final passage.

Ms. Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1382, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Vekich - 1.

Absent: Representative Day - 1.

Excused: Representatives Dellwo, Dorn, Todd - 3.

Engrossed Substitute House Bill No. 1382, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 1401, by Representatives Spanel, Holland, Belcher, Cole, Ferguson, Grant, Grimm, Winsley, Rayburn, Nutley, Leonard, Doty, Sanders, Lewis, Silver, Wang, Sayan, Appelwick, Bristow, Patrick, Taylor, Heavey, Kremen, Holm, May, Brough, Jesernig, Schoon, Moyer, Rasmussen, Unsoeld, Brekke and Day

Expanding the business and occupation tax exemption for sheltered workshops.

The bill was read the second time.

Mr. Cooper moved adoption of the following amendment:

On page 1, line 9, strike "mentally retarded persons" and insert "~~((mentally retarded))~~ persons with developmental disabilities"

Mr. Cooper spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Spanel spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1401, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Day - 1.

Excused: Representatives Dellwo, Dorn, Todd - 3.

Engrossed House Bill No. 1401, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1447, by Representatives H. Sommers and Hankins; by request of Department of Community Development

Providing for an administrative hearing on the denial of fireworks licenses.

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

Representatives H. Sommers and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1447, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk,

Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Day - 1.

Excused: Representatives Dellwo, Dorn, Todd - 3.

House Bill No. 1447, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1463, by Representatives Belcher, Locke, Hargrove, Crane, Wang and Todd

Providing for orders requiring parents to comply with residential provisions for a child.

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

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1463, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Berozoff, Braddock, Brekke, Bristow, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Miller - 1.

Absent: Representative Brooks - 1.

Excused: Representatives Dellwo, Dorn, Todd - 3.

House Bill No. 1463, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Todd appeared at the bar of the House.

STATEMENT FOR THE JOURNAL

I was distracted and failed to vote on HB 1463. I wish to be counted a "Yes".

PETER T. BROOKS, 16th District.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives the 1987 Miss Washington, Sharon Dean; the Miss Washington Pageant Director, Ms. Phyllis Goldhammer; and twenty contestants for the 1988 Miss Washington title.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, February 3, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWENTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, February 3, 1988

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Amondson, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Patricia Cassels and Derek Idoker. Prayer was offered by The Reverend Milton Andrews, Minister of Hillside Church of Tacoma.

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

MESSAGE FROM THE SENATE

February 1, 1988

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 6222,
 SENATE BILL NO. 6243,
 ENGROSSED SENATE BILL NO. 6272,
 SENATE BILL NO. 6293,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6305,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1960 by Representatives Dorn, Vekich, Rasmussen, Pruitt and Silver

AN ACT Relating to seed and start-up capital; adding a new chapter to Title 82 RCW; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

HB 1961 by Representatives Schoon and Silver

AN ACT Relating to motor vehicle license numbers; amending RCW 46.16.290; adding a new section to chapter 46.16 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 1962 by Representatives Fuhrman, B. Williams, Chandler, Patrick, Nealey, Amondson, Butterfield, D. Sommers, Padden, J. Williams and Holland

AN ACT Relating to parental consent for abortions; adding a new chapter to Title 70 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 1963 by Representatives P. King, Ferguson, Meyers, Peery, Silver, Nutley, Holland and Sutherland

AN ACT Relating to requirements for acquiring control of a domestic insurer; amending RCW 48.31A.020; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 1964 by Representatives Walker, Valle, Pruitt, Holland, Betrozoff, Peery, Doty, May, Schoon, Todd and Spanel

AN ACT Relating to elementary school counselors and intervention specialists; adding new sections to chapter 28A.03 RCW; and making an appropriation.

Referred to Committee on Education.

HB 1965 by Representatives Fuhrman, Butterfield, B. Williams, Chandler, Patrick, Nealey and Amondson

AN ACT Relating to natural death; adding new sections to chapter 11.94 RCW; adding a new chapter to Title 70 RCW; repealing RCW 70.122.010, 70.122.020, 70.122.030, 70.122.040, 70.122.050, 70.122.060, 70.122.070, 70.122.080, 70.122.090, 70.122.100, 70.122.900, and 70.122.905; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 1966 by Representatives Locke, Patrick, Ebersole, Wineberry, Armstrong, Belcher, Crane, Appelwick, Holland, Basich, Valle, O'Brien, Sanders, Silver, May, Todd and Sutherland

AN ACT Relating to limited admissibility, with prior judicial approval, of evidence obtained pursuant to interceptions or transmissions of conversations concerning illegal controlled substances; amending RCW 9.73.040 and 9.73.050; adding a new section to chapter 9.73 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1967 by Representatives Rust, Walker, Unsoeld, May, Jacobsen, Brekke, D. Sommers and Schoon

AN ACT Relating to storage tanks; adding a new chapter to Title 90 RCW; creating a new section; prescribing penalties; and making appropriations.

Referred to Committee on Environmental Affairs.

HB 1968 by Representatives Fuhrman, B. Williams, Chandler, Patrick, Nealey, Amondson, Butterfield, D. Sommers and Schoon

AN ACT Relating to the right of parents to discipline their children; amending RCW 9A.16.100; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1969 by Representatives Belcher, Brough, Allen, Locke, Hine, Wineberry, Fisher, Wang, Cole, Beck, Sayan, Grimm, Cantwell, Appelwick, Holland, Jacobsen, Valle, Leonard and Nelson

AN ACT Relating to current use valuation of open space land; amending RCW 84.34.037 and 84.34.108; and adding a new section to chapter 84.34 RCW.

Referred to Committee on Ways & Means.

HB 1970 by Representatives Armstrong, Hargrove, Crane and Silver

AN ACT Relating to illustrated material that is harmful to minors; amending RCW 9.68.050, 9.68.060, 9.68.070, 9.68.080, 9.68.100, 9.68.110, and 9.68.120; adding a new section to chapter 9.68 RCW; repealing RCW 9.68.090 and 9.68.130; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1971 by Representatives Fuhrman, B. Williams and Padden

AN ACT Relating to marriage; adding a new chapter to Title 26 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1972 by Representative Fuhrman

AN ACT Relating to the employment of persons with AIDS, pre-AIDS, or the AIDS antibody; adding a new section to chapter 70.54 RCW; and declaring an emergency.

Referred to Committee on Health Care.

HB 1973 by Representative Fuhrman

AN ACT Relating to AIDS; adding a new chapter to Title 70 RCW; and declaring an emergency.

Referred to Committee on Health Care.

HB 1974 by Representative Fuhrman

AN ACT Relating to blood testing; adding new sections to chapter 70.54 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 1975 by Representatives Hargrove, Fuhrman, Patrick, Nealey and Day

AN ACT Relating to public funding for abortions; adding a new section to chapter 74.09 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1976 by Representative Patrick

AN ACT Relating to parental notification for abortions; adding a new chapter to Title 70 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1977 by Representative Appelwick

AN ACT Relating to simplifying the enforcement authority of the department of revenue; amending RCW 19.91.010, 19.91.030, and 19.91.910; adding a new section to chapter 19.91 RCW; and repealing section 14, chapter 321, Laws of 1986 (uncodified).

Referred to Committee on Commerce & Labor.

HB 1978 by Representative Patrick

AN ACT Relating to the protection of unborn children; amending RCW 9A.42.010, 9A.42.020, and 9A.42.030; repealing RCW 9A.42.040; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1979 by Representative Patrick

AN ACT Relating to pain of unborn children caused by abortion; adding a new section to chapter 18.71 RCW; and declaring an emergency.

Referred to Committee on Health Care.

HB 1980 by Representative Patrick

AN ACT Relating to the protection of unborn children; amending RCW 9A.04.110, 9A.04.110, 9A.16.050, 9A.32.010, 9A.32.030, 9A.32.050, 9A.32.060, 9A.32.070, 9A.36.011, 9A.36.021, 9A.36.031, 9A.36.041, and 9A.36.050; adding a new section to chapter 9A.32 RCW; repealing section 12, chapter 257, Laws of 1986, section 3, chapter 324, Laws of 1987 (uncodified); prescribing penalties; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1981 by Representatives Vekich, Schoon, Sanders, Dorn and Wineberry

AN ACT Relating to economic development; amending RCW 50.64.050, 82.61.010, 82.61.040, 82.61.070, and 82.62.040; adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.16 RCW; adding new sections to chapter 48.14 RCW; adding new sections to chapter 43.33A RCW; adding a new section to chapter 43.31 RCW; adding a new section to chapter 42.17 RCW; adding new sections to chapter 43.19 RCW; adding a new section to chapter 43.63A RCW; adding a new chapter to Title 31 RCW; adding new chapters to Title 43 RCW; creating new sections; making appropriations; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1982 by Representatives Vekich, Schoon, Crane, Sanders, Dorn and Wineberry

AN ACT Relating to economic development; amending RCW 50.64.050, 82.61.010, 82.61.040, 82.61.070, and 82.62.040; adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.16 RCW; adding new sections to chapter 48.14 RCW; adding new sections to chapter 43.33A RCW; adding a new section to chapter 43.31 RCW; adding a new section to chapter 42.17 RCW; adding new sections to chapter 43.19 RCW; adding a new section to chapter 43.63A RCW; adding a new chapter to Title 31 RCW; adding new chapters to Title 43 RCW; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1983 by Representatives Todd, Jacobsen, Nelson and Unsoeld

AN ACT Relating to the authority of the utilities and transportation commission to waive provisions of chapter 80.36 RCW when a telecommunications service has been classified as competitive under RCW 80.36.330; and amending RCW 80.36.330.

Referred to Committee on Energy & Utilities.

HB 1984 by Representatives Todd, Jacobsen, Nelson, Unsoeld and Wineberry

AN ACT Relating to the legislative review of chapter 450, Laws of 1985; amending RCW 80.36.901; and making an appropriation.

Referred to Committee on Energy & Utilities.

HB 1985 by Representatives Todd, Jacobsen, Nelson and Unsoeld

AN ACT Relating to a time period in which a competitive classification should be determined under RCW 80.36.310; and amending RCW 80.36.310.

Referred to Committee on Energy & Utilities.

HB 1986 by Representatives Todd, Holland, Pruitt, Appelwick, Rasmussen and Crane

AN ACT Relating to salary allocations for certificated instructional employees; amending section 503, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 504, chapter 7, Laws of 1987 1st ex. sess. as amended by section 2, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 507, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 508, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 509, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 510, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 511, chapter 7, Laws of 1987 1st ex. sess. (uncodified); and amending section 513, chapter 7, Laws of 1987 1st ex. sess. (uncodified).

Referred to Committee on Ways & Means.

HB 1987 by Representatives Todd, Holland, Pruitt, Appelwick, Rasmussen and Crane

AN ACT Relating to salary allocations for certificated instructional staff; amending section 503, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 504, chapter 7, Laws of 1987 1st ex. sess. as amended by section 2, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); creating a new section; and making appropriations.

Referred to Committee on Ways & Means.

HB 1988 by Representatives Ballard and McLean

AN ACT Relating to metropolitan park districts; and amending RCW 35.61.010, 35.61.020, 35.61.030, and 35.61.050.

Referred to Committee on Local Government.

HB 1989 by Representatives Grimm and Jacobsen

AN ACT Relating to the Washington state science foundation grant program; amending RCW 67.70.240; adding a new section to chapter 67.70 RCW; adding a new chapter to Title 28B RCW; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1990 by Representatives Braddock and Sprengle

AN ACT Relating to health insurance coverage access; amending RCW 48.41.090, 48.14.022, and 82.04.4329; and adding a new section to chapter 48.41 RCW.

Referred to Committee on Health Care.

HB 1991 by Representatives Hine, Barnes, Valle, Heavey, Lux and Leonard

AN ACT Relating to electric energy facilities; and amending RCW 35.84.020.

Referred to Committee on Local Government.

HB 1992 by Representatives Taylor, Patrick, Day and Silver

AN ACT Relating to exemptions from tuition and fees for full-time employees of Washington local governments who are fire fighters and who would otherwise be classified as nonresidents, when the tuition and fees are paid by the employer and the course is declared by the employer to be required for the job; and amending RCW 28B.15.014.

Referred to Committee on Ways & Means.

HB 1993 by Representatives Rayburn and Lewis

AN ACT Relating to emergency agricultural water supply facilities; and amending RCW 43.83B.210.

Referred to Committee on Agriculture & Rural Development.

HB 1994 by Representatives Dorn, Rasmussen, Bumgarner and Basich

AN ACT Relating to hazardous materials; and amending RCW 4.24.314.

Referred to Committee on Environmental Affairs.

HB 1995 by Representatives Baugher, Rayburn, Doty and Lewis

AN ACT Relating to the formation of a Washington state honey bee commission; adding a new chapter to Title 15 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HB 1996 by Representatives Grant, Amondson, Rayburn, Baugher and Lewis

AN ACT Relating to rivers and streams in agricultural areas; and adding a new section to chapter 75.20 RCW.

Referred to Committee on Agriculture & Rural Development.

HB 1997 by Representative Nelson

AN ACT Relating to the filing of contracts for telecommunications services. (t.o.)

Referred to Committee on Energy & Utilities.

HB 1998 by Representative Nelson

AN ACT Relating to telecommunications services. (t.o.)

Referred to Committee on Energy & Utilities.

HB 1999 by Representative Nelson

AN ACT Relating to the competitive classification of telecommunications services under chapter 450, Laws of 1985. (t.o.)

Referred to Committee on Energy & Utilities.

HB 2000 by Representative Nelson

AN ACT Relating to energy conservation. (t.o.)

Referred to Committee on Energy & Utilities.

HJM 4043 by Representatives Vekich and Wang

Recommending limitations on corporate mergers, acquisitions, and takeovers.

Referred to Committee on Trade & Economic Development.

HJM 4044 by Representatives Wang, Sayan, Lux, Belcher, R. King, O'Brien, Jones, Cole, Anderson, Leonard, Nelson and Wineberry

Urging the President and Congress to enact legislation requiring employers to give advance notice of plant closures.

Referred to Committee on Commerce & Labor.

HJM 4045 by Representatives Bumgarner, Sutherland, Silver, Brooks, Cole, Grant, Moyer, Haugen, D. Sommers, K. Wilson, Nealey, Hargrove, Sanders, Doty, Padden, Meyers, Amondson, Fuhrman and Taylor

Urging Congress to fund fully the Lower Snake River Fish and Wildlife Compensation Plan.

Referred to Committee on Natural Resources.

HJR 4232 by Representatives Butterfield, B. Williams, Holland, Beck, Fuhrman, J. Williams, Betzoff, Patrick, Smith, Sanders, Silver, May, Schoon, Lewis and Brough

Requiring a two-thirds vote of the legislature to enact tax legislation.

Referred to Committee on State Government.

HJR 4233 by Representatives Butterfield, B. Williams, Hargrove, Holland, Beck, Fuhrman, Braddock, D. Sommers, Zellinsky, Betzoff, Patrick, Smith, Silver, May, Wineberry, Schoon, Lewis, Brough and Miller

Establishing an emergency reserve fund.

Referred to Committee on Ways & Means.

HCR 4440 by Representatives Nelson, Barnes, Unsoeld and Valle

Continuing the activities of the nuclear waste board and nuclear waste advisory council.

Referred to Committee on Energy & Utilities.

SSB 6222 by Committee on Economic Development & Labor (originally sponsored by Senators Anderson, Fleming, Conner and Smitherman)

Changing the powers and duties of the small business export finance assistance center.

Referred to Committee on Trade & Economic Development.

SB 6243 by Senators Smitherman, Lee, Warnke, Bender, Talmadge, Vognild, Metcalf, Hansen, Stratton, West and Fleming; by request of Joint Select Committee on Labor-Management Relations

Revising labor dispute disqualification for unemployment compensation.

Referred to Committee on Commerce & Labor.

ESB 6272 by Senators Anderson, Smitherman, Lee, Warnke, Cantu, Deccio, McMullen, Saling, Williams, Conner, West, Fleming and Smith

Establishing the Washington investment opportunities office.

Referred to Committee on Trade & Economic Development.

SB 6293 by Senators Deccio, Kreidler, Newhouse, Vognild, Johnson, Wojahn, Smith, Niemi, Nelson, Halsan, Kiskaddon, Fleming, Sellar, Rinehart, Stratton, Garrett and von Reichbauer

Revising provisions for activities of registered nurses.

Referred to Committee on Health Care.

ESSB 6305 by Committee on Law & Justice (originally sponsored by Senators Pullen, Talmadge, Bailey, McCaslin, Lee, Garrett, Rasmussen, Nelson and Smith)

Altering the statute of limitations for child sexual abuse.

Referred to Committee on Judiciary.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 1, 1988

HB 538 Prime Sponsor, Representative Locke: Providing for the modification of judgments regarding the community property distribution of military retirement benefits. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice

Chair: Belcher, Brough, Lewis, Locke, Meyers, Moyer, Patrick, Schmidt, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Voting nay: Representatives Hargrove and Padden.

Absent: Representatives Appelwick, P. King and Wineberry.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 725 Prime Sponsor, Representative Cantwell: Providing a pilot program to provide health and assessment services before school begins. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Cole, Cooper, Ebersole, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Todd and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Butterfield, Fuhrman and Walker.

Voting nay: Representatives Betzoff, Butterfield, Holland, Schoon and Walker.

Absent: Representatives Fuhrman, P. King, Taylor and Todd.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 791 Prime Sponsor, Representative Crane: Regulating camping clubs. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Locke, Meyers, Moyer, Patrick, Schmidt, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Absent: Representatives Appelwick and P. King.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1265 Prime Sponsor, Representative Armstrong: Revising provisions relating to homicide by abuse. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Appelwick, P. King and Wineberry.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1284 Prime Sponsor, Representative J. King: Revising provisions governing campaign financing. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill by Committee on Ways & Means/Appropriations be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Brække, Bristow, Ebersole, Grimm, Hine, Peery, Sayan, H. Sommers, Spanel, Sprengle and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Butterfield, Fuhrman, Holland, Nealey and Silver.

Voting nay: Representatives Brough, Butterfield, Fuhrman, Holland, Nealey, Silver and B. Williams.

Absent: Representatives Grant and McLean.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1313 Prime Sponsor, Representative Leonard: Authorizing initial cash public assistance payments in emergencies. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Barnes, Sanders, Todd and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Armstrong.

Absent: Representatives Padden and Wineberry.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1336 Prime Sponsor, Representative Ballard: Extending the sales and use tax exemption for horticultural products to third persons. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Schoon, Taylor and Winsley.

Voting nay: Representatives Rust and Valle.

Absent: Representatives Bristow, Grimm and Holland.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1342 Prime Sponsor, Representative Sanders: Adding requirements for contractor's notice to customers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1345 Prime Sponsor, Representative Belcher: Providing for counseling for sexually abused teen parents. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Referred to Committee on Ways & Means.

January 29, 1988

HB 1356 Prime Sponsor, Representative Valle: Establishing a college savings bond program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Barnes.

Absent: Representative Allen.

Referred to Committee on Ways & Means.

January 28, 1988

HB 1366 Prime Sponsor, Representative Hine: Providing for judges retirement.
Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Brekke, Brough, Butterfield, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Voting nay: Representative Braddock.

Absent: Representatives Bristow, Ebersole and Holland.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1373 Prime Sponsor, Representative Unsoeld: Eliminating the current year tax cancellation for property becoming exempt from property tax.
Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow, Grimm and Holland.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1378 Prime Sponsor, Representative Zellinsky: Establishing procedures for transfer of domicile by insurance companies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1383 Prime Sponsor, Representative Leonard: Changing provisions relating to alcoholism treatment programs. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1384 Prime Sponsor, Representative Leonard: Approving juvenile detention standards. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Moyer, Padden, H. Sommers and Winsley.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1390 Prime Sponsor, Representative H. Sommers: Revising membership eligibility of retirement boards for fire fighters and law enforcement officers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representatives O'Brien and Smith.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1420 Prime Sponsor, Representative Haugen: Revising provisions on property taxes. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representative Dorn.

Referred to Committee on Ways & Means.

February 1, 1988

HB 1441 Prime Sponsor, Representative Lux: Regulating check cashers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Anderson, Chandler, Crane, Day, Dorn, Grimm, P. King, Nutley and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Zellinsky, Vice Chair; Betrozoff, Ferguson and Silver.

Absent: Representatives Dellwo, Dorn and Grimm.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1442 Prime Sponsor, Representative Rust: Transferring the state radiation control agency to the department of ecology. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; O'Brien, Peery, Taylor and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Baugher, Chandler and Hankins.

Referred to Committee on Ways & Means.

January 29, 1988

HB 1454 Prime Sponsor, Representative Wang: Changing requirements for qualification for unemployment compensation relating to marital status or domestic responsibilities. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, Patrick, Sanders, Sayan and Walker.

Absent: Representatives O'Brien, Sayan and Smith.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1460 Prime Sponsor, Representative Armstrong: Revising jury selection and summoning. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Hargrove, Lewis, Locke, Meyers, Moyer, Padden, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Appelwick, Brough, P. King and Patrick.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1478 Prime Sponsor, Representative Zellinsky: Changing requirements governing vehicle license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 1, strike "Each" and insert "Commencing January 1, 1989, each"

On page 2, line 1, after "issued" insert "or renewed"

On page 2, line 7, after "(or emblem)" insert "or tabs"

Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fox, Gallagher, Haugen, Jacobsen, Jones, Kremen, Meyers, Patrick, Schmidt, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Fisher, Hankins, Heavey, D. Sommers and Todd.

Voting nay: Representatives Fisher, Hankins, Heavey, Jacobsen, Prince, D. Sommers and Todd.

Absent: Representatives Allen, Smith and Sutherland.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1481 Prime Sponsor, Representative Rasmussen: Establishing a program for senior citizen volunteers in our schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Todd, Valle and Walker.

Absent: Representatives Appelwick, Cooper, Fuhrman, Holland, P. King, Taylor and Todd.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1485 Prime Sponsor, Representative Pruitt: Creating a pilot program to encourage students to participate in community service activities. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Todd, Valle and Walker.

Absent: Representatives Appelwick, Fuhrman, P. King, Taylor and Todd.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1487 Prime Sponsor, Representative Lux: Regulating collision damage waivers for rental cars. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Dellwo, Dorn, Ferguson, Nutley and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Silver.

Voting nay: Representatives Crane, Day, P. King and Silver.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1501 Prime Sponsor, Representative Wang: Regulating the use of motor vehicle aftermarket crash parts. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, Sanders and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick and Walker.

Absent: Representatives O'Brien and Smith.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1502 Prime Sponsor, Representative Meyers: Revising provisions on secured transactions under the Uniform Commercial Code. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Appelwick, Belcher, P. King, Locke, Wang and Wineberry.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1504 Prime Sponsor, Representative P. King: Making technical corrections to trust and estate law. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Appelwick, P. King, Locke, Wang and Wineberry.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1520 Prime Sponsor, Representative Jacobsen: Establishing a program to encourage students to participate in community service activities at institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Fox, Jesernig, Miller, Nelson, Unsoeld and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes and Silver.

Absent: Representatives Allen, Basich and Prince.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1521 Prime Sponsor, Representative Jacobsen: Regulating mailing lists and telephone directories. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland and Unsoeld.

Voting nay: Representative Hankins.

Absent: Representative S. Wilson.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1524 Prime Sponsor, Representative Cole: Regulating manufacturer's rebates. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1525 Prime Sponsor, Representative Winsley: Changing requirements for debenture companies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley and Winsley.

Absent: Representatives Grimm and Silver.

Passed to Committee on Rules for second reading.

January 27, 1988

HB 1527 Prime Sponsor, Representative Braddock: Revising provisions relating to sexually transmissible diseases. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representative D. Sommers.

Referred to Committee on Ways & Means.

January 29, 1988

HB 1558 Prime Sponsor, Representative Sayan: Revising provisions relating to teachers' retirement options. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Bristow, Grant, Hine, McLean and Wang.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1559 Prime Sponsor, Representative Sayan: Providing for termination of membership in the teachers' retirement system. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Bristow, Grant, Hine and McLean.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1560 Prime Sponsor, Representative Sayan: Modifying public retirement benefits for persons who have attained age seventy and one-half and

are still employed. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Bristow, Grant, Hine and McLean.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1590 Prime Sponsor, Representative Cooper: Certifying mobile home installers. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1593 Prime Sponsor, Representative Belcher: Establishing the Washington 20:20 commission. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Absent: Representative Anderson, Vice Chair.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1594 Prime Sponsor, Representative Rayburn: Providing for a water use efficiency study. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Referred to Committee on Ways & Means.

January 28, 1988

HB 1604 Prime Sponsor, Representative H. Sommers: Lowering property tax on low-income housing. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry.

Referred to Committee on Ways & Means.

February 1, 1988

HB 1631 Prime Sponsor, Representative Haugen: Establishing requirements for local government service agreements. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representative Dorn.

Referred to Committee on Ways & Means.

February 1, 1988

HB 1632 Prime Sponsor, Representative Haugen: Providing for citizens' committee to review local governments. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representative Dorn.

Referred to Committee on Ways & Means.

January 28, 1988

HB 1673 Prime Sponsor, Representative Todd: Establishing an office of mobile home affairs. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry

MINORITY recommendation: Do not pass. Signed by Representative Padden

Referred to Committee on Ways & Means.

February 1, 1988

HB 1686 Prime Sponsor, Representative Nealey: Regulating the use of the state seal. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Amondson, Barnes, R. King, Leonard and Sanders.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1696 Prime Sponsor, Representative Grant: Revising excise tax exemptions on agriculture. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Schoon, Taylor and Winsley

Voting nay: Representatives Rust and Valle.

Absent: Representatives Bristow, Grimm and Holland.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1726 Prime Sponsor, Representative Hine: Revising membership on metropolitan councils. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Ferguson.

Absent: Representative Dorn.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1760 Prime Sponsor, Representative Chandler: Revising provisions for industrial loan companies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley and Winsley.

Absent: Representatives Grimm and Silver.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1781 Prime Sponsor, Representative Jacobsen: Waiving tuition and fees at state institutions of higher education for members of the Washington national guard. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Prince, Silver and Unsoeld.

Absent; Representatives Allen, Nelson and K. Wilson.

Referred to Committee on Ways & Means.

January 28, 1988

HB 1819 Prime Sponsor, Representative Unsoeld: Revising the property tax exemption for houses for the aged. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow, Grimm and Holland.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1835 Prime Sponsor, Representative Grant: Providing for economic diversification in the Tri-Cities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Braddock, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representative Kremen.

Referred to Committee on Ways & Means.

February 1, 1988

HB 1855 Prime Sponsor, Representative Doty: Regulating employment in house-to-house sales. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1868 Prime Sponsor, Representative Brekke: Establishing a temporary commission on organization of social and health services. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Referred to Committee on Ways & Means.

February 1, 1988

HB 1905 Prime Sponsor, Representative Fisher: Revising certain reporting requirements for persons conducting grass roots lobbying campaigns. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 14, after "campaign," insert "With respect to expenditures by a public utility, the word 'public' also includes any large portion of the subscribers to the services of the public utility."

Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Amondson, Barnes, R. King, Leonard and Sanders.

Passed to Committee on Rules for second reading.

January 29, 1988

HB 1909 Prime Sponsor, Representative Schoon: Establishing a joint select committee on commercial activities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wineberry, Vice Chair; Amondson, Beck, Braddock, Cantwell, Doty, Grant, Hargrove, Heavey, Holm, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representatives Cantwell and Kremen.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1936 Prime Sponsor, Representative Brough: Providing for group fishing permits for groups supervised by health care facility or hospital staff. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

February 1, 1988

HJM 4033 Prime Sponsor, Representative Jones: Petitioning Congress to adopt legislation establishing a uniform closing time for polling places. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 14, insert:

"WHEREAS, This practice also creates the same problem for voters in the eastern states; and"

On page 1, line 16, after "and" strike "other western" and insert "all other"

Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Amondson, R. King, Leonard and Sanders.

MINORITY recommendation: Do not pass. Signed by Representative Barnes.

Passed to Committee on Rules for second reading.

January 29, 1988

HJM 4040 Prime Sponsor, Representatives Barnes: Petitioning Congress and the federal energy regulatory commission to oversee a revision to FERC Order No. 481. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Hankins, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representative Brooks.

Passed to Committee on Rules for second reading.

February 1, 1988

HJR 4227 Prime Sponsor, Representative Haugen: Amending the state Constitution to allow restructuring of local governments. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 16, after "policies" insert "and regulations"

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representative Dorn

Referred to Committee on Ways & Means.

January 29, 1988

HCR 4434 Prime Sponsor, Representative Nelson: Affirming the need for a state hydroelectric development plan. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Hankins, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representative Brooks.

Passed to Committee on Rules for second reading.

February 1, 1988

HCR 4435 Prime Sponsor, Representative Cantwell: Considering transportation needs in policy development. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, Kremen, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representatives Amondson and J. Williams.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorials and resolutions listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

HOUSE JOINT MEMORIAL NO. 4030, by Representatives Wineberry, Vekich, Holm, Heavey, Cantwell, Hargrove, Kremen, Braddock, Rasmussen, Appelwick, Anderson, P. King, Leonard, K. Wilson, Lux, Spanel and Basich

Requesting Congress to establish a state economic development block grant program.

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

Representatives Wineberry and Vekich spoke in favor of passage of the memorial, and Mr. Schoon opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4030, and the memorial passed the House by the following vote: Yeas, 72; nays, 25; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Bumgarner, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk,

Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Allen, Ballard, Barnes, Betzoff, Brooks, Brough, Butterfield, Chandler, Ferguson, Hankins, Holland, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Sanders, Schoon, Silver, Smith C, Sommers D, Taylor, Walker - 25.

Excused: Representative Amondson - 1.

House Joint Memorial No. 4030, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 802, by Representatives Unsoeld, Nutley, Brough, May and Schoon

Revising provisions governing tax deferred annuities for educational employees.

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

Representative Unsoeld spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 802, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Amondson - 1.

House Bill No. 802, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Ebersole, consideration of House Bill No. 1367 was deferred, and the bill was ordered to hold its place on the second reading calendar.

HOUSE BILL NO. 1464, by Representatives Armstrong, Belcher, Brough, Crane, Hargrove, Locke, Zellinsky, Wang, Holland, Schmidt, Doty, B. Williams and Todd

Strengthening contempt orders for the failure to pay child support.

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

Representatives Armstrong, Padden and Leonard spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1464, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Amondson - 1.

House Bill No. 1464, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Ebersole, consideration of House Bill No. 1465 was deferred, and the bill was ordered to hold its place on the second reading calendar.

HOUSE BILL NO. 1470, by Representatives Baugher, Schmidt and Walk; by request of Department of Transportation

Regulating tandem-axle vehicles.

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

Representative Baugher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1470, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Amondson - 1.

House Bill No. 1470, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1471, by Representatives Baugher, Schmidt and Walk; by request of Department of Transportation

Updating tonnage purchase laws.

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

Representative Baugher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1471, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Amondson - 1.

House Bill No. 1471, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1472, by Representatives Baugher, McLean, Nealey, Rayburn, Doty, Grant, Rasmussen, Holm and Todd; by request of Department of Agriculture

Revising provisions relating to apiaries.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1472 was substituted for House Bill No. 1472, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1472 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Baugher and Doty spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1472, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Amondson - 1.

Substitute House Bill No. 1472, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1543, by Representatives Cantwell, Brooks, Day, Vekich, D. Sommers, Braddock, Bristow, Lux, P. King, Sprengle, Meyers and Lewis

Eliminating the requirement of a practical examination for recertification of emergency medical technicians if other requirements are met.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendments by Representatives Cantwell, Brooks and Braddock:

On page 1, line 19, strike "and" and insert a comma.

On page 1, line 19, after "me" insert ", and have responded to at least twelve emergency incidences a year since last certification"

Representatives Braddock and Brooks spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Cantwell spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1543, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Amondson - 1.

Engrossed House Bill No. 1543, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1626, by Representatives Braddock, Ballard, Brooks, Moyer and Kremen

Amending emergency medical service provisions.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendment:

On page 4, after line 4, insert a new section as follows:

"NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representative Braddock spoke in favor of the amendment, and it was adopted.

There being no objection, the following amendment by Representative Braddock to the title was adopted:

On page 1, line 7 of the title, after "18.73.030" insert "; and declaring an emergency"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1626, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Wang - 1.

Excused: Representative Amondson - 1.

Engrossed House Bill No. 1626, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1465 on second reading. The motion was carried.

HOUSE BILL NO. 1465, by Representatives Armstrong, Brough, Belcher, Appelwick, Locke, Schmidt and Todd

Providing for a state-wide child support schedule.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1465 was substituted for House Bill No. 1465, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1465 was read the second time.

Mr. Padden moved adoption of the following amendment:

On page 4, line 32, after "The" strike all material through "July 1, 1988" on line 33 and insert "child support guidelines adopted by the superior court judges association as of February 1, 1988, increased across the board by ten percent, shall be the state child support schedule as of the effective date of this section"

Representatives Padden, Dellwo, Lewis and Doty spoke in favor of the amendment, and Representatives Armstrong, Hargrove, Appelwick and Schmidt opposed it. The amendment was not adopted.

Mr. Appelwick moved adoption of the following amendment:
On page 4, line 33, strike "February 15" and insert "January 26"

Mr. Appelwick spoke in favor of the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment:
On page 16, line 28, strike section 20.

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Appelwick and Armstrong spoke in favor of the amendment, and Mr. P. King opposed it. The amendment was adopted.

Mr. Armstrong moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature intends, in establishing a child support schedule, to insure that child support orders are adequate to meet a child's basic needs and to provide additional child support commensurate with the parents' income, resources, and standard of living. The legislature also intends that the child support obligation should be equitably apportioned between the parents.

The legislature finds that these goals will be best achieved by the adoption and use of a state-wide child support schedule. Use of a state-wide schedule will benefit children and their parents by:

(1) Increasing the adequacy of child support orders through the use of economic data as the basis for establishing the child support schedule;

(2) Increasing the equity of child support orders by providing for comparable orders in cases with similar circumstances; and

(3) Reducing the adversarial nature of the proceedings by increasing voluntary settlements as a result of the greater predictability achieved by a uniform state-wide child support schedule.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Child support schedule' means the standards and economic table adopted pursuant to this chapter;

(2) 'Standards' means the standards for determination of child support adopted pursuant to this chapter;

(3) 'Economic table' means the child support table for the basic support obligation adopted pursuant to this chapter;

(4) 'Worksheets' means the forms adopted pursuant to this chapter for use in determining the amount of child support;

(5) 'Instructions' means the instructions adopted pursuant to this chapter for use in completing the worksheets; and

(6) 'Standard calculation' means the amount of child support which is owed as determined from the worksheets before any deviation is considered.

NEW SECTION. Sec. 3. (1) In any proceeding under this title or Title 13 or 74 RCW in which child support is at issue, support shall be determined and ordered according to the child support schedule adopted pursuant to section 4 of this act.

(2) An order for child support shall be supported by written findings of fact upon which the support determination is based.

(3) All income and resources of each parent's household shall be disclosed and shall be considered by the court or administrative law judge when the child support obligation of each parent is determined.

(4) Worksheets in the form approved by the judicial council shall be completed and filed in every proceeding in which child support is determined. Variations of the worksheets shall not be accepted.

(5) Unless specific reasons for deviation are set forth in the written findings of fact or order and are supported by the evidence, the court or administrative law judge shall order each parent to pay the amount of child support determined using the standard calculation.

(6) The court or administrative law judge shall review the worksheets and the order for adequacy of the reasons set forth for any deviation and for the adequacy of the amount of support ordered. Each order shall state the amount of child support calculated using the standard calculation and the amount of child support actually ordered. Reasons that may support a deviation from the standard calculation include: Possession of wealth, shared living arrangements, extraordinary debts that have not been voluntarily incurred, extraordinarily high income of a child, a significant disparity of the living costs of the parents due to conditions beyond their control, and special needs of disabled children. A deviation may be supported

by tax planning considerations only if the child would not receive a lesser economic benefit. Agreement of the parties, by itself, is not adequate reason for deviation.

NEW SECTION. Sec. 4. (1)(a) Except as provided in (b) of this subsection, the schedule proposed by the Washington state child support schedule commission in its report dated January 26, 1988, shall take effect July 1, 1988. The schedule shall remain in effect until revised under this section. In consultation with the advisory committee established pursuant to section 5 of this act, the judicial council shall review the schedule and propose changes as needed each even-numbered year.

(b) The Washington state child support schedule commission standard 7 for the determination of child support and the use of the schedule shall read as follows: 'When combined monthly net income exceeds four thousand dollars, child support shall be determined by that amount from the table, together with an additional amount determined on an individual basis.'

(2) The judicial council shall review the schedule and recommended revisions based upon:

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

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

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

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

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

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

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

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

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

(4) Any proposed revisions to the schedule shall be submitted to the legislature no later than November 1st of each even-numbered year.

(5) If the judicial council fails to propose revisions to the schedule, the existing schedule shall remain in effect, unless the legislature refers the schedule to the judicial council for modification or adopts a different schedule. If the schedule is referred to the judicial commission for modification, the provisions of subsection (7) of this section shall be applicable.

(6) The legislature may adopt the proposed schedule or refer the proposed schedule to the judicial council for modification. If the legislature fails to adopt or refer the proposed schedule to the judicial council by March 1 of the following year, the proposed schedule shall take effect without legislative approval on July 1 of that year.

(7) If the legislature refers the proposed schedule to the judicial council for modification on or before March 1st, the judicial council shall resubmit the proposed modifications to the legislature no later than March 15th. The legislature may adopt or modify the resubmitted proposed schedule. If the legislature fails to adopt or modify the resubmitted proposed schedule by April 1, the resubmitted proposed schedule shall take effect without legislative approval on July 1 of that year.

NEW SECTION. Sec. 5. (1) The judicial council shall appoint an advisory committee to assist in the review of the child support schedule.

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

(3) The office of the administrator for the courts and the office of support enforcement shall provide clerical and other support to the advisory committee to enable it to perform its functions.

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

NEW SECTION. Sec. 6. (1) The judicial council shall develop and adopt worksheets and instructions. The judicial council shall attempt to the greatest extent possible to make the worksheets and instructions understandable by persons who are not represented by legal counsel.

(2) The administrator for the courts, in consultation with the judicial council, shall develop standards for the printing of worksheets and shall establish a process for certifying printed worksheets. The administrator shall not alter the design approved by the judicial council. The administrator may maintain a register of sources for approved worksheets.

NEW SECTION, Sec. 7. The schedule under section 4 of this act shall be published in the Washington State Register. The judicial council shall also request that the supreme court cause the schedule to be published in the official advance sheets of the supreme court of Washington. The judicial council shall also request that the Washington state bar association publish the schedule in the Washington state bar news.

NEW SECTION, Sec. 8. The judicial council shall examine methods for verifying the expenditure of child support payments and criteria for determining when verification is appropriate. The judicial council shall report to the house judiciary committee and senate law and justice committee not later than January 10, 1989, on its recommendations for a verification process.

NEW SECTION, Sec. 9. A new section is added to chapter 26.09 RCW to read as follows:

(1) A parent required to pay child support may file a motion for an accounting of how the support is being spent by the receiving parent. The motion shall be accompanied by an affidavit setting forth facts that establish reasonable cause to believe that a substantial portion of the child support paid by the parent is not benefitting the child for whom it is intended. The motion and affidavit shall also be served on the parent receiving the child support payments.

(2) If the court determines that the motion and affidavit establish reasonable cause, it shall require the receiving parent to appear at a certain time and place for a hearing on the motion. The court shall require the parent receiving the support to present such records and information as it determines are necessary to establish how the child support is spent.

(3) If after hearing, the court determines that a substantial portion of the child support payments are not benefitting the child, the court shall enter an appropriate order directing the receiving parent to spend the child support to benefit the child.

(4) Unless the court has entered an order under subsection (3) of this section, a parent may not file a motion under this section more frequently than once every six months.

(5) If the court does not enter an order under subsection (3) of this section, the parent receiving child support payments shall be entitled to costs and reasonable attorney's fees in defending against the motion.

Sec. 10. Section 10, chapter 157, Laws of 1973 1st ex. sess. as amended by section 3, chapter 430, Laws of 1987 and RCW 26.09.100 are each amended to read as follows:

In a proceeding for dissolution of marriage, legal separation, declaration of invalidity, maintenance, or child support, after considering all relevant factors but without regard to marital misconduct, the court may order either or both parents owing a duty of support to any child of the marriage dependent upon either or both spouses to pay an amount (reasonable or necessary for his support) determined pursuant to the schedule adopted under section 4 of this 1988 act. The court may require annual adjustments of support based upon changes in a party's income or the child's needs, or based upon changes in (an index or) the child support schedule.

Sec. 11. Section 25, chapter 183, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 189, Laws of 1982 and RCW 74.20A.055 are each amended to read as follows:

(1) The secretary may, in the absence of a superior court order, serve on the responsible parent or parents a notice and finding of financial responsibility requiring a responsible parent or parents to appear and show cause in a hearing held by the department why the finding of responsibility and/or the amount thereof is incorrect, should not be finally ordered, but should be rescinded or modified. This notice and finding shall relate to the support debt accrued and/or accruing under this chapter and/or RCW 26.16.205, including periodic payments to be made in the future for such period of time as the child or children of said responsible parent or parents are in need. Said hearing shall be held pursuant to RCW 74.20A.055, chapter 34.04 RCW, and the rules and regulations of the department, which shall provide for a fair hearing.

(2) The notice and finding of financial responsibility shall be served in the same manner prescribed for the service of a summons in a civil action or may be served on the responsible parent by certified mail, return receipt requested. The receipt shall be prima facie evidence of service. The notice shall be served upon the debtor within sixty days from the date the state assumes responsibility for the support of the dependent child or children on whose behalf support is sought. If the notice is not served within sixty days from such date, the department shall lose the right to reimbursement of payments made after the sixty-day period and before the date of notification: PROVIDED, That if the department exercises reasonable efforts to locate the debtor and is unable to do so the entire sixty-day period is tolled until such time as the debtor can be located. Any responsible parent who objects to all or any part of the notice and finding shall have the right for not more than twenty days from the date of service to request in writing a hearing, which request shall be served upon the department by registered or certified mail or personally. If no such request is made, the notice and finding of responsibility shall become final and the debt created therein shall be subject to collection action as authorized under this chapter. If a timely request is made, the execution of notice and finding of responsibility shall be stayed pending the decision on such hearing. If no timely written request for a hearing has

previously been made, the responsible parent may petition the secretary or the secretary's designee at any time for a hearing as provided for in this section upon a showing of good cause for the failure to make a timely request for hearing. The filing of the petition for a hearing after the twenty-day period shall not affect any collection action previously taken under this chapter. The granting of a request for the hearing shall operate as a stay on any future collection action, pending the final decision of the secretary or the secretary's designee on the hearing. Moneys withheld as a result of collection action in effect at the time of the granting of the request for the hearing shall be delivered to the department and shall be held in trust by the department pending the final order of the secretary or during the pendency of any appeal to the courts made under chapter 34.04 RCW. The department may petition the administrative law judge to set temporary current and future support to be paid beginning with the month in which the petition for an untimely hearing is granted. The administrative law judge shall order payment of temporary current and future support if appropriate in an amount determined pursuant to ~~((the scale of suggested minimum contributions adopted under RCW 74.20-276))~~ the child support schedule adopted under section 4 of this 1988 act. In the event the responsible parent does not make payment of the temporary current and future support as ordered by the hearing examiner, the department may take collection action pursuant to chapter 74.20A RCW during the pendency of the hearing or thereafter to collect any amounts owing under the order. Temporary current and future support paid, or collected, during the pendency of the hearing or appeal shall be disbursed to the custodial parent or as otherwise appropriate when received by the department. If the final decision of the department, or of the courts on appeal, is that the department has collected from the responsible parent other than temporary current or future support, an amount greater than such parent's past support debt, the department shall promptly refund any such excess amount to such parent.

(3) Hearings may be held in the county of residence or other place convenient to the responsible parent. Any such hearing shall be a 'contested case' as defined in RCW 34.04.010. The notice and finding of financial responsibility shall set forth the amount the department has determined the responsible parent owes, the support debt accrued and/or accruing, and periodic payments to be made in the future for such period of time as the child or children of the responsible parent are in need, all computable on the basis of the need alleged. The notice and finding shall also include a statement of the name of the recipient or custodian and the name of the child or children for whom need is alleged; and/or a statement of the amount of periodic future support payments as to which financial responsibility is alleged.

(4) The notice and finding shall include a statement that the responsible parent may object to all or any part of the notice and finding, and request a hearing to show cause why said responsible parent should not be determined to be liable for any or all of the debt, past and future.

The notice and finding shall include a statement that, if the responsible parent fails in timely fashion to request a hearing, the support debt and payments stated in the notice and finding, including periodic support payments in the future, shall be assessed and determined and ordered by the department and that this debt shall be subject to collection action; a statement that the property of the debtor, without further advance notice or hearing, will be subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt.

(5) If a hearing is requested, it shall be promptly scheduled, in no more than thirty days. The hearing, including a hearing on prospective modification, shall be conducted by an administrative law judge appointed under chapter 34.12 RCW.

After evidence has been presented at hearings conducted by the administrative law judge, the administrative law judge shall enter an initial decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The administrative law judge shall file the original of the initial decision and order, signed by the administrative law judge, with the secretary or the secretary's designee. Copies of the initial decision and order shall be mailed by the administrative law judge to the department and to the appellant by certified mail to the last known address of each party. Within thirty days of filing, either the appellant or the department may file with the secretary or the secretary's designee a written petition for review of the initial decision and order. The petition for review shall set forth in detail the basis for the requested review and shall be mailed by the petitioning party to the other party by certified or registered mail to the last known address of the party.

The petition shall be based on any of the following causes materially affecting the substantial rights of the petitioner:

(a) Irregularity in the proceedings of the administrative law judge or adverse party, or any order of the administrative law judge, or abuse of discretion, by which the moving party was prevented from having a fair hearing;

(b) Misconduct of the prevailing party;

(c) Accident or surprise which ordinary prudence could not have guarded against;

(d) Newly discovered evidence, material for the party making the application, which the party could not with reasonable diligence have discovered and produced at the hearing;

(e) That there is no evidence or reasonable inference from the evidence to justify the decision, or that it is contrary to law;

(f) Error in mathematical computation;

(g) Error in law occurring at the hearing and objected to at the time by the party making the application;

(h) That the moving party is unable to perform according to the terms of the order without further clarification;

(i) That substantial justice has not been done;

(j) Fraud or misstatement of facts by any witness, which materially affects the debt;

(k) Clerical mistakes in the decision arising from oversight or omission; or

(l) That the decision and order entered because the responsible parent failed to appear at the hearing should be vacated and the matter be remanded for a hearing upon showing of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

In the event no petition for review is made as provided in this subsection by any party, the initial decision and order of the administrative law judge is final as of the date of filing and becomes the decision and order of the secretary. No appeal may be taken therefrom to the courts and the debt created is subject to collection action as authorized by this chapter.

After the receipt of a petition for review, the secretary or the secretary's designee shall consider the initial decision and order, the petition or petitions for review, the record or any part thereof, and such additional evidence and argument as the secretary or the secretary's designee may in his or her discretion allow. The secretary or the secretary's designee may remand the proceedings to the administrative law judge for additional evidence or argument. The secretary or the secretary's designee may deny review of the initial decision and order and thereupon deny the petition or petitions at which time the initial decision and order shall be final as of the date of the denial and all parties shall forthwith be notified, in writing, of the denial, by certified mail to the last known address of the parties. Unless the petition is denied, the secretary or the secretary's designee shall review the initial decision and order and shall make the final decision and order of the department. The final decision and order shall be in writing and shall contain findings of fact and conclusions of law as to each contested issue of fact and law. A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal by certified mail to the last known address of the party. The decision and order shall authorize collection action, as appropriate, under this chapter.

(6) The administrative law judge in his or her initial decision, or the secretary or the secretary's designee in review of the initial decision, shall determine the past liability and responsibility, if any, of the alleged responsible parent and shall also determine the amount of periodic payments to be made in the future, which amount is not limited by the amount of any public assistance payment made to or for the benefit of the child. If deviating from the child support schedule adopted under section 4 of this 1988 act in making these determinations, the administrative law judge, and the secretary or the secretary's designee, shall ~~((include in his or her considerations:~~

~~(a) All earnings and income resources of the responsible parent, including real and personal property;~~

~~(b) The earnings potential of the responsible parent;~~

~~(c) The reasonable necessities of the responsible parent;~~

~~(d) The ability of the responsible parent to borrow;~~

~~(e) The needs of the child for whom the support is sought;~~

~~(f) The amount of assistance which would be paid to the child under the full standard of need of the state's public assistance plan;~~

~~(g) The existence of other dependents; and~~

~~(h) That the child, for whom support is sought, benefits from the income and resources of the responsible parent on an equitable basis in comparison with any other minor children of the responsible parent)) comply with section 3(4), (5), and (6) of this 1988 act.~~

If the responsible parent fails to appear at the hearing, upon a showing of valid service, the administrative law judge shall enter an initial decision and order declaring the support debt and payment provisions stated in the notice and finding of financial responsibility to be assessed and determined and subject to collection action. Within thirty days of entry of said decision and order, the responsible parent may petition the secretary or the secretary's designee to vacate said decision and order upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

(7) The final decision entered pursuant to this section shall be entered as a decision and order and shall limit the support debt to the amounts stated in said decision: PROVIDED, That said decision establishing liability and/or future periodic support payments shall be superseded upon entry of a superior court order for support to the extent the superior court order is inconsistent with the hearing order or decision: PROVIDED FURTHER, That in the absence of a superior court order, either the responsible parent or the department may petition the secretary or his designee for issuance of an order to appear and show cause based on a showing of good cause and material change of circumstances, to require the other party to appear and show cause why the decision previously entered should not be prospectively modified. Said

order to appear and show cause together with a copy of the petition and affidavit upon which the order is based shall be served in the manner of a summons in a civil action or by certified mail, return receipt requested, on the other party by the petitioning party. A hearing shall be set not less than fifteen nor more than thirty days from the date of service, unless extended for good cause shown. Prospective modification may be ordered, but only upon a showing of good cause and material change of circumstances. The decision and order for prospective modification entered by the administrative law judge shall be an initial decision subject to review by the secretary or the secretary's designee as provided for in this section.

(8) The administrative law judge, in making the initial decision and the secretary or the secretary's designee in the final decision determining liability and/or future periodic support payments, shall ~~((consider the standards promulgated pursuant to RCW 74.20.270 and any standards for determination of support payments used by the superior court of the county of residence of the responsible parent))~~ order support payments under the child support schedule adopted under section 4 of this 1988 act.

(9) Debts determined pursuant to this section, accrued and not paid, are subject to collection action under this chapter without further necessity of action by the administrative law judge, or the secretary or secretary's designee.

(10) 'Need' as used in this section shall mean the necessary costs of food, clothing, shelter, and medical attendance for the support of a dependent child or children. The amount determined by reference to the ~~((schedule of suggested minimum contributions adopted under RCW 74.20.270, based on the earnings, resources, and property of the alleged responsible parent))~~ child support schedule adopted under section 4 of this 1988 act, shall be a rebuttable presumption of the alleged responsible parent's ability to pay and the need of the family: PROVIDED, That such responsible parent shall be presumed to have no ability to pay child support under this chapter from any income received from aid to families with dependent children, supplemental security income, or continuing general assistance.

Sec. 12. Section 16, chapter 164, Laws of 1971 ex. sess. as last amended by section 8, chapter 276, Laws of 1985 and RCW 74.20A.160 are each amended to read as follows:

With respect to any arrearages on a support debt assessed under ~~((RCW 74.20A.040, 74.20A.055, or 74.20A.270))~~ this chapter, the secretary may at any time consistent with the income, earning capacity and resources of the debtor, set or reset a level and schedule of payments to be paid upon a support debt. The secretary may, upon petition of the debtor providing sufficient evidence of hardship, after consideration of the ~~((standards established in RCW 74.20.270))~~ child support schedule adopted under section 4 of this 1988 act, release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable necessities of the responsible parent or parents and minor children in the home of the responsible parent. Nothing in this section shall be construed to require the secretary to take any action which would require collection of less than the obligation for current support required under a superior court order or an administrative order or to take any action which would result in a bar of collection of arrearages from the debtor by reason of the statute of limitations.

NEW SECTION. Sec. 13. A new section is added to chapter 26.10 RCW to read as follows:

A determination of child support shall be based upon the child support schedule and standards adopted under section 4 of this act.

NEW SECTION. Sec. 14. A new section is added to chapter 26.21 RCW to read as follows:

A determination of child support shall be based upon the child support schedule and standards adopted under section 4 of this act.

NEW SECTION. Sec. 15. A new section is added to chapter 13.32A RCW to read as follows:

A determination of child support shall be based upon the child support schedule and standards adopted under section 4 of this act.

NEW SECTION. Sec. 16. A new section is added to chapter 13.34 RCW to read as follows:

A determination of child support shall be based upon the child support schedule and standards adopted under section 4 of this act.

NEW SECTION. Sec. 17. A new section is added to chapter 26.26 RCW to read as follows:

A determination of child support shall be based upon the child support schedule and standards adopted under section 4 of this act.

NEW SECTION. Sec. 18. Section 12, chapter 206, Laws of 1963, section 369, chapter 141, Laws of 1979 and RCW 74.20.270 are each repealed.

NEW SECTION. Sec. 19. Sections 1 through 7 of this act shall constitute a new chapter in Title 26 RCW.

NEW SECTION. Sec. 20. Except for sections 8 and 9 of this act, this act shall take effect July 1, 1988. Section 8 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. Section 9 of this act shall take effect July 1, 1989.

NEW SECTION. Sec. 21. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Representative Armstrong spoke in favor of the amendment, and Representatives Padden, P. King, Schmidt and May opposed it. Mr. Armstrong again spoke in favor of the amendment.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute House Bill No. 1465, and that the bill hold its place on the second reading calendar. The motion was carried.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4717, by Representatives Prince and Sanders

WHEREAS, The American Association of Retired Persons was founded in 1958 as a voluntary nonprofit and nonpartisan organization to help improve the quality of life for all senior citizens; and

WHEREAS, The AARP is committed to ensuring that senior citizens meet the challenges of preretirement and retirement living with dignity, self-assurance and purpose; and

WHEREAS, The degree to which Washington State senior citizens have placed their trust in this esteemed organization is reflected by the 517,257 senior citizens who are registered members; and

WHEREAS, AARP volunteers tirelessly serve their communities through a variety of helpful programs designed to inform, encourage and unite, from free tax counseling to support for newly widowed persons; and

WHEREAS, Since its inception in Washington State, AARP has consistently, and with persuasive resolve, participated in the passage of legislation that enhances the health, safety and quality of life for all senior citizens; and

WHEREAS, AARP motivates senior citizens of Washington State to be involved in the various legislative and governmental processes throughout the state and assists them in their involvement;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognize and honor the inspired efforts and sacrificial contributions of the American Association of Retired Persons on behalf of all senior citizens; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Director of the American Association of Retired Persons.

Representative Prince moved adoption of the resolution. Mr. Prince spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 88-4719, by Representatives Hine, Brough, Cantwell, Miller, Cole, Hankins, K. Wilson, Allen, Wineberry, Winsley, Spanel, Rasmussen, Rust, Lux, Fisher, Belcher, Holm, Brooks, Leonard, Nutley, Valle, Moyer, Unsoeld, Scott, Brekke, Rayburn, Schoon, Sprinkle and Sanders

WHEREAS, Elizabeth Blackwell, born on February 3, 1821, was the first woman medical doctor in the United States and a tireless advocate of equal occupational and educational rights for women; and

WHEREAS, She struggled for five years to gain acceptance to medical school, finally achieving success and overcoming medical school policies against the admission of women; and

WHEREAS, Ostracized by the members of the medical profession who considered the profession to be the exclusive domain of men, she opened the New York Infirmary in 1853 and staffed it entirely with women; and

WHEREAS, With the support of her good friend and colleague, Florence Nightingale, she lectured and wrote extensively on sanitation, hygiene and public health matters; and

WHEREAS, As a result of deep concern for human dignity and freedom, she was an active supporter of the movement to abolish slavery and during the Civil

War performed invaluable service for the Union by training nurses for the Union Army;

NOW, THEREFORE, BE IT RESOLVED, That the members of the House of Representatives recognize Elizabeth Blackwell for her exceptional accomplishments in the promotion of educational and occupational rights for women and equal rights for all persons, and for her contributions to the prevention of disease through appropriate hygiene and sanitation.

Representative Hine moved adoption of the resolution. Representatives Hine, Moyer and Rasmussen spoke in favor of the resolution, and it was adopted.

MOTIONS

On motion of Mr. Ebersole, House Bill No. 1902 was referred from Committee on Local Government to Committee on Trade & Economic Development.

On motion of Mr. Ebersole, House Bill No. 1923 was referred from Committee on Financial Institutions & Insurance to Committee on Trade & Economic Development.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:00 a.m., Friday, February 5, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWENTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, February 5, 1988

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Allen, Amondson, Bumgarner, Chandler, Day, P. King, R. King, Todd, J. Williams and K. Wilson. Representatives Allen, Amondson, Bumgarner, Chandler, Todd and K. Wilson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Marion Williams and Michael Barnes. Prayer was offered by The Reverend Kent T. McCulloch, Minister of St. Mary's Episcopal Church of Tacoma.

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

The Speaker called on Representative O'Brien to preside.

MESSAGE FROM THE SENATE

February 3, 1988

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5016,
 SUBSTITUTE SENATE BILL NO. 5076,
 SENATE BILL NO. 5103,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6276,
 SUBSTITUTE SENATE BILL NO. 6290,
 SENATE BILL NO. 6366.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 2001 by Representatives Valle, Sprengle and May

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

Referred to Committee on Environmental Affairs.

HB 2002 by Representatives Dellwo, Haugen and Jacobsen

AN ACT Relating to liquor excise tax distributions; amending RCW 82.08.171; and providing an effective date.

Referred to Committee on Ways & Means.

HB 2003 by Representatives Locke, Silver, P. King and Winsley; by request of Department of Social and Health Services

AN ACT Relating to costs in juvenile proceedings; adding a new section to chapter 43.135 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 2004 by Representatives Fisher, Grimm, Holland, McLean, Brough, Lewis, Taylor, Wang, Wineberry, Crane, Schoon and Winsley; by request of Secretary of State

AN ACT Relating to information about the presidential nominating process; creating new sections; declaring an emergency; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 2005 by Representatives Fox, Spanel, Kremen, Braddock, Grimm, Haugen, Brough, Hine, Holland, Ferguson, Crane, P. King, Walk, Zellinsky and Winsley

AN ACT Relating to the distinguished faculty endowment fund at Western Washington University; adding a new section to Title 28B RCW; creating new sections; and making an appropriation.

Referred to Committee on Higher Education.

HB 2006 by Representative Lux

AN ACT Relating to mobile home rent control; amending RCW 59.20.070; adding a new chapter to Title 59 RCW; adding a new section to chapter 34.12 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Housing.

HB 2007 by Representatives H. Sommers, Hankins, Zellinsky, Ballard, Crane and Nutley

AN ACT Relating to professional wrestling; amending RCW 67.08.001, 67.08.010, 67.08.015, 67.08.050, 67.08.055, 67.08.060, 67.08.080, 67.08.090, 67.08.100, 67.08.110, 67.08.120, 67.08.140, and 82.04.340; adding a new chapter to Title 67 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2008 by Representatives Armstrong and Jacobsen

AN ACT Relating to the landlord tenant act; and amending RCW 59.18.030 and 59.18.040.

Referred to Committee on Judiciary.

HB 2009 by Representatives Grimm and Holland

AN ACT Relating to the treasury income account; and amending RCW 43.84.092.

Referred to Committee on Ways & Means.

HB 2010 by Representatives Valle, Ferguson, Crane, Schoon and Winsley

AN ACT Relating to handicapped parking; amending RCW 46.16.381; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

HB 2011 by Representative P. King

AN ACT Relating to public disclosure; and reenacting and amending RCW 42.17.310.

Referred to Committee on Constitution, Elections & Ethics.

SB 5016 by Senators Newhouse, Talmadge, Halsan and West; by request of Statute Law Committee

Revising terminology resulting from the Rules of Appellate Procedure.

Referred to Committee on Judiciary.

SSB 5076 by Committee on Ways & Means (originally sponsored by Senators Bluechel and Warnke)

Establishing a commission on mobile home rental space availability.

Referred to Committee on Housing.

SB 5103 by Senators Bottiger, Johnson, Wojahn and Gaspard

Authorizing superior court commissioners to solemnize marriages.

Referred to Committee on Judiciary.

ESSB 6276 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Warnke, Fleming, Smitherman, Conner, Decchio, McMullen and Johnson)

Creating an interagency task force on entrepreneurial development.

Referred to Committee on Trade & Economic Development.

SSB 6290 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Warnke, Bluechel, Anderson, Fleming, Conner, Smitherman, West, Johnson, Gaspard and von Reichbauer; by request of Department of Trade and Economic Development)

Broadening and extending the Washington ambassador program.

Referred to Committee on Trade & Economic Development.

SB 6366 by Senators Pullen, Hansen, Kreidler, Halsan, Madsen, Smith, Newhouse, Nelson, Hayner, Talmadge, McCaslin, West and Conner

Creating the state law enforcement medal of honor.

Referred to Committee on State Government.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 4, 1988

HB 974 Prime Sponsor, Representative Fisch: Prohibiting the use of secret ballots at meetings required to be open to the public. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; R. King, Leonard and Sanders.

Absent: Representatives Amondson, Barnes and R. King.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1003 Prime Sponsor, Representative Haugen: Changing provisions relating to county pay periods. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1018 Prime Sponsor, Representative D. Sommers: Studying ways to implement regulatory relief and reform. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Cantwell, Doty, Fox, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon and J. Williams.

Absent: Representatives Amondson, Grant, Hargrove, Holm, Kremen, B. Williams and J. Williams.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1115 Prime Sponsor, Representative Hargrove: Allowing disabled persons to park free at institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1167 Prime Sponsor, Representative Bumgarner: Providing for wildlife management areas on private lands. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Haugen, Meyers, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representatives Belcher and Hargrove.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1170 Prime Sponsor, Representative Patrick: Changing requirements for physicians retained by the medical bureau of the department of labor and industries. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted bill therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Absent: Representatives R. King and O'Brien.

Referred to Committee on Ways & Means.

February 1, 1988

HB 1267 Prime Sponsor, Representative Walk: Authorizing modification of performance bond requirements for contracts for ferry construction and maintenance. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Schmidt, D. Sommers, Sutherland, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Doty, Prince and Smith.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1285 Prime Sponsor, Representative Taylor: Providing an exception to the licensing requirement for grain dealers. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Baugher, Bristow, Brooks, Chandler, Doty, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Kremen, Vice Chair; Bristow, Grant and R. King.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1302 Prime Sponsor, Representative Kremen: Establishing penalties for sexual offenses against developmentally disabled persons. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wang.

Absent: Representative Wineberry.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1326 Prime Sponsor, Representative Rust: Creating the water pollution control account and authorizing financial assistance from it. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Braddock, Ebersole and Holland.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1329 Prime Sponsor, Representative Crane: Changing provisions relating to the homestead exemption. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick and Scott.

Voting nay: Representative Wang.

Absent: Representatives Belcher and Wineberry.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1339 Prime Sponsor, Representative H. Sommers: Increasing penalties for the illegal transfer of food stamps. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt and Scott.

MINORITY recommendation: Do not pass. Signed by Representative Locke.

Voting nay: Representatives Locke and Wang.

Absent: Representatives Belcher and Wineberry.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1347 Prime Sponsor, Representative Haugen: Specifying the allocation of revenues from the lease of harbor areas in code cities on islands. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Beck, Belcher, Bumgarner, Butterfield, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Smith, Spanel and S. Wilson.

Voting nay: Representatives Fuhrman and Sayan.

Absent: Representatives Amondson and Schmidt.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1354 Prime Sponsor, Representative Pruitt: Repealing the sunset of the department of veterans affairs. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 14, insert the following:

*NEW SECTION, Sec. 2. The department of veterans affairs and the veterans affairs advisory committee, together with a select committee of veterans and others familiar with long term care needs to be appointed by the department of veterans affairs, shall work with the department of social and health services and the office of financial management to conduct a study

of the issues relating to nursing care for indigent veterans in the state of Washington. The department of veterans affairs shall submit a report to the house state government committee, the senate governmental operations committee, and the ways and means committees of the house and senate no later than November 1, 1988. The report shall (1) identify future long term care requirements for indigent veterans, (2) provide recommended options for providing such care, and (3) provide estimates of the costs of the recommended options."

Renumber remaining section consecutively.

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Chandler, Hankins, O'Brien, Peery and Taylor.

Absent: Representatives Baugher, Taylor and Walk.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1362 Prime Sponsor, Representative Nealey: Revising provisions on weights and measures. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Bristow, Doty, Grant and R. King.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1370 Prime Sponsor, Representative Holland: Increasing the head of family exemption for personal property taxes. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Delliwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1386 Prime Sponsor, Representative Sanders: Providing rental assistance to single-parent households receiving aid to families with dependent children. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Sanders, Todd and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Barnes.

Absent: Representatives Padden and Wineberry.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1394 Prime Sponsor, Representative Hargrove: Changing jurisdiction over Indian tribal lands. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wang.

Absent: Representatives Brough and Wineberry.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1403 Prime Sponsor, Representative Bristow: Specifying eligibility of county and city inmates for medical care under the limited casualty program. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Absent: Representatives Day, Vice Chair; and Lewis.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1419 Prime Sponsor, Representative Armstrong: Revising provisions relating to the collection of criminal justice information. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wang.

Absent: Representatives Meyers and Wineberry.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1438 Prime Sponsor, Representative Vekich: Establishing a business and job retention program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Braddock, Cantwell, Doty, Fox, Grant, Hargrove, Kremen, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representatives McLean and J. Williams.

Referred to Committee on Ways & Means.

February 1, 1988

HB 1440 Prime Sponsor, Representative Lux: Regulating financial planning. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Ferguson, Nutley, Silver and Winsley.

Voting nay: Representative P. King.

Absent: Representatives Dellwo, Dorn and Grimm.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1446 Prime Sponsor, Representative Haugen: Authorizing loans for emergency public works projects. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Grant and Holland.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1452 Prime Sponsor, Representative Sprenkle: Prohibiting the distribution of free samples of tobacco products. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Brooks, Bumgarner, Cantwell, Lux, D. Sommers and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives Day, Vice Chair; and Vekich.

Voting nay: Representatives Day, Vice Chair; Lewis and Vekich.

Absent: Representatives Bristow and Lux.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1457 Prime Sponsor, Representative Jones: Authorizing special plates for firefighters' vehicles. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Prince, Schmidt, D. Sommers, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Jones, Meyers, Patrick, Prince, Smith, Sutherland and Todd.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1459 Prime Sponsor, Representative Barnes: Providing employment preferences for persons with disabilities. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Chandler, Hankins, O'Brien, Peery and Taylor.

Absent: Representatives Baugher and Walk.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1499 Prime Sponsor, Representative Kremen: Requiring the department of natural resources to study methods of encouraging businesses to remove sand and gravel. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Smith, Spanel and S. Wilson.

Voting nay: Representative Belcher.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1523 Prime Sponsor, Representative Leonard: Prohibiting visitation between abusive parent and child. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1537 Prime Sponsor, Representative Braddock: Authorizing the state employees' insurance board to self-fund, self-insure, or enter into

other methods of providing insurance coverage. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

MINORITY recommendation: Do not pass. Signed by Representative Bumgarner.

Absent: Representative Lux.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1551 Prime Sponsor, Representative Cole: Adopting the urban and community forestry act. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dorn, Haugen, Meyers, Sayan and Spanel.

MINORITY recommendation: Do not pass. Signed by Representatives Amondson, Beck, Bumgarner, Butterfield, Fuhrman, Schmidt and S. Wilson.

Voting nay: Representatives Amondson, Beck, Bumgarner, Butterfield, Fuhrman, Schmidt, Smith and S. Wilson.

Absent: Representative Hargrove.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1553 Prime Sponsor, Representative Nutley: Limiting grants and loans from the housing trust fund. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders and J. Williams.

Absent: Representatives Padden, Todd and Wineberry.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1554 Prime Sponsor, Representative H. Sommers: Authorizing the sale of bonds at a discount. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Belcher, Braddock, Brekke, Brough, Butterfield, Dellwo, Fuhrman, Grant, Hine, Locke, McLean, Nealey, Peery, Rust, Sayan, Schoon, Silver, H. Sommers, Spanel, Taylor, Wang, B. Williams and Winsley.

Absent: Representatives Braddock, Ebersole, Holland and Sayan.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1582 Prime Sponsor, Representative Day: Authorizing the creation of local seed capital pools. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Nutley.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1585 Prime Sponsor, Representative Leonard: Revising provisions for juvenile dependency proceedings. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, H. Sommers and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Moyer, Padden and Winsley.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1586 Prime Sponsor, Representative Jones: Revising rules for dependency proceedings. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1587 Prime Sponsor, Representative Rayburn: Providing for open adoptions. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 7, insert the following new paragraph:

"(a) All parties to the proceeding, including the birth parents, agree that the adoption should be declared 'open';"

Remember the remaining subsections consecutively and correct internal references accordingly.

On page 2, line 19, strike "and"

On page 2, line 21 after "time", insert "; and"

(d) A statement that all parties to the proceeding agree to the terms and conditions of the adoption contract. The contract shall be signed by all parties to the proceeding"

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Absent: Representative Sutherland.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1588 Prime Sponsor, Representative Anderson: Revising certain procedures governing dependency proceedings. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 13 after "by" strike "any party to the dependency proceedings concerning that child" and insert "the department or any licensed child-placing agency that was a party to the dependency proceeding"

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1595 Prime Sponsor, Representative Lewis: Clarifying the definition of resident for purposes of higher education tuition. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basch, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen and Fox.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1597 Prime Sponsor, Representative Bumgarner: Providing for wildlife propagation reserves. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; Beck, Bumgarner, Butterfield, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Smith and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives K. Wilson, Vice Chair; Belcher and Spanel.

Voting nay: Representatives K. Wilson, Vice Chair; Belcher, Cole and Spanel.

Absent: Representatives Amondson and Schmidt.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1607 Prime Sponsor, Representative Bumgarner: Directing study and development of wildlife habitat and watershed management for the Spokane river drainage. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; Beck, Bumgarner, Cole, Dorn, Fuhrman, Haugen, Meyers, Schmidt, Smith and Spanel.

MINORITY recommendation: Do not pass. Signed by Representatives K. Wilson, Vice Chair; Basich, Belcher, Butterfield and Sayan.

Absent: Representatives Amondson, Hargrove and Meyers.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1608 Prime Sponsor, Representative Armstrong: Modifying fees paid for superior court clerks' services. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Meyers, Moyer, Patrick, Schmidt, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick, P. King, Locke and Padden.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1613 Prime Sponsor, Representative Prince: Revising provisions relating to the privilege tax imposed on public utility districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1617 Prime Sponsor, Representative Locke: Clarifying the definition of "costs" received as part of court actions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wang.

Absent: Representatives Belcher and Wineberry.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1620 Prime Sponsor, Representative Padden: Permitting persons to continue group health insurance after the group coverage is terminated, subject to certain conditions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Berozoff, Chandler, Crane, Day, Dellwo, Dorn, P. King, Nutley and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1627 Prime Sponsor, Representative Belcher: Establishing a family life education program. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 22, after "education," and before "substance" insert "sexual abstinence,"

On page 3, after line 11, insert the following subsection:

"(4) Each school district shall conduct at least one presentation each year during evening and weekend hours for the parents and guardians of students concerning the curriculum and materials that will be used for family life education. The parents and guardians shall be notified by the school district of the presentation and that the curriculum and materials are available for inspection. No student may be required to participate in family life education if the student's parent or guardian, having attended one of the district presentations, objects in writing to the participation."

Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Voting nay: Representative Pruitt.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1629 Prime Sponsor, Representative Schoon: Changing the definition of physician's assistant. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Cantwell, Lewis, Lux and D. Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Bristow, Bungarner and Vekich.

Absent: Representative Sprengle.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1630 Prime Sponsor, Representative Walk: Requiring insurance for continued registration of tow truck operators. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 10, insert the following:

"Sec. 2. Section 1, chapter 377, Laws of 1985 as amended by section 1, chapter 311, Laws of 1987 and by section 739, chapter 330, Laws of 1987 and RCW 46.55.010 are each reenacted and amended to read as follows:

The definitions set forth in this section apply throughout this chapter:

(1) 'Abandoned vehicle' means a vehicle that a registered tow truck operator has impounded and held in his possession for ninety-six consecutive hours.

(2) 'Abandoned vehicle report' means the document prescribed by the state that the towing operator forwards to the department after a vehicle has become abandoned.

(3) 'Impound' means to take and hold a vehicle in legal custody. There are two types of impounds—public and private.

(a) 'Public impound' means that the vehicle has been impounded at the direction of a law enforcement officer or by a public official having jurisdiction over the public property upon which the vehicle was located.

(b) 'Private impound' means that the vehicle has been impounded at the direction of a person having control or possession of the private property upon which the vehicle was located.

(4) 'Junk vehicle' means a motor vehicle certified under RCW 46.55.230 as meeting all the following requirements:

(a) Is three years old or older;

(b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield or missing wheels, tires, motor, or transmission;

(c) Is apparently inoperable;

(d) Is without a valid, current registration plate;

(e) Has a fair market value equal only to the value of the scrap in it.

(5) 'Registered tow truck operator' or 'operator' means any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles.

(6) 'Residential property' means property that has no more than four living units located on it.

(7) 'Tow truck' means a motor vehicle that is equipped for and used in the business of towing vehicles with equipment as approved by the state patrol.

(8) 'Tow truck number' means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.

(9) 'Tow truck permit' means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.

(10) 'Tow truck service' means the transporting upon the public streets and highways of this state of vehicles, together with personal effects and cargo, by a tow truck of a registered operator.

(11) 'Unauthorized vehicle' means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

Subject to removal after:

(a) Public locations:

(i) Constituting a traffic hazard as defined in RCW ((46.61.565)) 46.55.113 Immediately

(ii) On a highway and tagged as described in RCW ((46.52.170)) 46.55.085 24 hours

(iii) In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070 Immediately

(b) Private locations:

(i) On residential property Immediately

(ii) On private, nonresidential property, properly posted under RCW 46.55.070 Immediately

(iii) On private, nonresidential property, not posted 24 hours

Sec. 3. Section 8, chapter 377, Laws of 1985 as amended by section 5, chapter 311, Laws of 1987 and RCW 46.55.080 are each amended to read as follows:

If a vehicle is in violation of the time restrictions of RCW ((46.55.010(12))) 46.55.010(11), it may be impounded by a registered tow truck operator at the direction of a law enforcement officer or other public official with jurisdiction if the vehicle is on public property, or at the direction of the property owner or his agent if it is on private property. A law enforcement officer may also direct the impoundment of a vehicle pursuant to a writ or court order.

The person requesting a private impound or a law enforcement officer or public official requesting a public impound shall provide a signed authorization for the impound at the time and place of the impound to the registered tow truck operator before the operator may proceed with the impound. A registered tow truck operator may not serve as an agent of a property owner for the purposes of signing an impound authorization.

NEW SECTION. Sec. 4. Section 2, chapter 167, Laws of 1977 ex. sess., section 743, chapter 330, Laws of 1987 and RCW 46.61.563 are each repealed.

NEW SECTION. Sec. 5. RCW 46.61.567 is recodified as a section in chapter 46.55 RCW."

In line 1 of the title, after "operators;" strike the remainder of the title and insert "amending RCW 46.55.030 and 46.55.080; reenacting and amending RCW 46.55.010; recodifying RCW 46.61.567; and repealing RCW 46.61.563."

Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cooper, Day, Doty, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Patrick, Schmidt, D. Sommers, Sutherland, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Fisher, Patrick, Prince, Smith and Sutherland.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1636 Prime Sponsor, Representative Spanel: Providing for the retention of records by energy recovery or incineration facilities. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, Pruitt, D. Sommers, Sprenkle, Unsoeld and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Schoon.

Absent: Representatives Allen and May.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1644 Prime Sponsor, Representative Haugen: Revising provisions on sales and use tax equalization. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1648 Prime Sponsor, Representative Sayan: Specifying reimbursement requirements for licensed nursing homes for the mentally retarded. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 23, insert:

"NEW SECTION, Sec. 2. This act shall take effect on July 1, 1989."

On page 1, line 2 of the title, after "retarded;" strike the remainder of the title and insert "amending RCW 74.09.120; and providing an effective date:

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representative Holland.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1652 Prime Sponsor, Representative Cooper: Providing for the investment of public funds. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Ferguson, Hine, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Jones.

Absent: Representative Dorn.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1653 Prime Sponsor, Representative Grimm: Changing provisions relating to the Washington youth employment exchange. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Cantwell, Doty, Fox, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon and J. Williams.

Absent: Representatives Amondson, Braddock, Grant, Holm, Kremen, McLean, B. Williams and J. Williams.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1655 Prime Sponsor, Representative Peery: Specifying the uses of capital funds by school districts. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Appelwick and Fuhrman.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1656 Prime Sponsor, Representative Brekke: Providing treatment and services for drug addiction. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, H. Sommers and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Moyer, Padden and Winsley.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1675 Prime Sponsor, Representative Bristow: Appropriating funds for local community action agencies. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer and Sutherland.

Voting nay: Representatives Padden, H. Sommers and Winsley.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1679 Prime Sponsor, Representative Locke: Regulating political contributions by charities. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Barnes, R. King, Leonard and Sanders.

Absent: Representatives Amondson, Barnes and R. King.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1690 Prime Sponsor, Representative Ferguson: Requiring cities and counties to review need for manufactured homes. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd and J. Williams.

Absent: Representatives Barnes, Padden and Wineberry.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1692 Prime Sponsor, Representative Walk: Enhancing currency of driver's license and identicaid records. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 22, after "notice" insert ", This act shall take effect July 1, 1988"

Signed by Representatives Walk, Chair; Baugher, Vice Chair; Cantwell, Cooper, Day, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Schmidt, D. Sommers, Vekich, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Patrick, Smith and Sutherland.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1693 Prime Sponsor, Representative Cooper: Authorizing educational service districts to contract with the school for the deaf and the school for the blind. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representative Holland.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1694 Prime Sponsor, Representative Betzoff: Specifying some of the personal qualifications that are prerequisites to applying for a teaching certificate. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representative Fuhrman.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1699 Prime Sponsor, Representative Sayan: Prohibiting the solicitation, recruitment, selection, supplying, or advertising for agricultural workers by the apple commission. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick, Sanders, Smith and Walker.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1700 Prime Sponsor, Representative H. Sommers: Recouping overpayment of salaries to state employees. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1703 Prime Sponsor, Representative Braddock: Revising provisions on pharmacy. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Bristow, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Day, Vice Chair; Brooks and Lewis.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1710 Prime Sponsor, Representative Jones: Approving projects approved by the public works board. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Braddock and Holland.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1717 Prime Sponsor, Representative Cole: Requiring franchisees to maintain workplace safety for twenty-four hour operations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives O'Brien, Patrick, Sanders, Smith and Walker.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1722 Prime Sponsor, Representative Ferguson: Providing for insurance coverage for habilitative and rehabilitative services for dependent children. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1727 Prime Sponsor, Representative Wang: Providing for the collection of agricultural labor market information. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick, Sanders, Smith and Walker.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1729 Prime Sponsor, Representative Wang: Changing provisions relating to corporate takeovers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick, Sanders, Smith and Walker.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1739 Prime Sponsor, Representative Sayan: Assisting the Washington state guard in civil affairs. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Chandler, Hankins, O'Brien, Peery and Taylor.

Absent: Representatives Baugher and Walk.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1744 Prime Sponsor, Representative Leonard: Providing an exemption from the open public meetings act for a meeting held by school district boards of directors for self-evaluation. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Barnes, R. King and Leonard.

MINORITY recommendation: Do not pass. Signed by Representative Sanders.

Absent: Representative Amondson

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1745 Prime Sponsor, Representative Peery: Specifying when school directors officially start their terms of office. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Ebersole, Fuhrman and Holland.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1746 Prime Sponsor, Representative Rasmussen: Authorizing pooled insurance agreements for schools and educational service districts. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representative Fuhrman.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1752 Prime Sponsor, Representative Spanel: Authorizing one day not-for-profit smelt fishing derbies. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Beck, Bumgarner, Butterfield, Cole, Dorn, Haugen, Spanel and S. Wilson.

Voting nay: Representatives Belcher and Fuhrman.

Absent: Representatives Basich, Hargrove, Meyers, Sayan, Schmidt and Smith.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1769 Prime Sponsor, Representative Appelwick: Requiring that medical insurance cover the food supplements necessary for the treatment of phenylketonuria. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Day and Grimm.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1770 Prime Sponsor, Representative Fisher: Establishing a presidential preference primary. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 10, strike all material through "district." on line 21 and insert:

"NEW SECTION. Sec. 2. Delegates and alternates to the national nominating convention of a major political party shall be selected by the state convention of that party. Except where the rules of the national committee of the major political party specifically provides otherwise, the delegates and alternates to such a national convention of the political party who are selected by the state convention of the party shall be allotted to the candidates of that party for the office of president of the United States based upon the results of the presidential preference primary. These delegates and alternates shall be allotted as follows:

(1) The total number of delegates and alternates selected by the state convention shall be divided equally among the congressional districts of the state and allotted to the candidates of that party for the office of president of the United States.

(2) The number of delegates and alternates allotted to a candidate from a congressional district shall bear the same proportion to the total number of delegates and alternates assigned to that congressional district as the total vote received by the candidate in that congressional district bears to the total combined vote cast in the presidential preference primary for all candidates of that party in that district."

Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Leonard and Sanders.

Voting nay: Representatives Barnes and R. King.

Absent: Representative Amondson

Passed to Committee on Rules for second reading.

February 3, 1988.

HB 1780 Prime Sponsor, Representative Jacobsen: Establishing a center for participatory management at the University of Washington. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1784 Prime Sponsor, Representative Pruitt: Encouraging state purchasing of recovered materials. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brække, Ferguson, Jesernig, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, Lux and May.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1786 Prime Sponsor, Representative Holland: Exempting vocational-technical institutes from competitive bidding in the case of sole source suppliers. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 4, strike all material down through and including "negotiations." on page 1, line 12.

Renumber the remaining section.

On page 3, line 23, after "if" strike all material down through and including "negotiation." on line 26, and insert "the supplier is clearly and justifiably the sole source to provide the facilities, services, or equipment. The justification shall be based on either the uniqueness of the facilities, services, or equipment or the sole availability of the facilities, services, or equipment at the location required."

Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Taylor, Todd, Valle and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Schoon.

Voting nay: Representatives Berozoff and Schoon.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1788 Prime Sponsor, Representative Valle: Providing automobile insurance premium reductions for completion of a motor vehicle accident prevention course. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:
On page 2, line 1, strike "two-year" and insert "one-year"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Berozoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1797 Prime Sponsor, Representative S. Wilson: Revising provisions governing surface mine reclamation. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Haugen, Sayan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representatives Amondson, Hargrove and Meyers.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1800 Prime Sponsor, Representative Basich: Providing grants to Washington state scholars attending independent colleges or universities. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Referred to Committee on Ways & Means.

February 2, 1988

HB 1804 Prime Sponsor, Representative Brekke: Revising definitions of mental illness. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Absent: Representative H. Sommers.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1807 Prime Sponsor, Representative Braddock: Repealing provisions for nursing home auditing and cost reimbursement and requiring a study of the problem. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Bristow, Brooks, Bumgarner, Cantwell, Lux, D. Sommers, Sprengle and Vekich.

MINORITY recommendation: Do not pass. Signed by Representative Lewis.

Absent: Representatives Day, Vice Chair; and Lewis.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1809 Prime Sponsor, Representative Fox: Providing for a student exchange program with public colleges and universities of other states. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 24, after "institutions, and" strike everything down to and including "rates" on line 25 and insert "may waive the nonresident tuition differential for participating students"

Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1812 Prime Sponsor, Representative Zellinsky: Prohibiting the use of state lottery funds to provide food, refreshments, entertainment, or any cash or in-kind gratuity other than lottery prizes. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Absent: Representatives R. King, O'Brien, Sanders and Sayan.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1813 Prime Sponsor, Representative Rasmussen: Changing the custodian of the revolving fund for the agriculture research facility at the Rainier school farm at Washington State University. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Baugher, Bristow, Brooks, Chandler, Doty, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Kremen, Vice Chair; Bristow, Grant and R. King.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1814 Prime Sponsor, Representative Heavey: Exempting from use tax certain property acquired by institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1826 Prime Sponsor, Representative Jones: Authorizing excise tax deferrals and credits for employee buyouts. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Cantwell, Doty, Fox, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon and J. Williams.

Absent: Representatives Amondson, Braddock, Grant, Hargrove, Holm, Kremen, B. Williams and J. Williams.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1833 Prime Sponsor, Representative Dorn: Revising provisions for a mayor pro tempore. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1843 Prime Sponsor, Representative Cantwell: Considering economic development in state highway construction programs. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Berozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Jacobsen, Jones, Kremen, Meyers, Patrick, Schmidt, D. Sommers, Sutherland, Todd, Vekich, J. Williams, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Heavey.

Absent: Representatives Allen, Prince, Smith and Vekich.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1844 Prime Sponsor, Representative Rasmussen: Providing additional funds to the development loan fund. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Cantwell, Doty, Fox, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Braddock.

Absent: Representatives Amondson, Grant, Holm, Kremen, B. Williams and J. Williams.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1845 Prime Sponsor, Representative Anderson: Revoking concealed pistol licenses of persons carrying them while under the influence of drugs or alcohol. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Chandler, Hankins, O'Brien, Peery and Taylor.

Absent: Representatives Baugher and Walk.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1852 Prime Sponsor, Representative Sayan: Modifying membership of the deferred compensation committee. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Chandler, Hankins, O'Brien, Peery and Taylor.

Absent: Representatives Baugher and Walk.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1857 Prime Sponsor, Representative Cantwell: Creating a transportation improvement board. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Prince, Schmidt, D. Sommers, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Meyers, Patrick, Smith, Sutherland and Todd.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1859 Prime Sponsor, Representative Belcher: Revising provisions regarding fire fighters. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Absent: Representatives R. King, O'Brien, Sanders and Sayan.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1862 Prime Sponsor, Representative Cole: Providing for plans for the use of local beaches. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Beck, Belcher, Bumgarner, Cole, Dorn, Haugen, Sayan and Spanel.

MINORITY recommendation: Do not pass. Signed by Representatives Amondson, Butterfield, Fuhrman, Meyers, Schmidt, Smith and S. Wilson.

Voting nay: Representatives Amondson, Butterfield, Fuhrman, Hargrove, Meyers, Schmidt, Smith and S. Wilson.

Absent: Representative Belcher.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1864 Prime Sponsor, Representative Nelson: Requiring the higher education coordinating board to review supplemental budget requests from institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Jesernig, Miller, Nelson, Prince, Silver, Unsoeid and K. Wilson.

Absent: Representatives Allen, Fox and Miller.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1870 Prime Sponsor, Representative Fox: Revising the disclosure requirements on the real estate excise tax affidavit. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders and J. Williams.

Absent: Representatives Padden, Todd and Wineberry.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1876 Prime Sponsor, Representative Wang: Limiting drug and alcohol testing. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Fisher and Walker.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1881 Prime Sponsor, Representative Appelwick: Changing provisions relating to excise taxation of electrical energy. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1885 Prime Sponsor, Representative Nelson: Changing eligibility requirements for student loans. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Basich, Jesernig, Nelson, Prince, Silver, Unsoeld and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes and Miller.

Absent: Representatives Allen and Fox.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1888 Prime Sponsor, Representative Holm: Prohibiting tree spiking. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Haugen, Sayan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representatives Amondson, Hargrove and Meyers.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1892 Prime Sponsor, Representative Ebersole: Authorizing pilot blended programs of learning assistance. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Voting nay: Representative Betrozoff.

Passed to Committee on Rules for second reading.

February 2, 1988

HB 1898 Prime Sponsor, Representative Nutley: Establishing the Washington landlord-tenant review and advisory committee. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders and J. Williams.

Absent: Representatives Padden, Todd and Wineberry.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1904 Prime Sponsor, Representative Winsley: Changing provisions relating to sales of securities. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1907 Prime Sponsor, Representative Lux: Prohibiting health care insurance premiums increases based on ages over sixty-five. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1910 Prime Sponsor, Representative Schoon: Requiring the state investment board to make investments in profitable in-state investment opportunities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Cantwell, Doty, Fox, Grant, Hargrove, Holm, Kremen, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Beck and Heavey.

Absent: Representatives Braddock and Hargrove.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1915 Prime Sponsor, Representative Ebersole: Specifying school district levy bases and levy reduction funds. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 374, Laws of 1985 as last amended by section 101, chapter 2, Laws of 1987 1st ex. sess. and RCW 84.52.0531 are each amended to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of RCW 84.52.053 shall be determined as follows:

(1) For the purpose of this section, the basic education allocation shall be determined pursuant to RCW 28A.41.130, 28A.41.140, and 28A.41.145, as now or hereafter amended; PROVIDED, That when determining the basic education allocation under subsection (4) of this section, non-resident full time equivalent pupils who are participating in a program provided for in chapter 28A.44 RCW or in any other program pursuant to an interdistrict agreement shall be included in the enrollment of the resident district and excluded from the enrollment of the serving district.

(2) For the purposes of subsection (5) of this section, a base year levy percentage shall be established. The base year levy percentage shall be equal to the greater of: (a) The district's actual levy percentage for calendar year 1985, (b) the average levy percentage for all school district levies in the state in calendar year 1985, or (c) the average levy percentage for all school district levies in the educational service district of the district in calendar year 1985.

(3) For excess levies for collection in calendar year 1988 and thereafter, the maximum dollar amount shall be the total of:

(a) The district's levy base as defined in subsection (4) of this section multiplied by the district's maximum levy percentage as defined in subsections (5) and (6) of this section; plus

(b) In the case of nonhigh districts only, an amount equal to the total estimated amount due by the nonhigh school district to high school districts pursuant to chapter 28A.44 RCW for the school year during which collection of the levy is to commence, less the increase in the nonhigh school district's basic education allocation as computed pursuant to subsection (1) of this section due to the inclusion of pupils participating in a program provided for in chapter 28A.44 RCW in such computation; less

(c) The maximum amount of state matching funds under RCW 28A.41.155 for which the district is eligible in that tax collection year.

(4) For excess levies for collection in calendar year 1988 and thereafter, a district's levy base shall be the sum of the following allocations received by the district for the prior school year, including allocations for compensation increases, multiplied by the percent increase per full time equivalent student in the state basic education appropriation between the prior school year and the current school year:

(a) The district's basic education allocation as determined pursuant to RCW 28A.41.130, 28A.41.140, and 28A.41.145;

(b) State and federal categorical allocations for the following programs:

(i) Pupil transportation;

(ii) Handicapped education;

(iii) Education of highly capable students;

(iv) Compensatory education, including but not limited to learning assistance, migrant education, Indian education, refugee programs, and bilingual education;

(v) Food services; and

(vi) State-wide block grant programs; and

(c) Any other federal allocations for elementary and secondary school programs, including direct grants, other than federal impact aid funds and allocations in lieu of taxes.

(5) For levies to be collected in calendar year 1988, a district's maximum levy percentage shall be determined as follows:

(a) Multiply the district's base year levy percentage as defined in subsection (2) of this section by the district's levy base as determined in subsection (4) of this section;

(b) Reduce the amount in (a) of this subsection by the total estimated amount of any levy reduction funds as defined in subsection (7) of this section which are to be allocated to the district for the 1987-88 school year;

(c) Divide the amount in (b) of this subsection by the district's levy base to compute a new percentage; and

(d) The percentage in (c) of this subsection or twenty percent, whichever is greater, shall be the district's maximum levy percentage for levies collected in calendar year 1988.

(6) For excess levies for collection in calendar year 1989 and thereafter, a district's maximum levy percentage shall be determined as follows:

(a) Multiply the district's maximum levy percentage for the prior year or thirty percent, whichever is less, by the district's levy base as determined in subsection (4) of this section;

(b) Reduce the amount in (a) of this subsection by the total estimated amount of any levy reduction funds as defined in subsection (7) of this section which are to be allocated to the district for the current school year;

(c) Divide the amount in (b) of this subsection by the district's levy base to compute a new percentage; and

(d) The percentage in (c) of this subsection or twenty percent, whichever is greater, shall be the district's maximum levy percentage for levies collected in that calendar year.

(7) 'Levy reduction funds' shall mean increases in state funds (~~allocated to a district~~) from the prior school year for programs included under subsection (4) of this section (a) that are not attributable to enrollment or workload changes, compensation increases, or inflationary adjustments ((recognized in state allocation formulas. Any other increases in state allocations from the district's allocations for the prior school year that are not specifically excluded in this subsection shall be considered levy reduction funds)); and (b) that are or were specifically identified as levy reduction funds in the appropriations act. If levy reduction funds are dependent on formula factors which would not be finalized until after the start of the current school year, the superintendent of public instruction shall estimate the total amount of levy reduction funds by using prior school year data in place of current school year data.

(8) For the purposes of this section, 'prior school year' shall mean the most recent school year completed prior to the year in which the levies are to be collected.

(9) For the purposes of this section, 'current school year' shall mean the year immediately following the prior school year.

(10) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "funds;" strike the remainder of the title and insert "amending RCW 84.52.0531; and declaring an emergency."

Signed by Representatives Peery, Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Spanel, Vice Chair; and P. King.

Referred to Committee on Ways & Means.

February 1, 1988

HB 1921 Prime Sponsor, Representative Vekich: Prohibiting motor fuel producers or refiners from operating a retail outlet and allowing retail dealers to sell more than one brand of fuel. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Braddock, Cantwell, Fox, Grant, Holm, Moyer, Rasmussen and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Amondson, Doty, Hargrove, Heavey, Kremen, McLean, Schoon and J. Williams.

Voting nay: Representatives Amondson, Beck, Doty, Hargrove, Heavey, Kremen, McLean, Schoon and J. Williams.

Passed to Committee on Rules for second reading.

February 1, 1988

HB 1925 Prime Sponsor, Representative Holm: Establishing the local education and enterprise development program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, Moyer, Rasmussen, B. Williams and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Beck, Kremen and Schoon.

Voting nay: Representatives Beck, Kremen, McLean and Schoon.

Absent: Representative Braddock

Referred to Committee on Ways & Means.

February 4, 1988

HB 1929 Prime Sponsor, Representative Rayburn: Extending the effective date of certain emergency drought relief laws. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Baugher, Bristow, Brooks, Chandler, Doty, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Kremen, Vice Chair; Bristow, Grant and R. King.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1934 Prime Sponsor, Representative Leonard: Establishing a pilot day care project for migrant and seasonal farmworkers. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Sutherland.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1951 Prime Sponsor, Representative Nutley: Providing rate review exemption for certain hospitals. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lux, D. Sommers and Vekich.

MINORITY recommendation: Do not pass. Signed by Representative Braddock, Chair.

Voting nay: Representatives Braddock, Chair; and Lewis.

Absent: Representative Sprenkle.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1952 Prime Sponsor, Representative Pruitt: Requiring that special effort be made by the conservation corps to recruit residents with sensory, mental, or physical handicaps. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Braddock, Cantwell, Doty, Fox, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon and J. Williams.

Absent: Representatives Amondson, Grant, Hargrove, Holm, Kremen, B. Williams and J. Williams.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1963 Prime Sponsor, Representative P. King: Revising requirements for acquiring control of a domestic insurer. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Anderson, Betzoff, Chandler, Day, Dorn, Ferguson, Grimm, P. King and Nutley.

Absent: Representatives Zellinsky, Vice Chair; Crane, Dellwo, Silver and Winsley.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1964 Prime Sponsor, Representative Walker: Authorizing funds for elementary school counseling and intervention services. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 8, after "specialist" insert "in the building that will be served under the grant application"

Signed by Representatives Peery, Chair, Spanel, Vice Chair, Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Voting nay: Representative Fuhrman.

Referred to Committee on Ways & Means.

February 3, 1988

HB 1969 Prime Sponsor, Representative Belcher: Prohibiting sex discrimination by private golfing clubs qualifying for open space classification. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Taylor, Valle and Winsley.

Absent: Representatives Bristow, Grimm and Schoon.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1970 Prime Sponsor, Representative Armstrong: Prohibiting the sale to minors of illustrated materials harmful to minors. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, P. King, Lewis, Moyer, Padden, Patrick and Schmidt.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Locke, Meyers and Wang.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1990 Prime Sponsor, Representative Braddock: Revising provisions on assessments under the health insurance coverage access act. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Absent: Representatives Bristow and Lux.

Passed to Committee on Rules for second reading.

February 4, 1988

HJM 4031 Prime Sponsor, Representative Haugen: Petitioning Congress to revise the Marine Mammal Protection Act. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 12, after "use;" strike all material through "Act;" on line 15 and insert "to allow commercial fisheries to continue the incidental take of depleted marine mammals if the take is consistent with sound conservation principles;"

Signed by Representatives Basich, Beck, Bumgarner, Butterfield, Dorn, Fuhrman, Haugen, Sayan, Schmidt, Smith and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Belcher and Spanel.

Voting nay: Representatives Sutherland, Chair; K. Wilson, Vice Chair; Belcher, Cole and Spanel.

Absent: Representatives Amondson and Hargrove.

Passed to Committee on Rules for second reading.

February 4, 1988

HJM 4035 Prime Sponsor, Representative Unsoeld: Petitioning Congress to study the claims of veterans exposed to Agent Orange. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Absent: Representative Winsley.

Passed to Committee on Rules for second reading.

February 4, 1988

HJM 4037 Prime Sponsor, Representative Spanel: Requesting Congress to appropriate funds to implement the Marine Plastic Pollution Research and Control Act of 1987. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Ferguson, Jesernig, Lux, Pruitt, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, Brekke, May and Schoon.

Passed to Committee on Rules for second reading.

February 4, 1988

HJM 4045 Prime Sponsor, Representative Bumgarner: Urging Congress to fund fully the Lower Snake River Fish and Wildlife Compensation Plan. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Meyers, Sayan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representatives Amondson and Hargrove.

Passed to Committee on Rules for second reading.

February 2, 1988

HJR 4222 Prime Sponsor, Representative Holland: Increasing the head of family personal property tax exemption. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 2, 1988

HJR 4231 Prime Sponsor, Representative Fisher: Revising constitutional references to persons with mental or sensory disabilities. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Amondson, Barnes, R. King, Leonard and Sanders.

Passed to Committee on Rules for second reading.

February 3, 1988

HCR 4436 Prime Sponsor, Representative Vekich: Establishing the joint select committee on the state's mature industries. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 22, after "industries," insert "including the need for worker training and retraining, training areas that would prove most beneficial to the state's workforce, cooperative training and retraining methods."

On page 2, after line 29, insert the following:

"BE IT FURTHER RESOLVED, That the joint select committee shall also examine the provision of services to local economic development groups, including the adequacy of training and technical assistance provided to local economic development groups and the methods of financing local economic development groups; and"

Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Braddock, Cantwell, Doty, Fox, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon and J. Williams.

Absent: Representatives Amondson, Grant, Holm, Kremen, McLean, B. Williams and J. Williams.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorials and resolutions listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 318. The motion was carried.

HOUSE BILL NO. 318, by Representatives Lux, P. King, Nutley, Prince and Chandler; by request of Insurance Commissioner

Revising provisions on insurance.

The bill was read the second time. On motion of Mr. Lux, Second Substitute House Bill No. 318 was substituted for House Bill No. 318, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 318 was read the second time.

On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 318, and the bill passed the House by the following vote: Yeas, 88; absent, 4; excused, 6.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesenig, Jones, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Day, King P, King R, Williams J - 4.

Excused: Representatives Allen, Amundson, Bumgarner, Chandler, Todd, Wilson K - 6.

Second Substitute House Bill No. 318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4727, by Representatives Locke, O'Brien, Miller, Belcher, Brough, Wineberry, Allen, Wang, May, Anderson, Grimm, Lux, Holland, Nutley and Unsoeld

WHEREAS, The heritage of America and Washington State has been greatly enriched by the ethnic and cultural diversity of the citizenry; and

WHEREAS, Organized labor has played a leading role in improving the working conditions, wages, housing and civil rights of all Americans; and

WHEREAS, The Filipinos who immigrated to the Pacific Northwest in the 1920s and 1930s were instrumental in our region's labor movement; and

WHEREAS, Those early Filipino immigrants, known as Alaskeros, toiled under extremely difficult working conditions in Alaskan fish canneries and helped found the Cannery Workers' Seattle Local of the International Longshoremen's & Warehousemen's Union; and

WHEREAS, The pioneering Alaskeros often were confronted with bigotry, racism, exploitation and violence upon settling in the United States, but through their spirit, deeds and dedication to making a better life for themselves, they overcame adversity and earned the respect and admiration of fellow citizens; and

WHEREAS, The pioneer Alaskeros still among us are living symbols of the character and ideals upon which our nation was founded; and

WHEREAS, The pioneer Alaskeros are the subject of a photographic and oral-history exhibit on display in the Rotunda of the Legislative Building through February 12;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and pay tribute to the Filipino Pioneer Alaskeros for their significant and unique contribution to the State of Washington and its people.

Representative Locke moved adoption of the resolution. Representatives Locke, Lux, Miller, Doty, Wineberry and Vekich spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives Filipino Pioneer Alaskeros, Mr. Vincent Bacho and Mr. Stanley Ayson, who were seated in the place of honor in the rear of the House Chambers.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker called the House to order.

Representatives Day, P. King, R. King, Todd, J. Williams and K. Wilson appeared at the bar of the House.

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

SECOND READING

MOTION

On motion of Mr. Ebersole, the House resumed consideration of Substitute House Bill No. 1465 on second reading from Wednesday, February 3, 1988.

SUBSTITUTE HOUSE BILL NO. 1465, by Committee on Judiciary (originally sponsored by Representatives Armstrong, Brough, Belcher, Appelwick, Locke, Schmidt and Todd)

Providing for a state-wide child support schedule.

The Speaker stated the question before the House to be the amendment by Mr. Armstrong. (For amendment, see Journal, 24th Day, February 3, 1988).

With consent of the House, Mr. Armstrong withdrew the amendment.

With consent of the House, the following amendment to the title was adopted: On page 1, line 10 of the title, strike "making an appropriation."

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong, Hargrove, Schmidt, Appelwick and Brough spoke in favor of passage of the bill, and Mr. Padden opposed it.

Representative Armstrong again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1465, and the bill passed the House by the following vote: Yeas, 81; nays, 13; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Dom, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Harugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Baugher, Day, Dellwo, Doty, Fuhrman, Heavey, Lewis, Nealey, Nutley, Padden, Rayburn, Smith C, Williams J - 13.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Engrossed Substitute House Bill No. 1465, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Concurrent Resolution No. 4433 on second reading. The motion was carried.

HOUSE CONCURRENT RESOLUTION NO. 4433, by Representatives Jacobsen, Miller, Nelson, Silver, Ebersole, Holland, Hearvey, Prince, Cooper, Peery, Jesernig, K. Wilson, Appelwick, Fox, Ferguson, S. Wilson, Unsoeld, Barnes, Basich, P. King, Dellwo, Dorn, Grimm, Spanel and May

Approving the master plan for higher education and establishing a study group.

The resolution was read the second time. Committee on Higher Education recommendation: Majority, do pass with amendments. (For committee amendments, see Journal, 17th Day, January 27, 1988.)

Representative Jacobsen moved adoption of the committee amendment on page 1, beginning on line 23. Mr. Jacobsen spoke in favor of the amendment, and it was adopted.

Representative Jacobsen moved adoption of the committee amendment on page 1, line 30. Mr. Jacobsen spoke in favor of the amendment, and it was adopted.

The resolution was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Jacobsen, Miller, Grimm, Holland and Nelson spoke in favor of the resolution, and Mr. Taylor opposed it.

ROLL CALL

The Clerk called the roll on the adoption of Engrossed House Concurrent Resolution No. 4433, and the resolution was adopted by the following vote: Yeas, 92; nays, 2; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D. Sommers H. Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Padden, Taylor - 2.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Engrossed House Concurrent Resolution No. 4433, having received the constitutional majority, was declared adopted.

MOTION

On motion of Mr. Ebersole, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 46, by Committee on Local Government (originally sponsored by Representatives May, Ferguson, Haugen, Lux, Miller, Betzoff, Allen, Braddock, Hine, Leonard and J. Williams)

Providing for the distribution of the local watercraft excise tax to cities and towns providing marine patrol services.

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

Representatives May and S. Wilson spoke in favor of passage of the bill, and Representative Hine opposed it. Mr. May again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 46, and the bill passed the House by the following vote: Yeas, 59; nays, 35; excused, 4.

Voting yea: Representatives Ballard, Barnes, Beck, Betrozoff, Braddock, Brooks, Brough, Butterfield, Day, Dellwo, Dorn, Doty, Ferguson, Fox, Fuhrman, Gallagher, Grant, Hankins, Haugen, Heavey, Holland, Jesernig, King R. Kremen, Leonard, Lewis, Lux, May, McLean, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Valle, Vekich, Walker, Williams B, Williams J, Wilson S, Winsley, and Mr. Speaker - 59.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Ebersole, Fisher, Grimm, Hargrove, Hine, Holm, Jacobsen, Jones, King P, Locke, Meyers, Nelson, Pruitt, Rust, Scott, Sommers H, Todd, Unsoeld, Walk, Wang, Wilson K, Wineberry, Zellinsky - 35.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Engrossed Substitute House Bill No. 46, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of Substitute House Bill No. 332 and that the bill hold its place on the third reading calendar. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 608, by Committee on Judiciary (originally sponsored by Representatives P. King, Hargrove, Patrick, Heavey, Padden, Kremen, Crane, Bristow, Appelwick, Locke, Lewis, Moyer, L. Smith, Holm, Haugen, Todd, Jesernig and Sanders)

Imposing penalties for malicious reporting of child or dependent adult abuse or neglect.

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

Representative P. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 608, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Substitute House Bill No. 608, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1109, by Representatives O'Brien and May

Establishing requirements for certified real estate appraisals.

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

Representatives O'Brien and May spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1109, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

House Bill No. 1109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Ebersole, the House reverted to the sixth order of business.

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1544 on second reading. The motion was carried.

HOUSE BILL NO. 1544, by Representatives Belcher, Allen, Wang, Ebersole, Appelwick, Cole, Unsoeld, Fisher, Locke, Jacobsen, K. Wilson, Lux, Anderson, Scott, Vekich, Grimm, Brekke, Rust, Basich, Wineberry, Sayan, Braddock, Leonard, H. Sommers, R. King, Nelson, Jones, Heavey and Nutley

Increasing the state minimum wage.

The bill was read the second time.

Ms. Brough moved adoption of the following amendment by Representative Taylor:

On page 3, line 32 after "vessel." insert:

"(n) Any secondary school student engaged in the Distribution Education Clubs of America program"

Mr. Taylor spoke in favor of the amendment, and Mr. Wang opposed it.

Mr. Lewis demanded an electric roll call vote on all amendments to House Bill No. 1544. The demand was sustained, and the Speaker ordered an electric roll call vote on all amendments to House Bill No. 1544.

Mr. Taylor again spoke in favor of the amendment, and Ms. Silver spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Taylor on page 3, line 32, to House Bill No. 1544, and the amendment was not adopted by the following vote: Yeas, 40; nays, 54; excused, 4.

Voting yea: Representatives Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Brooks, Brough, Butterfield, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Holland, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Sprenkle, Taylor, Walker, Williams B, Williams J, Wilson K, Wilson S, Winsley - 40.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dom, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Ms. K. Wilson moved adoption of the following amendments by Representatives K. Wilson, Hargrove and Rasmussen:

On page 4, line 4, strike "~~(eighteen)~~ sixteen" and insert "eighteen"

On page 4, line 15, strike "sixteen" and insert "eighteen"

On page 4, line 16, strike "sixteen" and insert "eighteen"

Representatives K. Wilson and Wang spoke in favor of the amendments, and Mr. Patrick opposed them.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative K. Wilson and others to House Bill No. 1544, and the amendments were adopted by the following vote: Yeas, 56; nays, 38; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Bristow, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lux, Meyers, Nealey, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Ballard, Beck, Belcher, Betrozoff, Braddock, Brekke, Brooks, Brough, Butterfield, Cantwell, Doty, Ferguson, Fisher, Hankins, Holland, King P, Lewis, Locke, May, McLean, Miller, Moyer, Nelson, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Vekich, Walker, Williams B, Williams J, Wilson S - 38.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Representative Schoon moved adoption of the following amendment:

On page 4, following line 16, insert:

"Notwithstanding any other provision of this section, the minimum wage for persons age eighteen and under who are engaged in non-agricultural employment pursuant to an agreement of employment for less than six hundred and forty hours in any calendar year, shall be three dollars per hour."

Representatives Schoon and Brough spoke in favor of the amendment, and Representatives Vekich, Wang and R. King opposed it. Representatives Schoon and Brough again spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Schoon on page 4, following line 16, to House Bill No. 1544, and the amendment was not adopted by the following vote: Yeas, 34; nays, 60; excused, 4.

Voting yea: Representatives Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Butterfield, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Sprenkle, Taylor, Walker, Williams B, Williams J, Wilson S - 34.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 60.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Mr. Patrick moved adoption of the following amendments by Representatives Patrick and Lewis:

On page 5, beginning on line 17, after "hour))" strike all material through "year," on page 6, line 10 and insert the following:

"Beginning January 1, 1989, through December 31, 1990, the state minimum wage shall be \$3.35 per hour. Beginning January 1, 1991, through December 31, 1992, the state minimum wage shall be the minimum rate established by rule by the department of labor and industries of no less than \$3.35 per hour, following review and public hearing as required by RCW 49.46-.080. In establishing a state minimum wage, the department shall consider all relevant factors, including: (a) changes in the federal minimum wage; (b) changes in the consumer price index; and (c) changes in the industrial production index and related indexes that measure economic climate, including the growth or decline in corporate profits and changes in the rate of business formations and failures. Thereafter, the department shall review and establish the state minimum wage, following the requirements of this subsection, to take effect at the beginning of each odd-numbered year. In each case in which the minimum wage established by the department differs from the previously established minimum wage, the department shall notify employers, in a manner determined appropriate by the director, of the minimum wage requirements at least 90 days prior to the effective date of the new minimum wage. Nothing in this section shall be construed to apply to an individual employed to engage in agricultural activity as defined in Section 4 of this act."

On page 7, beginning on line 6, after "attending," insert the following:

*NEW SECTION. Sec. 4. Beginning January 1, 1989, the state agricultural minimum wage shall be \$3.35 per hour for an individual employed to engage in agricultural activity. Agricultural activity for purposes of this act shall mean employment on a farm in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; and the exclusions from the term 'employee' provided in this item shall not be deemed applicable with respect to commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption. Notwithstanding any other section of this act, the state agricultural minimum wage set forth in this section shall not apply to employees under fourteen years of age employed to engage in agricultural activity."

Renumber the last section.

Representatives Patrick and Lewis spoke in favor of the amendments, and Mr. Wang opposed them.

POINT OF ORDER

Mr. Lux: I think there is a rule that says you can't read from a book or manuscript without getting permission to do that. Isn't that true?

The Speaker: Thank you, Representative Lux. We do expect all members to abide by the Rules.

Representatives Vekich and Belcher spoke against the amendments, and Representatives Beck and Silver spoke in favor of them. Mr. Patrick again spoke in favor of the amendments.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Patrick and Lewis to House Bill No. 1544, and the amendments were not adopted by the following vote: Yeas, 39; nays, 55; excused, 4.

Voting yea: Representatives Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Brough, Butterfield, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Haugen, Holland, Kremen, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 39.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsöld, Vaile, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Mr. Patrick moved adoption of the following amendment:

On page 5, beginning on line 17, after "(hour)" strike all material through "year," on page 6, line 10 and insert the following:

"Beginning January 1, 1989, through December 31, 1990, the state minimum wage shall be \$3.35 per hour. Beginning January 1, 1991, through December 31, 1992, the state minimum wage shall be the minimum rate established by rule by the department of labor and industries of no less than \$3.35 per hour, following review and public hearing as required by RCW 49.46-.080. In establishing a state minimum wage, the department shall consider all relevant factors, including: (a) changes in the federal minimum wage; (b) changes in the consumer price index; and (c) changes in the industrial production index and related indexes that measure economic climate, including the growth or decline in corporate profits and changes in the rate of business formations and failures. Thereafter, the department shall review and establish the state minimum wage, following the requirements of this subsection, to take effect at the beginning of each odd-numbered year. In each case in which the minimum wage established by the department differs from the previously established minimum wage, the department shall notify employers, in a manner determined appropriate by the director, of the minimum wage requirements at least 90 days prior to the effective date of the new minimum wage."

Ms. Doty moved adoption of the following amendment by Representatives Doty and Nealey to the amendment:

On page 1, beginning on line 21 of the amendment, after "wage," insert the following:

"Nothing in this act shall be construed to apply to an individual employed to engage in agricultural activity as defined in Section 4 of this act."

Ms. Doty spoke in favor of the amendment to the amendment, and Ms. Belcher opposed it.

POINT OF ORDER

Mr. Lewis: Mr. Speaker, I believe from your previous rulings that this is straying from the subject of the amendment. This has nothing to do with the Washington State Apple Commission.

The Speaker: I didn't hear Representative Belcher stray, Representative Lewis.

Representatives Fuhrman and Nealey spoke in favor of the amendment to the amendment, and Mr. Wang opposed it. Ms. Doty again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Doty and Nealey to the amendment to House Bill No. 1544, and the amendment to the amendment was not adopted by the following vote: Yeas, 38; nays, 55; absent, 1; excused, 4.

Voting yea: Representatives Ballard, Barnes, Baugher, Beck, Betzoff, Brooks, Brough, Butterfield, Cole, Doty, Ferguson, Fuhrman, Grant, Hankins, Holland, King R, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 38.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 55.

Absent: Representative Unsoeld - 1.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

STATEMENT FOR THE JOURNAL

Regarding my vote on the amendment by Representative Doty to HB 1455, I intended to vote "No." The recorded "Yes" vote is not an indication that I would in any way support "slave" wages for children working in agriculture.

RICHARD A. KING, 38th District.

The Speaker stated the question before the House to be the adoption of the amendment by Representative Patrick on page 5, beginning on line 17.

Mr. Patrick spoke in favor of the amendment, and Mr. Wang opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Patrick on page 5, beginning on line 17, to House Bill No. 1544, and the amendment was not adopted by the following vote: Yeas, 40; nays, 54; excused, 4.

Voting yea: Representatives Ballard, Barnes, Baugher, Beck, Betzoff, Brooks, Brough, Butterfield, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Holland, Kremen, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Zellinsky - 40.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 54.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher, Winsley and Wang:

On page 5, line 24, strike "one hundred five percent" and insert "ninety-five percent"

On page 5, line 33, strike "one hundred ten percent" and insert "one hundred five percent"

Representatives Belcher, Winsley, Brough and Wang spoke in favor of the amendments, and Representatives Lewis and Lux opposed them.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Belcher and others to House Bill No. 1544, and the amendments were adopted by the following vote: Yeas, 54; nays, 40; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Meyers, Nutley, O'Brien, Peery, Pruitt, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Vaile, Vekich, Waik, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Anderson, Ballard, Baugher, Beck, Betzoff, Brekke, Brooks, Brough, Butterfield, Doty, Ferguson, Fuhrman, Hankins, Haugen, Holland, Lewis, Locke, Lux, May, McLean, Miller, Moyer, Nealey, Nelson, Padden, Patrick, Prince, Rasmussen, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 40.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

Ms. Rasmussen moved adoption of the following amendments by Representatives Rasmussen, K. Wilson, Holm, Haugen, Baugher and Rayburn:

On page 5, line 17, after "hear)" strike "Beginning" and insert "Except as otherwise provided under subsections (3) and (4) of this section, beginning"

On page 6, after line 10, insert the following:

"(3) Beginning January 1, 1989, the minimum wage for employees under the age of eighteen years shall be three dollars and thirty-five cents per hour.

(4) Beginning January 1, 1989, the minimum wage for agricultural employees shall be three dollars and thirty-five cents per hour. For the purposes of this section, an agricultural employee is any individual employed (a) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (b) in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; and the exclusions from the term 'employee' provided in this subsection shall not be deemed applicable with respect to commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption."

Renumber the subsections consecutively and correct any internal references accordingly.

Ms. Rasmussen spoke in favor of the amendments.

POINT OF INQUIRY

Ms. Rasmussen yielded to question by Mr. Patrick.

Mr. Patrick: Do these amendments extend to those youngsters who would pick strawberries and raspberries and other similar crops?

Ms. Rasmussen: Not in these particular amendments. No, not that I am aware of.

Mr. Patrick spoke against the amendments.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Rasmussen and others to House Bill No. 1544, and the amendments were not adopted by the following vote: Yeas, 11; nays, 79; absent, 4; excused, 4.

Voting yea: Representatives Barnes, Crane, Dorn, Grant, Hargrove, Haugen, Holm, Rasmussen, Todd, Wineberry, Winsley - 11.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grimm, Hankins, Heavey, Hine, Holland, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard,

Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Zellinsky, and Mr. Speaker - 79.

Absent: Representatives Lux, Padden, Sayan, Smith C - 4.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

The Clerk read the following amendments by Representative Lewis:

On page 7, following line 7, insert:

***NEW SECTION, Sec. 5.** The legislature recognizes that an increase in the state minimum wage from two dollars and thirty cents per hour to four dollars and seventy cents per hour on January 1, 1989 will cause severe economic strain on many new employers and employers of twenty-five or fewer employees.

In order to more fairly and reasonably share the burden of increasing the minimum wage so far and so quickly, and in recognition of the fact that an increased minimum wage is being promoted as a method to move persons off of public assistance, the legislature finds that the state general fund should share in the burden of increasing the minimum wage.

NEW SECTION, Sec. 6. Any person who was not an employer on January 1, 1988 but who employs twenty-five or fewer persons on January 1, 1989 and any person who employed twenty-five or fewer persons on January 1, 1988 and who continues to employ twenty-five or fewer persons on January 1, 1989 shall be entitled to certain tax credits as set forth herein:

(1) For every employee who was paid less than four dollars and seventy cents per hour in 1988 there shall be a tax credit for the difference between four dollars and seventy cents and the highest 1988 salary paid by the employer to the employee, provided that no credit will be given for any part of a salary below three dollars and thirty-five cents.

(2) Employers may use credits to reduce B&O tax payments owed to the state.

(3) Credits may be taken only for wages earned in 1989 and no credit may be taken after March 30, 1990.

(4) The department of revenue shall adopt such rules as may be necessary to administer the credit provisions of this act."

With consent of the House, Mr. Lewis withdrew the amendment.

Ms. K. Wilson moved adoption of the following amendment by Representatives K. Wilson, Hargrove, Heavey and Rasmussen:

On page 6, after line 10, insert the following:

"(3) For the purposes of this section, to determine the wage of an employee, the amount paid to such employee by his or her employer shall be deemed to be increased by the applicable premium paid by the employer for health benefits for the employee."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Ms. K. Wilson spoke in favor of the amendment, and Mr. Wang opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative K. Wilson and others to House Bill No. 1544, and the amendment was not adopted by the following vote: Yeas, 33; nays, 61; excused, 4.

Voting yea: Representatives Appelwick, Ballard, Barnes, Baugher, Brough, Cooper, Crane, Dorn, Grant, Hankins, Hargrove, Haugen, Holland, Jacobsen, King P, Kremen, Lewis, May, McLean, Miller, Padden, Patrick, Prince, Rasmussen, Sanders, Schmidt, Smith C, Taylor, Williams B, Williams J, Wilson K, Wilson S, Winsley - 33.

Voting nay: Representatives Anderson, Armstrong, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Butterfield, Cantwell, Cole, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grimm, Heavey, Hine, Holm, Jesernig, Jones, King R, Leonard, Locke, Lux, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Peery, Pruitt, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Wineberry, Zellinsky, and Mr. Speaker - 61.

Excused: Representatives Allen, Amondson, Bumgarner, Chandler - 4.

The bill was ordered engrossed, and passed to Committee on Rules for third reading.

MOTION

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

The Speaker called on Mr. O'Brien to preside.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4728, by Representatives Lewis, Holland, Fuhrman, Butterfield, Walker, Ferguson, Silver, Betrozoff, D. Sommers, Hankins, Moyer, May, Padden, Doty, Brooks, Nealey, McLean, Barnes, Smith, Brough, Prince and Miller

WHEREAS, Ronald Wilson Reagan was born on February 6, 1911 in Tampico, Illinois to John and Nellie Reagan; and

WHEREAS, President Reagan was graduated from Eureka College in 1932 with a degree in Economics and Sociology and later moved to California to pursue a career in the motion picture industry; and

WHEREAS, His vigorous career in films encompassed fifty feature-length motion pictures and included six terms as President of the Screen Actors Guild and two terms as president of the Motion Picture Industry Council; and

WHEREAS, President Reagan served his country in World War II in the Army Air Corps for three years; and

WHEREAS, Ronald Reagan and Nancy Davis were married in 1952 and raised their two children, Patricia Ann and Ronald Prescott, in addition to Michael and Maureen, who is currently Co-Chair of the Republican National Committee; and

WHEREAS, In 1966 President Reagan began his distinguished public service career after the people of California overwhelmingly elected him Governor by nearly a million-vote margin; and

WHEREAS, The citizens of California demonstrated their approbation and admiration of Governor Reagan by re-electing him to a second term in 1970; and

WHEREAS, In 1980 President Reagan was chosen by the American people to serve as the fortieth President of the United States and, in 1984, he was re-elected to a second term to lead our nation and the free world; and

WHEREAS, The American people universally acknowledge President Reagan's oratorical abilities, so that he has come to be known as "The Great Communicator"; and

WHEREAS, President Reagan has become the first free world leader in history to sign an arms control agreement which actually reduces the present number of nuclear weapons threatening the superpowers and all mankind;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington extends it heartfelt and warmest wishes to our respected President on his birthday; and

BE IT FURTHER RESOLVED, That copies of this Resolution be suitably inscribed by the Chief Clerk of the House of Representatives and delivered to President Ronald Reagan.

Mr. Lewis moved adoption of the resolution. Representatives Lewis and Walker spoke in favor of the resolution, and it was adopted.

NOTICE OF AMENDMENT TO HOUSE RULES

In accordance with House Rule No. 29, Ms. Brough served notice that she was placing an amendment to the House Rules on the rostrum.

HOUSE FLOOR RESOLUTION NO. 88-4725, by Representatives Fisher, Walker, Haugen, Prince, Belcher, Brough, Cole, Scott, Valle, Winsley, Rust, Miller, Rayburn, Allen, Spanel, Silver, Unsoeld, Doty, Rasmussen, H. Sommers, Cantwell, Nutley, Leonard, Holm, Brekke, Hine and Sanders

WHEREAS, Ella T. Grasso, who was born May 10, 1919 to Italian immigrants and was less than a year old when the 19th Amendment became law, was one of this country's pioneering women politicians and had a career which would have been the envy of any suffragist; and

WHEREAS, Like many women politicians, she was an active member of the League of Women Voters, and it was as a League member that she developed a keen interest in public issues; and

WHEREAS, Her years of public service spanned a period of twenty-eight years, and prior to her death on February 5, 1981 she had served as a member and leader in the House of Representatives of the Connecticut Assembly, as

Connecticut's Secretary of State, as a member of Congress and as Governor of Connecticut; and

WHEREAS, She was Connecticut's first woman Governor and the first woman Governor of any state to be elected without succeeding her husband or without the benefit of her husband's political career; and

WHEREAS, In all of her years as an elected official, she served the public with distinction and became nationally famous as Governor of Connecticut for her successful efforts to persuade the Connecticut General Assembly to enact laws giving the public the right to attend public meetings and to have access to public records, and as a congresswoman for her open-door policy, such as the "Ella-phone" that enabled any of her constituents to call her free of charge on Friday through Saturday of each week;

NOW, THEREFORE, BE IT RESOLVED, That on this day, the seventh anniversary of her death, the members of the House of Representatives recognize Ella T. Grasso for her commitment to public service and for facilitating the political progress of women.

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

MOTION

On motion of Mr. Ebersole, House Bill No. 1442 was referred from Committee on Ways & Means to Committee on Rules.

MOTION

Mr. Ebersole moved that the House be at ease. The motion was carried.

EVENING SESSION

The Speaker (Mr. Appelwick presiding) called the House to order.

On motion of Mr. Ebersole, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 4, 1988

HB 178 Prime Sponsor, Representative Cole: Establishing the school district pay equity and job analysis assessment project. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 30, after "August 1," strike "1989" and insert "1990"

On page 2, line 33, after "December 15," strike "1989" and insert "1990"

On page 3, line 3, after "of" strike all material through "hundred" on line 4 and insert "thirty thousand"

On page 3, line 8, after "January 1," strike "1990" and insert "1991"

Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Basich, Belcher, Braddock, Brekke, Brough, Butterfield, Dellwo, Ebersole, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Sayan, Schoon, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Absent: Representative Nealey.

Passed to Committee on Rules for second reading.

February 4, 1988

ESHB 509 Prime Sponsor, Committee on Environmental Affairs: Limiting the use of landfills for solid waste disposal. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Lux, Schoon, Sprenkle and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Pruitt, D. Sommers and Unsoeld.

Voting nay: Representatives Jesernig, Pruitt, D. Sommers and Unsoeld.

Absent: Representatives Allen and May.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 616 Prime Sponsor, Representative Haugen: Regulating aquaculture to minimize its environmental impact. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Vaile, Vice Chair; Brække, Ferguson, Jesernig, Lux, Pruitt, Schoon, D. Sommers, Sprengle and Walker.

Voting nay: Representative Unsoeld.

Absent: Representatives Allen and May.

Passed to Committee on Rules for second reading.

February 4, 1988

HEB 752 Prime Sponsor, Representative Locke: Revising the definition of second degree assault. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Meyers, Padden, Patrick, Scott, Wang and Wineberry.

Absent: Representative Meyers.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1226 Prime Sponsor, Representative Bumgarner: Revising provisions on game management. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basch, Beck, Bumgarner, Butterfield, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Smith, Spanel and S. Wilson.

Voting nay: Representatives Belcher and Cole.

Absent: Representatives Amondson, Hargrove and Schmidt.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1268 Prime Sponsor, Representative Sutherland: Providing an optional method of regulation of certain telecommunications companies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brooks, Gallagher, Jesernig, May, Meyers, Miller, Sutherland and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Nelson, Chair; Todd, Vice Chair; Jacobsen and Unsoeld.

Voting nay: Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Hankins, Jacobsen and Unsoeld.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1352 Prime Sponsor, Representative Baugher: Changing provisions relating to criminal activities involving controlled substances. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Crane, Vice Chair; Appelwick, Brough, Hargrove, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt and Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Armstrong, Chair; Belcher, Wang and Wineberry.

Voting nay: Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Locke, Wang and Wineberry.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1391 Prime Sponsor, Representative Haugen: Providing oil dump and holding tank pump stations information to boaters. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Ferguson, Jesernig, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, Brekke, Lux, May and Schoon.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1392 Prime Sponsor, Representative D. Sommers: Exempting type A continuing care retirement communities from certificate of need requirements. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers and Vekich.

Absent: Representatives Day, Vice Chair; and Sprengle.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1396 Prime Sponsor, Representative Wang: Revising industrial insurance disability benefits. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1412 Prime Sponsor, Representative Patrick: Providing for disclosure of flood plain information. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Ferguson, Jesernig, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, Brekke, Lux, May and Schoon.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1416 Prime Sponsor, Representative McLean: Revising provisions relating to private ways of necessity. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Baugher, Bristow, Brooks, Chandler, Holm, McLean, Moyer, Nealey and Rasmussen.

MINORITY recommendation: Do not pass. Signed by Representative R. King.

Absent: Representatives Kremen, Vice Chair; Bristow, Grant and R. King.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1423 Prime Sponsor, Representative Ferguson: Revising provisions relating to contracts by port districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1432 Prime Sponsor, Representative Crane: Revising criminal mental defenses. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Brough, Hargrove, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt and Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick, Belcher, Locke, Wang and Wineberry.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1468 Prime Sponsor, Representative Fisher: Requiring helmets for all persons operating or riding on motorcycles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Haugen, Jacobsen, Meyers, Prince, D. Sommers, Sutherland, Todd and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Heavey, Jones, Kremen, Vekich and K. Wilson.

Voting nay: Representatives Betrozoff, Hankins, Heavey, Jones, Kremen, Patrick, Vekich and K. Wilson

Absent: Representatives Allen, Cantwell, Schmidt, Smith, J. Williams and S. Wilson

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1510 Prime Sponsor, Representative Fox: Amending provisions for annexation by water and sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1511 Prime Sponsor, Representative Bumgarner: Amending provisions for water and sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1513 Prime Sponsor, Representative Braddock: Providing for certification of dietitians and nutritionists. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Bristow, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Day, Vice Chair; and Lewis.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1518 Prime Sponsor, Representative Bristow: Revising allocations for small school district capital construction. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass with the following amendments by Committee on Ways & Means/Appropriations:

On page 1, line 26, after "time" insert "equivalent"

On page 2, line 1, after "time" insert "equivalent"

On page 2, line 19, after "district" insert:

" ; PROVIDED FURTHER, That in the event a district had secured local matching funds for a project prior to the effective date of this 1988 act, the number of enrolled pupils shall be substituted for the number of resident pupils in the formula for determining the state matching percentage for the project under this section"

On page 3, line 21, after "28A.47.803," insert "in the case of projects for which local matching funds had not been secured prior to the effective date of this act."

On page 4, after line 32, insert:

"NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "RCW 28A.56.200;" strike "and"

On page 1, line 3 of the title, after "RCW" insert "; and declaring an emergency"

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Butterfield, Fuhrman, Grant, Grimm, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle and Wang.

Absent: Representatives Brough, Ebersole, Grimm, Hine, Holland and B. Williams.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1530 Prime Sponsor, Representative Brooks: Certifying and registering nursing assistants. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor and the substitute bill do pass with the following amendment by Committee on Ways & Means/Appropriations:

On page 14, line 30, after "of" insert "\$100,000"

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Bristow, Nealey, Sayan, H. Sommers and Sprenkle.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1534 Prime Sponsor, Representative Holm: Authorizing children's testimony to be recorded and admissible as evidence in certain cases. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice

Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1561 Prime Sponsor, Representative Nutley: Adopting the manufactured home conversion act. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1563 Prime Sponsor, Representative Wineberry: Instituting a self-help housing program. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Sanders, Todd, J. Williams and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Barnes.

Voting nay: Representatives Barnes and J. Williams.

Absent: Representative Padden.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1566 Prime Sponsor, Representative Todd: Providing for the enforcement of mobile home installation and warranty service standards by counties and cities. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1569 Prime Sponsor, Representative Todd: Regulating the siting of new solid waste incinerators and energy recovery facilities. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Lux, Pruitt, Schoon, Sprenkle, Unsoeld and Walker.

MINORITY recommendation: Do not pass. Signed by Representative D. Sommers.

Voting nay: Representatives Jesernig and D. Sommers.

Absent: Representatives Allen, May and Schoon.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1574 Prime Sponsor, Representative Wang: Revising schedule for payment of workers' compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick, Sanders, Smith and Walker.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1577 Prime Sponsor, Representative Zellinsky: Permitting urine testing to determine drug presence in persons arrested for driving under the influence of liquor or drugs. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Belcher.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1578 Prime Sponsor, Representative Zellinsky: Allowing antique vehicles to operate without fenders in dry weather. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Meyers, Patrick, Prince, Schmidt, Smith, D. Sommers, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Voting nay: Representatives Allen, Kremen and Sutherland.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1579 Prime Sponsor, Representative Bristow: Authorizing public utility districts to offer radio communication services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 8, after "radio" strike "communication" and insert "telecommunications"

Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representative S. Wilson.

Voting nay: Representatives Hankins and S. Wilson.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1589 Prime Sponsor, Representative K. Wilson: Establishing a category of dependency for high-risk youth. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, H. Sommers, Sutherland and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1601 Prime Sponsor, Representative Wineberry: Authorizing local governments to require relocation assistance payments from low-income housing owners. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1612 Prime Sponsor, Representative Todd: Prescribing penalties for failure to post disabled parking signs. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, D. Sommers, Sutherland, Todd, Vekich, K. Wilson and Zellinsky.

Absent: Representatives Allen, Cantwell, Gallagher, Schmidt, Smith, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1628 Prime Sponsor, Representative Nutley: Amending provisions for treasurers of water and sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1633 Prime Sponsor, Representative Appelwick: Exempting contracts for neighborhood improvement projects from bidding and prevailing wage requirements. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1649 Prime Sponsor, Representative Sayan: Revising pension portability provisions. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Holland, Nealey, Sayan, H. Sommers and Sprengle.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1659 Prime Sponsor, Representative Wineberry: Establishing a task force to study and make recommendations to the legislature on child care licensing and registration. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, H. Sommers, Sutherland and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Absent: Representative Winsley.

Referred to Committee on Ways & Means.

February 5, 1988

HB 1660 Prime Sponsor, Representative Meyers: Establishing a motorcycle skills program. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, D. Sommers, Sutherland, Todd, Vekich, K. Wilson and Zellinsky.

Voting nay: Representative Hankins.

Absent: Representatives Allen, Cantwell, Kremen, Schmidt, Smith, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1670 Prime Sponsor, Representative Cooper: Providing for the certification of operators of solid waste incinerators. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, Brekke, Lux and May.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1676 Prime Sponsor, Representative Leonard: Revising provisions relating to community action agencies. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, H. Sommers and Sutherland.

Voting nay: Representatives Moyer, Padden and Winsley.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1683 Prime Sponsor, Representative Cantwell: Amending mobile home landlord-tenant provisions. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Todd, J. Williams and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Sanders.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1689 Prime Sponsor, Representative Haugen: Revising the distribution and payment of investment earnings on property tax receipts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1702 Prime Sponsor, Representative Nutley: Revising provisions for annexation for municipal purposes. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Jones.
Passed to Committee on Rules for second reading.

February 4, 1988

HB 1706 Prime Sponsor, Representative Todd: Amending mobile home dealer licensure requirements. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.
Passed to Committee on Rules for second reading.

February 3, 1988

HB 1713 Prime Sponsor, Representative Braddock: Creating a committee to study and design a trauma care system for Washington. Reported by Committee on Transportation

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Meyers, Patrick, Prince, Schmidt, Smith, D. Sommers, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Kremen and Sutherland.
Passed to Committee on Rules for second reading.

February 4, 1988

HB 1728 Prime Sponsor, Representative Wang: Establishing office of information and assistance within the department of labor and industries. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Ebersole, Grant, Grimm, Hine, Peery, Sayan, H. Sommers, Spanel, Sprenkle and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Butterfield, Fuhrman, Holland, McLean, Nealey and Silver.

Voting nay: Representatives Brough, Butterfield, Fuhrman, McLean, Nealey, Silver and B. Williams.

Absent: Representatives Holland, Sayan and H. Sommers.
Passed to Committee on Rules for second reading.

February 4, 1988

HB 1735 Prime Sponsor, Representative Braddock: Providing a voluntary substance abuse program for health care licensees. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Day, Vice Chair; Brooks and Lewis.
Referred to Committee on Ways & Means.

February 4, 1988

HB 1740 Prime Sponsor, Representative Prince: Providing for informational highway signs and traffic fatality markers. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Meyers, Schmidt, D. Sommers, Sutherland, Todd, Vekich, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Cooper, Jacobsen, Kremen, Patrick, Todd and J. Williams.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1748 Prime Sponsor, Representative Pruitt: Revising provisions on criminal procedure. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Hargrove and Locke.

Voting nay: Representatives Belcher, Hargrove, Locke and Wang.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1767 Prime Sponsor, Representative Hine: Providing for the establishment of state child care policy. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, H. Sommers and Sutherland.

Voting nay: Representative Padden.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1778 Prime Sponsor, Representative Belcher: Revising provisions for the landowner contingency forest fire suppression account. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Holland, Sayan and H. Sommers.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1796 Prime Sponsor, Representative Padden: Requiring specific access service for "976" information-access telephone services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 12, after "access" insert "to the"

On page 2, line 12, after "service" insert "prefix"

On page 2, line 15, after "access" strike "service" and insert "procedure"

Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Hankins, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1803 Prime Sponsor, Representative Todd: Changing provisions relating to requirements for factory-assembled structures. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1817 Prime Sponsor, Representative Hine: Facilitating public and private funding of local transportation improvements. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Hearvey, Jacobsen, Jones, Meyers, Prince, Schmidt, Smith, D. Sommers, Sutherland, Todd, Vekich, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Jacobsen, Kremen, Patrick, Sutherland, Todd and J. Williams.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1821 Prime Sponsor, Representative Nutley: Requiring recording of real estate contracts as condition of seller exercising remedies. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1822 Prime Sponsor, Representative Nutley: Increasing penalties for the delinquent payment of real estate excise taxes. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1823 Prime Sponsor, Representative Nutley: Authorizing regional planning commissions, regional planning councils, regional agencies, and councils of government to designate treasurers and auditors. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1851 Prime Sponsor, Representative Sayan: Removing age restrictions for certain state residential schools. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 13, strike "~~(located at Bremerton, Kitsap county, Washington)~~" and insert ", located at Bremerton, Kitsap county, Washington"

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1858 Prime Sponsor, Representative Sprenkle: Requiring consideration of minority race or minority ethnic heritage in adoptions and foster care placements. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Moyer, Padden, H. Sommers and Winsley.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1860 Prime Sponsor, Representative Betrozoff: Penalizing fraudulent failure to register vehicles, boats, or airplanes. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jones, Meyers, Patrick, Prince, Schmidt, D. Sommers, Todd, Vekich, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Kremen, Smith and Sutherland.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1871 Prime Sponsor, Representative Sutherland: Providing for food and game fish and wildlife licenses to be on one form. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Haugen, Sryan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representatives Amondson, Hargrove and Meyers.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1879 Prime Sponsor, Representative Locke: Establishing procedures for prepayment of federal subsidies on multifamily rental housing developments. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1883 Prime Sponsor, Representative Walk: Adjusting the scope of vehicle dealer regulations. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Heavey, Jones, Meyers, D. Sommers, Sutherland, Vekich, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Haugen, Jacobsen, Kremen, Patrick, Prince, Schmidt, Smith, Todd and S. Wilson.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1884 Prime Sponsor, Representative Prince: Permitting legal loads from other states to move in border areas. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 5, line 3, after "system," insert "This provision does not allow the operation of a vehicle combination consisting of a truck tractor and three trailers."

Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Heavey, Jacobsen, Jones, Meyers, Patrick, Prince, Schmidt, Smith, D. Sommers, Todd, J. Williams, K. Wilson, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Haugen and Vekich.

Absent: Representatives Allen, Kremen and Sutherland.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1903 Prime Sponsor, Representative Todd: Providing commitment proceedings for certain persons with developmental disabilities. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers and Vekich.

MINORITY recommendation: Do not pass. Signed by Representative Braddock, Chair.

Voting nay: Representatives Braddock, Chair; and Vekich.

Absent: Representatives Day, Vice Chair; and Lewis.

Passed to Committee on Rules for second reading.

February 3, 1988

HB 1911 Prime Sponsor, Representative Valle: Amending provisions relating to dependent children. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Sutherland.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1937 Prime Sponsor, Representative Brekke: Modifying provisions relating to the family independence program. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Scott, Vice Chair; Leonard, Moyer, Padden, H. Sommers and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Brekke, Chair; and Anderson.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1966 Prime Sponsor, Representative Locke: Authorizing one party consent to interception in drug cases. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Hargrove, P. King, Locke, Meyers, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Lewis, Moyer, Padden, Patrick and Schmidt.

Passed to Committee on Rules for second reading.

February 4, 1988

HB 1967 Prime Sponsor, Representative Rust: Regulating owners and operators of underground storage tanks. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, May and Valle.

Referred to Committee on Ways & Means.

February 4, 1988

HB 1993 Prime Sponsor, Representative Rayburn: Providing for drought relief. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Baugher, Bristow, Brooks, Chandler, Doty, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Kremen, Vice Chair; Bristow, Grant and R. King.

Passed to Committee on Rules for second reading.

February 4, 1988

HCR 4430 Prime Sponsor, Representative Nelson: Creating a joint select committee on nuclear affairs. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson, Chair; Todd, Vice Chair; Barnes, Brooks, Gallagher, Hankins, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Voting nay: Representative Armstrong.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

MOTION

On motion of Mr. Ebersole, House Bill No. 1673 was referred from Committee on Ways & Means to Committee on Rules.

MOTION

On motion of Mr. Ebersole, the House adjourned until 1:30 p.m., Monday, February 8, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWENTY-NINTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Monday, February 8, 1988

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by David Bruggeman, Eagle Scout, Blue Mountain Council and Brian Brenner, Eagle Scout, Twin Harbors Area Council. Prayer was offered by Sister Therese Ganneville, St. Placid Priory of Olympia.

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

MESSAGE FROM THE SENATE

February 5, 1988

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5147,
 SUBSTITUTE SENATE BILL NO. 6139,
 SENATE BILL NO. 6156,
 SENATE BILL NO. 6197,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6200,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6209,
 ENGROSSED SENATE BILL NO. 6262,
 SENATE BILL NO. 6292,
 SENATE BILL NO. 6370,
 SENATE BILL NO. 6371,
 SENATE BILL NO. 6372,
 SENATE JOINT MEMORIAL NO. 8029,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4724, by Representatives Ferguson, Pruitt, Walker, Lux, Butterfield, Haugen, D. Sommers, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith, H. Sommers, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Monday, February 8, 1988 is the seventy-eighth anniversary of the Boy Scouts of America and marks the beginning of Boy Scout Anniversary Week; and

WHEREAS, The theme of National Boy Scout Week is "Help Shape America's Future"; and

WHEREAS, Since 1910 over eighty three million people have participated in Boy Scout programs in this country; and

WHEREAS, Scouting has maintained a strong presence and influence in every state through four hundred eleven local councils nationwide and has organizations on every continent throughout the world; and

WHEREAS, Scouting promotes respect for God, family and country; and

WHEREAS, The Boy Scout law inspires people to be always trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent; and

WHEREAS, Boy Scout programs have played a significant role in the lives of many of our national and state political leaders; and

WHEREAS, Former President Gerald R. Ford, United States Senator Daniel J. Evans and Ellison Onizuka, American Astronaut of Japanese descent who gave his life on the space shuttle Challenger, all attained the rank of Eagle Scout; and

WHEREAS, Several members of our state's Congressional Delegation have been or are connected with Boy Scout programs; and

WHEREAS, Many of the members of this body have participated in Boy Scouting;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives officially recognize the valuable service the Boy Scouts of America have performed and continues to perform for the youth of our state and our country; and

BE IT FURTHER RESOLVED, That the House of Representatives applauds all of our state Boy Scout Councils for a job well done; and

BE IT FURTHER RESOLVED, That the members of this body do all they can in their home districts to promote the programs and ideals of the Boy Scouts of America; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the National Office of the Boy Scouts of America in Irving, Texas; the Western Regional Office of the Boy Scouts in Sunnyvale, California; and the twelve Boy Scout Councils serving Washington State.

Mr. Ferguson moved adoption of the resolution and spoke in favor of it. The resolution was adopted.

The Speaker assumed the Chair.

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

INTRODUCTIONS AND FIRST READING

HB 2012 by Representatives Ferguson, P. King, Walker and Lux

AN ACT Relating to traffic safety education; adding a new section to chapter 43.59 RCW; and making an appropriation.

Referred to Committee on Transportation.

HB 2013 by Representatives Fuhrman, Amondson, Sanders, Chandler and Smith

AN ACT Relating to protecting private property rights; adding a new chapter to Title 64 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2014 by Representative Fuhrman

AN ACT Relating to student testing; adding a new section to chapter 28A.67 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Education.

HB 2015 by Representatives Fuhrman, B. Williams, Chandler, Patrick, Amondson, Butterfield, Padden, J. Williams and D. Sommers

AN ACT Relating to the protection of physically or mentally disabled children; amending RCW 18.71.240; and declaring an emergency.

Referred to Committee on Health Care.

HB 2016 by Representatives Fuhrman, Amondson, Sanders, Patrick, Chandler, Smith and Butterfield

AN ACT Relating to the right to bear arms; adding new sections to chapter 9.41 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2017 by Representatives Fuhrman, Hargrove, B. Williams, Chandler, Patrick, Amondson, Nealey, Butterfield, D. Sommers, Padden and J. Williams

AN ACT Relating to abortion; adding new sections to chapter 49.60 RCW; and declaring an emergency.

Referred to Committee on Health Care.

HB 2018 by Representatives Fuhrman, B. Williams, Chandler, Sanders, Nealey, Amondson and Heavey

AN ACT Relating to taxation of church real property; and amending RCW 84.36.020.

Referred to Committee on Ways & Means.

HB 2019 by Representatives Fuhrman, Hargrove, B. Williams, Chandler, Patrick, Butterfield, Amondson, D. Sommers, Padden and J. Williams

AN ACT Relating to the protection of the unborn child; adding new sections to chapter 9.02 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2020 by Representative Fuhrman

AN ACT Relating to AIDS; adding a new section to chapter 70.54 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 2021 by Representatives Fuhrman and Crane

AN ACT Relating to blood testing; amending RCW 26.04.210; adding new sections to chapter 26.04 RCW; creating a new section; repealing RCW 26.04.180; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 2022 by Representative Fuhrman

AN ACT Relating to discrimination; adding a new section to chapter 1.16 RCW; adding a new section to chapter 49.60 RCW; and declaring an emergency.

Referred to Committee on Health Care.

HB 2023 by Representative Fuhrman

AN ACT Relating to the custody of minor children; adding a new section to chapter 26.09 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2024 by Representative Fuhrman

AN ACT Relating to moral nuisances; amending RCW 7.48A.010, 7.48A.020, and 7.48A.040; repealing RCW 7.48A.060; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2025 by Representative Fuhrman

AN ACT Relating to sodomy; adding a new section to chapter 49.60 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2026 by Representative Fuhrman

AN ACT Relating to sodomy; adding a new chapter to Title 70 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2027 by Representative Fuhrman

AN ACT Relating to parental consent; adding new sections to chapter 74.09 RCW; and declaring an emergency.

Referred to Committee on Health Care.

HB 2028 by Representatives Appelwick, Wineberry and Crane

AN ACT Relating to prepaid legal service plans; adding a new chapter to Title 48 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 2029 by Representative Padden

AN ACT Relating to abortion; adding a new section to chapter 9.02 RCW; and declaring an emergency.

Referred to Committee on Health Care.

HB 2030 by Representative Padden

AN ACT Relating to surrogate parenting; adding new sections to chapter 26.26 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 2031 by Representative Walk

AN ACT Relating to materialmen's liens; and amending RCW 60.04.020.

Referred to Committee on Commerce & Labor.

HCR 4441 by Representatives Ebersole and Ballard

Providing for a joint legislative session to recognize recipients of the State Medal of Merit.

Referred to Committee on Rules.

SSB 5147 by Committee on Transportation (originally sponsored by Senators Hansen, Rasmussen, Bauer, Barr, Patterson, Johnson and Pullen)

Repealing authority for public utility and transportation corridors.

Referred to Committee on Transportation.

SSB 6139 by Committee on Governmental Operations (originally sponsored by Senators McCaslin and Garrett)

Eliminating boundary review boards.

Referred to Committee on Local Government.

SB 6156 by Senators Bailey and Craswell

Requiring school districts to report on the self-study process every two years.

Referred to Committee on Education.

SB 6197 by Senators Rasmussen and Halsan

Creating a Washington state patrol memorial plaque committee.

Referred to Committee on State Government.

ESSB 6200 by Committee on Governmental Operations (originally sponsored by Senators Seller, Bauer, Zimmerman, Bender, Bailey, Garrett and von Reichbauer)

Extending reduced utility rates to low income disabled citizens.

Referred to Committee on Human Services.

ESSB 6209 by Committee on Education (originally sponsored by Senators Bailey, Rinehart, Lee and Benitz)

Allowing the state's minimum high school graduation requirements to be taken prior to ninth grade.

Referred to Committee on Education.

ESB 6262 by Senators Nelson, Bender and von Reichbauer; by request of Department of Transportation

Extending the length of permits for I-90 construction.

Referred to Committee on Transportation.

SB 6292 by Senators Zimmerman, Bauer, Smith, Conner and DeJarnatt

Revising the property tax exemption for public assembly halls and meeting places.

Referred to Committee on Ways & Means.

SB 6370 by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Correcting obsolete statutory references resulting from a devolution of power from the department of conservation.

Referred to Committee on State Government.

SB 6371 by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Correcting a double amendment to the motor vehicle excise tax distribution section.

Referred to Committee on Transportation.

SB 6372 by Senators Pullen, Talmadge and McCaslin; by request of Department of Natural Resources and Statute Law Committee

Correcting obsolete statutory references involving natural resources.

Referred to Committee on State Government.

SJM 8029 by Senators Benitz, Anderson, Bailey, Barr, Bauer, Bender, Bluechel, Cantu, Conner, Craswell, Deccio, DeJarnatt, Fleming, Garrett, Gaspard, Halsan, Hansen, Hayner, Johnson, Kiskaddon, Kreidler, Lee, Madsen, McCaslin, McDonald, McMullen, Metcalf, Moore, Nelson, Newhouse, Niemi, Owen, Patterson, Pullen, Rasmussen, Rinehart, Saling, Sellar, Smith, Smitherman, Stratton, Talmadge, Vognild, von Reichbauer, Warnke, West, Williams, Wojahn and Zimmerman

Requesting enactment of a Hanford Federal and State Plant Closing Disaster Program.

Referred to Committee on Energy & Utilities.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's introduction sheet were considered first reading under the fourth order of business and referred to the committees so designated with the exception of House Concurrent Resolution No. 4441.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended, and House Concurrent Resolution No. 4441 was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

House Concurrent Resolution No. 4441 was adopted.

REPORTS OF STANDING COMMITTEES

February 7, 1988

HB 90 Prime Sponsor, Representative Belcher: Regulating payment of state employee moving expenses. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by the Committee on State Government be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Ebersole, Grant, Grimm, Hine, Holland, Peery, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Butterfield, Fuhrman, McLean, Nealey and Silver.

Voting nay: Representatives Butterfield, Fuhrman, Holland, McLean, Nealey and Silver.

Absent: Representatives Bristow, Brough and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1170 Prime Sponsor, Representative Patrick: Changing requirements for physicians retained by the medical bureau of the department of labor and industries. Reported by Committee on Ways & Means Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Braddock, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Belcher, Brekke, Bristow and Holland.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1301 Prime Sponsor, Representative Nutley: Providing for farm-worker housing. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Butterfield, Ebersole, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Brough, Fuhrman and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1303 Prime Sponsor, Representative Kremen: Providing for a distribution from the liquor revolving fund to border areas. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Belcher, Braddock, Brekke, Butterfield, Dellwo, Ebersole, Fuhrman, Grant, Hine, Holland, Locke, Nealey, Peery, Rust, Schoon, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Brough, McLean, Sayan, Taylor and Winsley.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1353 Prime Sponsor, Representative Locke: Changing provisions governing seizures related to drug trafficking. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Braddock, Brekke, Bristow, Brough, Butterfield, Fuhrman, Grant, Grimm, Holland, McLean, Nealey, Peery, Sayan, Silver, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Bristow and Ebersole.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1356 Prime Sponsor, Representative Valle: Establishing a college savings bond program. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Braddock, Bristow, Butterfield, Ebersole, Fuhrman, Grimm, Hine, McLean, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Grant and Nealey.

Absent: Representative Ebersole.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1387 Prime Sponsor, Representative Leonard: Providing for housing security deposits for qualified homeless persons. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 19, after "to" strike "fifty" and insert "one hundred"

On page 4, beginning on line 23, strike all of section 7.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 1, beginning on line 2 of the title, after "persons" strike the remainder of the title and insert "and adding a new chapter to title 59 RCW"

Signed by Representatives Locke, Chair; Belcher, Braddock, Bristow, Brough, Butterfield, Ebersole, Grant, Grimm, Hine, Peery, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, McLean and Nealey.

Absent: Representatives Brekke and Holland.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1389 Prime Sponsor, Representative Nutley: Creating the emergency food and shelter program revolving account. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprenkle, Wang, and B. Williams.

Absent: Representatives Brough, Grimm and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1420 Prime Sponsor, Representative Haugen: Revising provisions on property taxes. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Voting nay: Representative Basich.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1424 Prime Sponsor, Representative Dellwo: Revising provisions on community custody. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor and the substitute bill do pass with the following amendment by Committee on Ways & Means/Appropriations:

On page 25, after line 17, insert the following:

"NEW SECTION. Sec. 15. The department of corrections shall report to the legislature on its plans for implementation of this act prior to January 10, 1989. The report shall address: (1) the classification system used to determine the supervision level; and (2) the contact standards for monitoring offenders. This section shall expire February 1, 1989."

Renumber remaining sections consecutively and correct internal references accordingly.

Signed by Representatives Belcher, Braddock, Brough, Butterfield, Ebersole, Grant, Grimm, Hine, Nealey, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Locke, Chair.

Absent: Representatives Brekke and Fuhrman.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1448 Prime Sponsor, Representative Wineberry: Prohibiting state purchases of products originating in countries with apartheid policies. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 3, after "any" insert "finished"

On page 3, line 5, after "the" insert "finished"

On page 3, line 7, after "any" insert "finished"

On page 3, line 13, after "with" insert "finished"

On page 3, line 14, after "the" insert "finished"

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Grant, Grimm, Hine, Holland, Sayan, H. Sommers, Spanel, Sprenkle and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Butterfield, Fuhrman, McLean, Nealey, Silver and B. Williams.

Absent: Representatives Bristow, Ebersole and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1450 Prime Sponsor, Representative Vekich: Extending the excise tax deferral and credit programs for manufacturing and research and development activities. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill by Committee on Trade & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Schoon, Taylor, Valle and Winsley.

Voting nay: Representative Rust.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1451 Prime Sponsor, Representative Rust: Adopting the endangered species conservation act. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill do pass with the following amendments by Committee on Ways & Means/Appropriations:

On page 19, beginning on line 13, strike section 30 and section 31

On page 19, after line 26, insert:

"NEW SECTION, Sec. 33. This act shall take effect July 1, 1989."

On page 1, line 5 of the title, after "and" strike "making appropriations" and insert "providing an effective date"

Signed by Representatives Locke, Chair; Belcher, Brekke, Bristow, Ebersole, Grimm, Hine, Holland, H. Sommers, Spanel, Sprengle and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Braddock, Butterfield, Grant, McLean, Nealey, Silver and B. Williams.

Voting nay: Representatives Braddock, Butterfield, Grant, McLean, Nealey, Peery, Silver and B. Williams

Absent: Representatives Brough, Fuhrman and Sayan.

Passed to Committee on Rules for second reading.

January 28, 1988

HB 1507 Prime Sponsor, Representative Appelwick: Revising the sales and use tax exemptions for food products sold by vendors required to have a worker's permit under RCW 69.06.010. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow, Grimm and Holland.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1516 Prime Sponsor, Representative Basich: Authorizing local marketplace programs. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Braddock, Bristow, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Voting nay: Representative Brough

Absent: Representatives Belcher, Brekke and Holland.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1527 Prime Sponsor, Representative Braddock: Revising provisions relating to sexually transmissible diseases. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Bristow, Brough and Sayan.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1553 Prime Sponsor, Representative Nutley: Limiting grants and loans from the housing trust fund. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 15, after "exceed" strike "seventy-five thousand dollars in 1988 and seventy-five thousand dollars in 1989" and insert "thirty-seven thousand and five hundred dollars in the fiscal year ending June 30, 1988 and seventy-five thousand dollars in the fiscal year ending June 30, 1989"

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Butterfield, Ebersole, Grant, Grimm, Hine, Holland, McLean, Nealey, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Brough, Fuhrman and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1556 Prime Sponsor, Representative Brekke: Requiring certain information in state budget documents. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Braddock, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Belcher, Brekke, Bristow and Holland.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1564 Prime Sponsor, Representative Wineberry: Providing employment and self-sufficiency services for the homeless. Reported by Committee on Ways & Means/Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Butterfield, Ebersole, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Brough, Fuhrman and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1565 Prime Sponsor, Representative Brekke: Revising provisions on alcoholism and drug addiction treatment. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Fuhrman, Grant, Grimm, Hine, Holland, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel and Sprenkle.

Voting nay: Representatives Brough, Grant and Nealey.

Absent: Representatives Belcher, Brekke, Bristow and Holland.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1589 Prime Sponsor, Representative K. Wilson: Establishing a category of dependency for high-risk youth. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Ebersole, Grant, Grimm, Hine, McLean, Nealey, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Silver.

Voting nay: Representatives Butterfield, Holland, Silver and B. Williams.

Absent: Representatives Brough, Fuhrman, Peery and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1593 Prime Sponsor, Representative Belcher: Establishing the Washington 20:20 commission. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendments:
On page 3, after line 29, strike all of section 6.

Renumber remaining sections consecutively and correct internal references accordingly.
On page 1, line 2 of the title, after "sections;" strike "making an appropriation;"

Signed by Representatives Locke, Chair; Belcher, Brekke, Bristow, Butterfield, Ebersole, Grant, Grimm, Hine, Peery, H. Sommers, Spanel and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Holland, Nealey and Silver.

Voting nay: Representatives Braddock, Fuhrman, Holland, McLean, Nealey, Silver, Sprenkle and Wang

Absent: Representatives Brough and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1594 Prime Sponsor, Representative Rayburn: Providing for a water use efficiency study. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Rural Development be substituted therefor and the substitute bill do pass. Signed by Signed by Representatives Locke, Chair; Brekke, Brough, Butterfield, Fuhrman, Grant, Grimm, Hine, Holland, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel and Sprenkle.

Absent: Representatives Brough, Ebersole and Grimm.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1617 Prime Sponsor, Representative Locke: Clarifying the definition of "costs" received as part of court actions. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Nealey, Sayan, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Brekke and Fuhrman.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1627 Prime Sponsor, Representative Belcher: Establishing a family life education program. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Ways & Means/Appropriations be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, Spanel, Sprenkle and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman and B. Williams.

Absent: Representatives Brough, Sayan and H. Sommers.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1631 Prime Sponsor, Representative Haugen: Establishing requirements for local government service agreements. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass with the following amendments by Committee on Ways & Means/Appropriations:

On page 11, beginning with line 1, strike section 24.

On page 1, line 6 of the title, strike "making an appropriation."

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Butterfield, Fuhrman, Grant, Grimm, Holland, McLean, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Voting nay: Representative McLean.

Absent: Representatives Brough, Ebersole, Grimm and Holland.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1632 Prime Sponsor, Representative Haugen: Providing for citizens' committee to review local governments. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass with the following amendments by Committee on Ways & Means/Appropriations:

On page 13, beginning with line 6, strike section 21.

On page 1, line 6 of the title, strike "making an appropriation."

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Fuhrman, Grant, Grimm, Hine, Holland, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Voting nay: Representative McLean.

Absent: Representatives Brough, Ebersole and Grimm.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1640 Prime Sponsor, Representative Fox: Establishing the G. Robert Ross public service award program for outstanding public service by faculty. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Grant, Grimm, Hine, Holland, McLean, Peery, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman and Nealey.

Absent: Representatives Brough and Sayan.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1655 Prime Sponsor, Representative Peery: Specifying the uses of capital funds by school districts. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass with the following amendments by Committee on Ways & Means/Appropriations:

On page 3, beginning on line 6, strike "furniture, apparatus, supplies, or equipment" and insert "item, such as equipment, instructional materials, or furniture,"

On page 3, line 8, after "means a building" insert "or building complex"

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Brough and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1680 Prime Sponsor, Representative Nutley: Revising permit requirements on sales tax exemptions for nonresidents. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Grimm, Holland, Schoon, Taylor, Valle and Winsley.

Voting nay: Representative Rust.

Absent: Representatives Bristow and Winsley.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1685 Prime Sponsor, Representative Grimm: Providing for state caseload forecasts. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Basich, Belcher, Braddock, Brekke, Brough, Butterfield, Dellwo, Ebersole, Fuhrman, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Schoon, Silver, H. Sommers, Spanel, Sprenkle, Valle, Wang and B. Williams.

Absent: Representatives Appelwick, Brough, Sayan, Schoon, H. Sommers, Taylor and Winsley.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1718 Prime Sponsor, Representative Locke: Revising provisions on the limited waiver of the one hundred six percent property tax limit. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 18, after "proposed" insert "and shall clearly state any conditions which are applicable under subsection (3) of this section"

Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 5, 1988

HB 1733 Prime Sponsor, Representative Grimm: Revising investment policies for funds of the department of labor and industries. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Brekke, Brough, Butterfield, Fuhrman, Grant, Grimm, Hine, Holland, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel and Sprenkle.

Absent: Representatives Ebersole and Hine.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1735 Prime Sponsor, Representative Braddock: Providing a voluntary substance abuse program for health care licensees. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Brough and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 1754 Prime Sponsor, Representative Appelwick: Revising administrative provisions on taxes. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1784 Prime Sponsor, Representative Pruitt: Encouraging state purchasing of recovered materials. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, H. Sommers, Spanel, Sprenkle and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Silver and B. Williams.

Absent: Representatives Brough and Sayan.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1800 Prime Sponsor, Representative Basich: Providing grants to Washington state scholars attending independent colleges or Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair, Belcher, Brekke, Bristow, Butterfield, Ebersole, Grant, Grimm, Hine, Holland, McLean, Nealey, Silver, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Brough, Fuhrman and Sayan.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1835 Prime Sponsor, Representative Grant: Providing for economic diversification in the Tri-Cities. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Basich, Braddock, Butterfield, Ebersole, Grant, Hine, Holland, McLean, Nealey, Rust, Schoon, Silver, H. Sommers, Spanel, Sprenkle, Valle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Brekke.

Voting nay: Representatives Belcher and Brekke.

Absent: Representatives Appelwick, Brough, Dellwo, Fuhrman, Peery, Sayan, Taylor and Winsley.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1868 Prime Sponsor, Representative Brekke: Establishing a temporary commission on organization of social and health services. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Braddock, Brekke, Bristow, Butterfield, Ebersole, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprengle and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher and Wang

Voting nay: Representatives Locke, Chair; Belcher and Wang.

Absent: Representatives Brough, Fuhrman and Sayan.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1915 Prime Sponsor, Representative Ebersole: Specifying school district levy bases and levy reduction funds. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill by Committee on Ways & Means/Appropriations be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Voting nay: Representative Holland.

Absent: Representatives Brough and Sayan.

Passed to Committee on Rules for second reading.

February 7, 1988

HB 1954 Prime Sponsor, Representative H. Sommers: Modifying provisions relating to retirement benefits based on excess compensation. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Brough and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1988

HB 2002 Prime Sponsor, Representative Dellwo: Providing a liquor excise tax distribution for a county research bureau. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Holland, Rust, Schoon, Taylor, Valle and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 5, 1988

HJR 4227 Prime Sponsor, Representative Haugen: Amending the state Constitution to allow restructuring of local governments. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendment by Committee on Local Government:

On page 1, line 16, after "policies" insert "and regulations"

Signed by Representatives Locke, Chair; Belcher, Braddock, Brække, Bristow, Brough, Butterfield, Fuhrman, Grant, Grimm, Hine, Holland, Nealey, Peery, Sayan, Silver, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

Absent: Representatives Brough, Ebersole, Fuhrman, Holland and McLean.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SECOND READING

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1367 and that the bill hold its place on the second reading calendar. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 537, by Committee on Transportation (originally sponsored by Representatives Schmidt, Zellinsky, Brough, Sayan, Schoon, Meyers, May, P. King and Pruitt)

Creating a single ferry advisory committee.

The bill was read the second time. On motion of Mr. Walk, Second Substitute House Bill No. 537 was substituted for Substitute House Bill No. 537, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 537 was read the second time.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and Walk:

On page 2, line 14, strike everything through "issues," on line 31 and insert the following:

"(4) The members of each terminal area committee shall be appointed for four-year terms. The initial terms of the members of each terminal area committee shall be staggered as follows: All terms shall commence September 1, 1988, with one member's term expiring August 31, 1990, one member's term expiring August 31, 1991, and the remaining member's term expiring August 31, 1992. Any vacancy shall be filled for the remainder of the unexpired term by the appointing authority. Not more than two members of any terminal-area committee may be from the same political party at the time of their appointment, and in a county having more than one committee, the overall party representation shall be as nearly equal as possible.

(5) The chairmen of the several committees constitute an executive committee of the Washington state ferry users. The executive committee shall meet twice each year with representatives of the marine division of the department to review ferry system issues.

(6) The committees to be appointed by the county legislative authorities shall serve without fee or compensation."

Ms. Schmidt spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Schmidt and Walk spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Schmidt yielded to question by Mr. Walk.

Mr. Walk: Thank you, Representative Schmidt. Will the increase in the number of Ferry Advisory Committee members from eight to fifteen increase the number of meetings requiring the attendance of Washington State Ferries' staff?

Ms. Schmidt: Thank you, Representative Walk. No, this bill is not intended to increase the meeting workload of the Marine Division. It assumes that Marine Division management can consolidate groups into common meetings at mutually acceptable locations just as they do now.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 537, and the bill passed the House by the following vote: Yeas, 89; nays, 9.

Voting yea: Representatives Allen, Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Todd, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Anderson, Cole, Fisher, Heavey, Jacobsen, Sommers H, Unsoeld, Valle, Vekich - 9.

Engrossed Second Substitute House Bill No. 537, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1271, by Representatives Armstrong, Brooks, Braddock, May and P. King; by request of Department of Corrections

Revising provisions relating to the department of corrections.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1271 was substituted for House Bill No. 1271, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1271 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Brooks spoke in favor of passage of the bill, and Mr. Nelson opposed it.

Mr. Braddock again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1271, and the bill passed the House by the following vote: Yeas, 83; nays, 15.

Voting yea: Representatives Allen, Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jesernig, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Anderson, Belcher, Brekke, Cole, Heavey, Jacobsen, Jones, Nelson, Rust, Sayan, Todd, Unsoeld, Valle, Wang, Wineberry - 15.

Substitute House Bill No. 1271, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1273, by Representatives R. King, Sayan, Winsley, Wang and Jones

Extending the effect of collective bargaining agreements.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1278, by Representative Winsley

Authorizing continued superior court jurisdiction over weed control in certain lakes.

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

Representatives Winsley and Rasmussen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1278, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Sanders - 1.

House Bill No. 1278, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of HB 1278.

PAUL SANDERS, 48th District.

HOUSE BILL NO. 1290, by Representatives Belcher, May and Rust; by request of Interagency Committee for Outdoor Recreation

Changing provisions relating to the interagency committee for outdoor recreation's comprehensive guide of public parks and recreation sites.

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

Representative Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1290, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1300, by Representatives Basich, Sayan and Bumgarner; by request of Department of Fisheries

Relating to charter boat licenses.

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

Representative Basich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1300, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsold, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1306, by Representatives Peery, Betzoff, Cole, Schoon, Pruitt, Wang, Holland, Silver, Cooper, Fisher, Meyers, Day, Taylor, Grimm, Rasmussen, Basich, Walker, Todd, Dellwo, Winsley, May, Doty, Spanel, Amondson, McLean, D. Sommers, Moyer, Ferguson and P. King

Specifying the disciplinary authority and protecting classified school employees.

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

Representatives Peery and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1306, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsold, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1309, by Representatives Lux and Wang

Authorizing collective bargaining for district and municipal court employees.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 17th Day, January 27, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1316, by Representatives Haugen, Ferguson, Cooper, Winsley, Spanel, Bumgarner, Holm, Unsoeld and Cole

Revising provisions for meetings of boards of county commissioners.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1316 was substituted for House Bill No. 1316, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1316 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1316, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D. Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Rayburn, Sommers H - 2.

Substitute House Bill No. 1316, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1317, by Representatives Zellinsky, Ferguson, Dellwo, Cooper, Haugen, Winsley, Spanel, Bumgarner and Holm

Revising requirements for publishing notices of actions of cities, towns, and counties.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1317 was substituted for House Bill No. 1317, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1317 was read the second time.

Ms. Haugen moved adoption of the following amendments by Representatives Haugen and Ferguson:

On page 1, line 24, after "newspaper," insert "publication of a notice in the official newspaper,"

On page 2, line 17, after "newspaper," insert "publication of a notice in the official newspaper,"

On page 6, line 17, after "newspaper," insert "publication of a notice in the official newspaper,"

On page 7, line 6, after "newspaper," insert "publication of a notice in the official newspaper,"

On page 7, line 26, after "newspaper," insert "publication of a notice in the official newspaper,"

On page 8, line 16, after "newspaper," insert "publication of a notice in the official newspaper,"

Ms. Haugen spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Zellinsky and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1317, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1317, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1319 and House Bill No. 1323 and that the bills hold their places on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1331, by Representatives Nealey, Rayburn, D. Sommers and Chandler

Revising provisions for transmittal of vital statistics registrations.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1331 was substituted for House Bill No. 1331, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1331 was read the second time.

Ms. Haugen moved adoption of the following amendment by Representatives Haugen and Nealey:

On page 3, after line 6, insert the following:

"NEW SECTION, Sec. 3. A new section is added to chapter 70.58 RCW to read as follows:

A local registrar shall provide to the person in possession of a certified copy of a death certificate, that the local registrar made containing information that differs from the original death certificate, a new corrected certified copy of the death certificate without charge, or pay the cost of the state registrar to make a new corrected certified copy of the death certificate, for each certified copy of the death certificate that the local registrar made containing the incorrect information.

The state registrar shall provide to the person in possession of a certified copy of a death certificate, that the state registrar made containing information that differs from the original death certificate, a new corrected certified copy of the death certificate, without charge for each certified copy of the death certificate that the state registrar made containing the incorrect information."

Representatives Haugen and Nealey spoke in favor of the amendment, and it was adopted.

On motion of Ms. Haugen, the following amendment to the title by Representatives Haugen and Nealey was adopted:

On page 1, beginning on line 1 of the title, strike "and amending RCW 70.58.030 and 70.58.107" and insert "amending RCW 70.58.030 and 70.58.107; and adding a new section to chapter 70.58 RCW"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Nealey spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Nealey yielded to question by Mr. Lux.

Mr. Lux: Representative Nealey, would you have any objection if the Senate put an amendment on this to reduce the unconscionable fees that are now charged for death certificates and birth certificates?

Mr. Nealey: Representative Lux, I guess I have no problem. It just depends on what happens and how far they reduce them. I would like to say this, though--this is something that I went through when I did some investigating on it, because most of you, if you've had anything to do with these records, know that in the county the first copy costs \$11 and each additional copy costs \$6. When it is transferred to the state, it costs \$11 for each one that you get. So it is more expensive after it goes to the state. We've gone through this considerably with the Department of Social and Health Services and their people who were concerned about it. Originally, I asked that the counties have the option of maintaining those records in the counties, instead of those that are less than Class I having to transfer them to the state. Of course they are objecting, because they say that they are going to lose a lot of revenue. We agreed in our committee and with Representative Haugen that we had opened a can of worms, because we found quite a few little glitches in what can be done and what can't be done and how it affects the Vital Statistics Department. We agreed that we would do a study and an investigation during the interim. I think it would be better if we would leave it that way. We'll dig into all the aspects and try to get it consolidated. I guess, Representative Lux, I'd really rather leave it the way it is right now.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1331, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1331, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1341, by Representatives Sanders, Fisher, Miller, Amondson and May

Revising procedures for write-in voting.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 15th Day, January 25, 1988.)

Ms. Fisher moved adoption of the committee amendment. Ms. Fisher spoke in favor of the committee amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1341, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough,

Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Taylor - 1.

Engrossed House Bill No. 1341, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1348, by Representatives Haugen, S. Wilson, Silver, Amondson, Ferguson, May, Betrozoff, Pruitt, Ballard, Brough, Miller and Cooper

Providing additional qualifications for precinct election officers.

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

Representatives Haugen and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1348, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1348, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1361, by Representatives Holm, Belcher, Unsoeld, Basich and Rasmussen

Creating a twenty-fourth community college district.

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

Representatives Holm and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1361, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Ferguson - 1.

House Bill No. 1361, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1364, by Representatives Sayan, Wang, Patrick, R. King, Winsley, Baugher, Vekich, Walker, Cooper and Todd

Requiring that contractors bidding on public works projects be registered in the state.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1364 was substituted for House Bill No. 1364, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1364 was read the second time.

Mr. Kremen moved adoption of the following amendment:

On page 1, following line 13, insert a new section as follows:

***NEW SECTION, Sec. 2.** A new section is added to chapter 47.28 RCW to read as follows:

The department of transportation may, in considering bids under the provisions of RCW 47.28.090, correct mistakes in bids where the evidence is clear and convincing both as to the existence of the mistake and as to the precise bid amount actually intended, and as corrected and uncorrected, the bid is the lowest received. Such evidence must be ascertained from the bid proposals only and in no other manner. Such determination shall be totally within the discretion of the department, and nothing herein shall affect the authority of the department to reject a bid or all remaining bids as otherwise authorize by law."

POINT OF ORDER

Mr. Wang: Mr. Speaker, I would ask that you rule on whether or not this amendment falls within the scope and object of the bill.

SPEAKER'S RULING

The Speaker: Representative Wang, the Speaker has examined House Bill No. 1364 and finds that it amends the law on public works contracts to prohibit state and local governments from accepting bids from contractors not registered with the state. The amendment offered by Representative Kremen allows the Department of Transportation to correct mistakes in bids where the evidence is clear. I find that your point is well taken, that the amendment offered by Representative Kremen is outside the scope and object of the bill.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Sayan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1364, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Barnes - 1.

Substitute House Bill No. 1364, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1375, by Representatives Unsoeld, Allen, Belcher, Miller, Jacobsen, Anderson, Wineberry and Holm

Establishing a leave contribution program for state employees.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1375 was substituted for House Bill No. 1375, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1375 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Unsoeld spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1375, and the bill passed the House by the following vote: Yeas, 94; nays, 2; absent, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Sanders, Williams J - 2.

Absent: Representatives Miller, Silver - 2.

Substitute House Bill No. 1375, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1397, by Representatives Cooper, Ferguson, Haugen and Butterfield; by request of Department of Community Development

Revising provisions on state and local government bond issuance information.

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

Representatives Cooper and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1397, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 1.

House Bill No. 1397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1404 and House Bill NO. 1409 and that the bills hold their places on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1486, by Representatives Pruitt, Holm, Walker, Cooper, Rasmussen, Ebersole, Holland, Anderson, Heavey, Crane, P. King, May, Sanders and Spanel

Requiring school districts to provide for citizenship education.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 1486 was substituted for House Bill No. 1486, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1486 was read the second time.

Mr. Pruitt moved adoption of the following amendment by Representatives Pruitt, Peery and Betzoff:

On page 2, line 1, after "government," insert "A school district may use a standing citizen advisory committee instead of appointing a special committee as described for this purpose."

Representatives Pruitt and Betzoff spoke in favor of the amendment, and it was adopted.

Mr. Pruitt moved adoption of the following amendments by Representatives Pruitt, Peery and Betzoff:

On page 2, line 4, after "of" strike "each year" and insert "alternate years"

On page 2, line 4, after "in" strike "1989" and insert "1990"

Representative Pruitt spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt, Holm and Betzoff spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Basich.

Mr. Basich: This is an excellent bill, but will this bill teach preschoolers about the IRS, the taxman, Form 1040 and paying taxes from their piggy bank savings and will it teach young children, with a paper route earning over \$500, that they now must have a social security number? Does this do this, Representative Pruitt?

Mr. Pruitt: Representative Basich, this bill really does not require the school districts to do anything different than what they are doing now. What it does in terms of their particular curriculum is include the definition of citizenship education and part of that would be consumer education. Hopefully, that will cause the school district to look at what they are doing in relationship to the very questions you propose and ask whether they should be teaching it.

The Speaker call on Mr. Appelwick to preside.

POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Padden.

Mr. Padden: Thank you, Representative Pruitt. In the bill you indicate that each school district shall adopt a comprehensive plan by September 1, 1988 dealing with instruction in the following areas and then you define them, including values education, societal education and experiential citizenship. My question specifically is, are you limiting those areas to the examples given in sections 1, 2, 3 and 4 of New Section 1 of this bill?

Mr. Pruitt: No, the definitions in the bill are merely parameters for school districts to look at. I would suggest that you might have an earlier version of the bill, because in the current version there is no talk of values education. There is character education which is suggested as part of citizenship education, and it is defined in the bill as education relating to some basic concepts such as truth and honesty and justice. Also, the districts do not have to come up with a plan until

September of 1989. The examples in each of those sections, such as consumer education, are examples that we want school districts to look at. The bill is not necessarily limited, because we do not want to exclude things that schools are already teaching.

POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Taylor.

Mr. Taylor: Is the portion of the bill still in--it's in the explanation here--that says that up to one-half credit for contemporary world history, geography and problems may be earned by a student participating in a community service project? Is that still part of the bill?

Mr. Pruitt: No, Representative Taylor, it is not. That was amended out in committee.

Mr. Taylor: The thing that is bothering me is that we have a very erroneous bill report here before us. It refers to the substitute bill, the substitute bill compared to the original, so the explanation we have on the substitute bill still contains the substitution of contemporary world history. That's where some of us are confused. This is dated Monday, February 8, 1988.

Mr. Pruitt: As a former staff member, I appreciate your concern. Unfortunately, I did not write this bill report.

Mr. Taylor: That bill report is incorrect?

Mr. Pruitt: The bill report is incorrect. We amended out the portion of the bill relating to high school graduation requirements. I seem to recall that you voted for that amendment in committee.

Mr. Taylor spoke against passage of the bill.

POINT OF INQUIRY

Mr. Betzoff yielded to question by Mr. Lewis.

Mr. Lewis: Representative Betzoff, reading this in light that it is an incorrect bill report, is it your estimation that this bill, in fact, does speak of global education, denying us our essence and tapping our precious bodily fluids?

Mr. Betzoff: No, Representative Lewis, it does not do that.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1486, and the bill passed the House by the following vote: Yeas, 78; nays, 20.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 78.

Voting nay: Representatives Barnes, Baugher, Braddock, Cole, Fisher, Fuhrman, Hargrove, Kremen, Lewis, Nealey, Padden, Patrick, Rayburn, Silver, Smith C, Taylor, Walk, Williams B, Williams J, Zellinsky - 20.

Engrossed Substitute House Bill No. 1486, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1514, by Representatives Ferguson, Haugen, Sanders, Cooper, Bumgarner and Nutley

Authorizing water districts to fluoridate water supply systems.

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

Mr. Ferguson spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1514, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Fuhrman, Hargrove, Padden, Smith C - 4.

House Bill No. 1514, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1531, by Representatives Silver, H. Sommers, Anderson, Walk, Fuhrman, Chandler, Brough, Sanders, Moyer, K. Wilson, D. Sommers, Betrozoff and Butterfield

Revising the criteria for sunset review and extending the program.

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

Ms. Silver spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1531, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1533, by Representatives Meyers, Schmidt, Zellinsky and Jones; by request of Department of Transportation

Permitting earlier implementation of ferry employee bargaining agreements.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1568, by Representatives Todd, Leonard, Crane, Pruitt and Ebersole

Including school administrators in the excellence in education program.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 1568 was substituted for House Bill No. 1568, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1568 was read the second time.

On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1568, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1568, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1572, by Representatives Rust, Brough, K. Wilson, Cole, Jacobsen, Sutherland, Miller, Brekke and Pruitt; by request of Governor Gardner

Creating a wetlands management committee.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1572 was substituted for House Bill No. 1572, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1572 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust, Schoon and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1572, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1572, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1581, by Representatives Nelson, Miller, Todd, Barnes, Gallagher, Hankins, Jacobsen, Meyers, May, Brooks, Jesernig, Armstrong, Sutherland, Unsoeld, S. Wilson, Day and Dorn

Permitting banded rate tariffs for natural gas and electric services.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 17th Day, January 27, 1988).

Mr. Nelson moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Mr. Nelson yielded to question by Mr. Barnes.

Mr. Barnes: Representative Nelson, what are the standards that would be used to determine the minimum and maximum rates in this banded rating?

Mr. Nelson: The standards will be set by the Utilities and Transportation Commission based on input from the parties. At the low end, the rates should at least cover costs so that monopoly rate payers don't subsidize competitive service. At the high end, the rates should prevent monopoly pricing.

Mr. Barnes: Thank you, Mr. Nelson. I wanted to clarify one other thing. The bill indicates that to prove effective competition a utility must show competition from energy sources not regulated by the Commission. Is that intended to include consumer-owned utilities, such as municipals or public utility districts or cooperatives or mutuals?

Mr. Nelson: It does not.

Representatives Barnes, Nelson and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1581, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Walk - 1.

Engrossed House Bill No. 1581, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1592, by Representatives Sayan, Cole, O'Brien, Patrick, Walker, Jones, Wineberry, R. King, Winsley, Valle, Jacobsen, Wang, Basich, Fisher, Pruitt, Lux and Unsoeld

Authorizing workers' compensation for workers with asbestos-related diseases.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1592 was substituted for House Bill No. 1592, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1592 was read the second time.

On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1592, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1592, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1684, by Representatives Sprenkle, May, Rust, Pruitt, D. Sommers, Cooper, Walker, Unsoeld, Nelson, Brekke, Ferguson, Todd and Spanel

Establishing an analysis process for management of certain categories of solid waste.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1684 was substituted for House Bill No. 1684, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1684 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sprenkle, May and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1684, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1684, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1783, by Representatives P. King, Lewis, Day, Braddock and Cantwell

Requiring the registration of nursing pools.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1783 was substituted for House Bill No. 1783, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1783 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative P. King spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. P. King yielded to question by Mr. Lux.

Mr. Lux: Representative King, is there anything in the legislation that deals with setting the rate that these pools can charge? I understand that some of the rates, that are now being charged, are unconscionable, and I just wondered if you put anything in there to restrict that?

Mr. P. King: No, I didn't. I would point out to the body that there is some concern. I know some of the people who work in the pools. These people do not receive any side benefits, so whatever they get I think is well warranted. It is my feeling that if the hospitals or whatever want to get qualified personnel, they ought to raise their wages. I'm sure they will have plenty of people then.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1783, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1783, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1849, by Representatives Cantwell, Brooks, Braddock, Silver, Bristow, Grant, Sayan, Day, Dellwo, Lewis, Winsley, Fuhrman, Moyer, Doty, D. Sommers, Brekke and Brough

Revising the office of the state long-term care ombudsman.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1849 was substituted for House Bill No. 1849, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1849 was read the second time.

Ms. Cantwell moved adoption of the following amendments by Representatives Cantwell, Braddock and Brooks:

On page 1, line 23, strike "office of financial management" and insert "department of community development"

On page 1, line 28, strike "office of financial management" and insert "department of community development"

On page 2, line 12, strike "office of financial management" and insert "department of community development"

On page 3, line 27, strike "office of financial management" and insert "department of community development"

Representatives Cantwell and Brooks spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cantwell and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1849, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Dellwo, King R - 2.

Engrossed Substitute House Bill No. 1849, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative B. Williams was excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1367 on second reading. The motion was carried.

HOUSE BILL NO. 1367, by Representatives Armstrong, P. King and Appelwick
Enacting a new Administrative Procedure Act.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1367 was substituted for House Bill No. 1367, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1367 was read the second time.

Mr. Armstrong moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

***NEW SECTION. Sec. 1. LEGISLATIVE INTENT.** The legislature intends, by enacting this 1988 Administrative Procedure Act, to clarify the existing law of administrative procedure, to achieve greater consistency with other states and the federal government in administrative procedure, and to provide greater public and legislative access to administrative decision making. The legislature intends that to the greatest extent possible and unless this chapter clearly requires otherwise, current agency practices and court decisions interpreting the Administrative Procedure Act in effect before the effective date of this act shall remain in effect. The legislature also intends that the courts should interpret provisions of this chapter consistently with decisions of other courts interpreting similar provisions of other states, the federal government, and model acts.

PART I.

GENERAL PROVISIONS

Sec. 101. DEFINITIONS. Section 5, chapter 10, Laws of 1982 and RCW 34.04.010 are each amended to read as follows:

The definitions set forth in this section shall apply throughout this chapter, unless the context clearly requires otherwise.

(1) 'Adjudicative proceedings' means a proceeding before an agency in which an opportunity for hearing before that agency is required by statute or constitutional right before or after the issuance of an order by the agency. Adjudicative proceedings also include all cases of licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law.

(2) 'Agency' means any state board, commission, department, institution of higher education, or officer, authorized by law to make rules or to ((~~adjudicate contested cases~~)) conduct adjudicative proceedings, except those in the legislative or judicial branches, the governor, or the attorney general except to the extent otherwise required by law.

(3) 'Agency action' means the implementation or enforcement of a statute, the adoption or application of an agency rule or order, the issuance, denial, or suspension of a license, the imposition of sanctions, or the granting or withholding of benefits.

Agency action does not include an agency decision regarding (a) contracting or procurement of goods, services, public works, and the purchase, lease, or acquisition by eminent domain of real estate, as well as all activities necessarily related to those functions, or (b) determinations as to the sufficiency of a showing of interest filed in support of a representation petition, or mediation or conciliation of labor disputes or arbitration of labor disputes under a collective bargaining law or similar statute, or (c) any sale, lease, contract, or other proprietary decision of the department of natural resources in the management of public lands, or (d) the granting of a license, franchise, or permission for the use of trademarks, symbols, and similar property owned or controlled by the agency.

(4) 'Agency head' means the individual or body of individuals in whom the ultimate legal authority of the agency is vested by any provision of law. If the agency head is a body of individuals, a majority of those individuals constitutes the agency head.

(5) 'Entry' of an order means the signing of the order by all persons who are to sign the order, as an official act indicating that the order is to be effective.

(6) 'Filing' of a document that is required to be filed with an agency means delivery of the document to a place designated by the agency by rule for receipt of official documents, or in the absence of such designation, at the office of the agency head.

(7) 'Institutions of higher education' are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, the various community colleges, and the governing boards of each of the above, and the various colleges, divisions, departments, or offices authorized by the governing board of the institution involved to act for the institution, all of which are sometimes referred to in this chapter as 'institutions.'

(8) 'Interpretive statement' means a written expression of the opinion of an agency, entitled an interpretive statement by the agency head or its designee, as to the meaning of a statute or other provision of law, of a court decision, or of an agency order.

(9)(a) 'License' means a franchise, permit, certification, approval, registration, charter, or similar form of authorization required by law, but does not include (i) a license required solely for revenue purposes, or (ii) a certification of an exclusive bargaining representative, or similar status, under a collective bargaining law or similar statute, or (iii) a license, franchise, or permission for use of trademarks, symbols, and similar property owned or controlled by the agency.

(b) 'Licensing' includes the agency process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal, or modification of a license.

(10) (a) 'Order,' without further qualification, means a written statement of particular applicability that finally determines the legal rights, duties, privileges, immunities, or other legal interests of a specific person or persons.

(b) 'Order of adoption' means the official written statement by which an agency adopts, amends, or repeals a rule.

(11) 'Party to agency proceedings,' or 'party' in a context so indicating, means:

(a) A person to whom the agency action is specifically directed; or

(b) A person named as a party to the agency proceeding or allowed to intervene or participate as a party in the agency proceeding.

(12) 'Party to judicial review or civil enforcement proceedings,' or 'party' in a context so indicating, means:

(a) A person who files a petition for a judicial review or civil enforcement proceeding; or

(b) A person named as a party in a judicial review or civil enforcement proceeding, or allowed to participate as a party in a judicial review or civil enforcement proceeding.

(13) 'Person' means any individual, partnership, corporation, association, governmental subdivision or unit thereof, or public or private organization or entity of any character, and includes another agency.

(14) 'Policy statement' means a written description of the current approach of an agency, entitled a policy statement by the agency head or its designee, to implementation of a statute or other provision of law, of a court decision, or of an agency order, including where appropriate the agency's current practice, procedure, or method of action based upon that approach.

((2)) (15) 'Rule' means any agency order, directive, or regulation of general applicability (a) the violation of which subjects a person to a penalty or administrative sanction; (b) which establishes, alters, or revokes any procedure, practice, or requirement relating to agency hearings; (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; (d) which establishes, alters, or revokes any qualifications or standards for the issuance, suspension, or revocation of licenses to pursue any commercial activity, trade, or profession; or (e) which establishes, alters, or revokes any mandatory standards for any product or material which must be met before distribution or sale. The term includes the amendment or repeal of a prior rule, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, (ii) declaratory rulings issued pursuant to ((RCW 34.04:000, as now or hereafter amended)) section 203 of this act, ((or)) (iii) traffic restrictions for motor vehicles, bicyclists, and pedestrians established by the secretary of transportation or his designee where notice of such restrictions is given by official traffic control devices, or (iv) rules of institutions of higher education involving academic advancement, academic credit, graduation and the granting of degrees, employment relationships, or fiscal processes.

((3)) 'Contested case' means a proceeding before an agency in which an opportunity for a hearing before such agency is required by law or constitutional right prior or subsequent to the determination by the agency of the legal rights, duties, or privileges of specific parties. Contested cases shall also include all cases of licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law or agency rules.

(4) 'License' includes the whole or part of any agency permit, certificate, approval, registration, charter, or any form of permission required by law, including agency rule, to engage in any activity, but does not include a license required solely for revenue purposes.

(5) 'Licensing' includes the agency process respecting the or modification of a license.

(6)) (16) 'Rules review committee' or 'committee' means the joint administrative rules review committee created pursuant to ((RCW 34.04:210)) section 601 of this act for the purpose of selectively reviewing existing and proposed rules of state agencies.

(17) 'Rule making' means the process for formulation and adoption of a rule.

Sec. 102. SAVINGS—AUTHORITY OF AGENCIES TO COMPLY WITH CHAPTER—EFFECT OF SUBSEQUENT LEGISLATION. Section 24, chapter 237, Laws of 1967 and RCW 34.04.940 are each amended to read as follows:

Nothing in ~~((the Administrative Procedure Act shall))~~ this chapter may be held to diminish the constitutional rights of any person or to limit or repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. Every agency is granted all authority necessary to comply with the requirements of ~~((the Administrative Procedure Act))~~ this chapter through the issuance of rules or otherwise. No subsequent legislation shall be held to supersede or modify the provisions of ~~((the Administrative Procedure Act))~~ this chapter or its applicability to any agency except to the extent that such legislation shall do so expressly.

Sec. 103. EXCLUSIONS FROM CHAPTER OR PARTS OF CHAPTER. Section 15, chapter 234, Laws of 1959 as last amended by section 8, chapter 141, Laws of 1984 and RCW 34.04.150 are each amended to read as follows:

~~((Except as provided under RCW 34.04.290;))~~ (1) This chapter shall not apply to:

- (a) The state militia, or
- (b) The board of ~~((prison terms and paroles, or any institution of higher education as defined in RCW 20B.19.020))~~ clemency and pardons, or
- (c) The department of corrections or the indeterminate sentencing review board with respect to persons who are in their custody or are subject to the jurisdiction of those agencies.

(2) The provisions of ~~((RCW 34.04.090 through 34.04.130))~~ sections 401 through 522 of this act shall not apply ~~((to))~~;

(a) To adjudicative proceedings of the board of industrial insurance appeals ~~((or the board of tax appeals unless an election is made pursuant to RCW 82.03.140 or 82.03.190. The provisions of RCW 34.04.090 through 34.04.130 and the provisions of RCW 34.04.170 shall not apply))~~;

(b) Except for actions pursuant to chapter 46.29 RCW, to the denial, suspension, or revocation of a driver's license by the department of licensing ~~((To the extent they are inconsistent with RCW 80.50.140, the provisions of RCW 34.04.130, 34.04.133, and 34.04.140 shall not apply to review of decisions made under RCW 80.50.100;))~~;

(c) To the department of labor and industries where another statute expressly provides for review of adjudicative proceedings of a department action, order, decision, or award before the board of industrial insurance appeals;

(d) To actions of the state personnel board, the higher education personnel board, or the personnel appeals board; or

(e) To the extent they are inconsistent with any provisions of chapter 43.43 RCW ~~((the provisions of this chapter shall not apply to such provisions))~~.

(3) Unless a party makes an election for a formal hearing pursuant to RCW 82.03.140 or 82.03.190, sections 401 through 429 of this act do not apply to a review hearing conducted by the board of tax appeals.

(4) All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act.

Sec. 104. OPERATION OF CHAPTER IF IN CONFLICT WITH FEDERAL LAW. Section 19, chapter 234, Laws of 1959 and RCW 34.04.930 are each amended to read as follows:

If any part of this chapter ~~((shall be))~~ is found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds to the state, ~~((such))~~ the conflicting part of this chapter is ~~((hereby declared to be))~~ inoperative solely to the extent of ~~((such))~~ the conflict and with respect to the agencies directly affected, and such findings or determination shall not affect the operation of the remainder of this chapter in its application to the agencies concerned.

NEW SECTION. Sec. 105. WAIVER. Except to the extent precluded by another provision of law, a person may waive any right conferred upon that person by this chapter.

NEW SECTION. Sec. 106. INFORMAL SETTLEMENTS. Except to the extent precluded by another provision of law and subject to approval by agency order, informal settlement of matters that may make unnecessary more elaborate proceedings under this chapter is strongly encouraged. Agencies may establish by rule specific procedures for attempting and executing informal settlement of matters. This section does not require any party or other person to settle a matter.

NEW SECTION. Sec. 107. CONVERSION OF PROCEEDINGS. (1) If it becomes apparent during the course of an adjudicative or rule-making proceeding undertaken pursuant to this chapter that another form of proceeding under this chapter is necessary, is in the public interest, or is more appropriate to resolve issues affecting the participants, on his or her own motion or on the motion of any party, the presiding officer or other official responsible for the original proceeding shall advise the parties of necessary steps for conversion and, if within the official's power, commence the new proceeding. If the agency refuses to convert to another proceeding, that decision is not subject to judicial review. Commencement of the new proceeding shall be accomplished pursuant to the procedural rules of the new proceeding, except that elements already performed need not be repeated.

(2) If appropriate, a new proceeding may be commenced independently of the original proceeding or may replace the original proceeding.

(3) Conversion to a replacement proceeding shall not be undertaken if the rights of any party will be substantially prejudiced.

(4) To the extent feasible the record of the original proceeding shall be included in the record of a replacement proceeding.

(5) The time of commencement of a replacement proceeding shall be considered to be the time of commencement of the original proceeding.

NEW SECTION, Sec. 108. VARIATION FROM TIME LIMITS. (1) An agency may modify time limits established in this chapter only as set forth in this section.

(2) The time limits set forth in this chapter may be modified by rule of the agency or by rule of the chief administrative law judge if:

(a) The agency has an agency head composed of a body of individuals serving part time who do not regularly meet on a schedule that would allow compliance with the time limits of this chapter in the normal course of agency affairs;

(b) The agency does not have a permanent staff to comply with the time limits set forth in this chapter without substantial loss of efficiency and economy; and

(c) The rights of persons dealing with the agency are not substantially impaired.

(3) The time limits set forth in this chapter may be modified by rule if the agency determines that the change is necessary to the performance of its statutory duties. Agency rule may provide for emergency variation when required in a specific case.

(4) Time limits may be changed pursuant to section 104 of this act.

(5) Time limits may be waived pursuant to section 105 of this act.

(6) Any modification in the time limits set forth in this chapter shall be to new time limits that are reasonable under the specific circumstances.

(7) In any rule-making or adjudicative proceeding, any agency whose time limits vary from those set forth in this chapter shall provide reasonable and adequate notice of the pertinent time limits to persons affected. In an adjudicative proceeding, such notice may be given by the presiding or reviewing officer involved in the proceeding. In a rule-making proceeding, the notice may be given in the notice of proposed rule-making.

(8) Two years after the effective date of this section, the chief administrative law judge shall cause a survey to be made of variations by agencies from the time limits set forth in this chapter, and shall submit a written report of the results of the survey to the office of the governor.

PART II.

PUBLIC ACCESS TO AGENCY RULES

Sec. 201. PUBLICATION OF CODE AND REGISTER—REMOVAL OF UNCONSTITUTIONAL RULES—DISTRIBUTION OF REGISTERS AND CODES—COUNTY LAW LIBRARIES—JUDICIAL NOTICE OF RULES. Section 5, chapter 234, Laws of 1959 as last amended by section 7, chapter 32, Laws of 1982 1st ex. sess. and RCW 34.04.050 are each amended to read as follows:

(1) The code reviser shall (~~as soon as practicable after March 23, 1960, compile and index~~) cause the Washington Administrative Code to be compiled, indexed by subject, and published. All current, permanently effective rules (~~adopted by each agency and remaining in effect~~) of each agency shall be published in the Washington Administrative Code. Compilations shall be supplemented or revised as often as necessary and at least (~~once every two years~~) annually in a form compatible with the main compilation.

(2) Subject to the provisions of this chapter, the code reviser shall prescribe a uniform numbering system, form, and style for all proposed and adopted rules.

(3) The code reviser shall publish a register (~~in which he shall set~~) setting forth the text of all rules filed during the appropriate register publication period.

(~~(3)~~) (4) The code reviser may (~~in his discretion~~) omit from the register or the compilation, rules (~~the publication of which~~) that would be unduly cumbersome, expensive, or otherwise inexpedient to publish, if such rules are made available in printed or processed form on application to the adopting agency, and if (~~such~~) the register or compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

(~~(4)~~) (5) The code reviser may edit and revise rules for publication, codification, and compilation, without changing the meaning of any such rule (~~in accordance with the provisions of RCW 34.04.052~~).

(~~(5)~~) (6) When a rule, in whole or in part, is declared invalid and unconstitutional by a court of final appeal, the adopting agency shall give notice to that effect in the register. With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

(a) The rules are declared unconstitutional by a court of final appeal; or

(b) The adopting agency ceases to exist and the rules are not transferred by statute to a successor agency.

(~~(6)~~) (7) Registers and compilations shall be made available, in written form to (a) state elected officials whose offices are created by Article II or III of the state Constitution or by RCW 48.02.010, upon request, (b) to the secretary of the senate and the chief clerk of the house for committee use, as required, but not to exceed the number of standing committees in each

body, (c) to county boards of law library trustees and to the Olympia representatives of the Associated Press and the United Press International without request, free of charge, and (d) to other persons at a price fixed by the code reviser.

~~((7))~~ (8) The board of law library trustees of each county shall keep and maintain a complete and current set of registers and compilations for use and inspection as provided in RCW 27.24.060.

~~((8))~~ (9) Judicial notice shall be taken of rules filed and published as provided in ~~(RCW 34.04.040)~~ section 315 of this act and this section.

Sec. 202. RULES FOR AGENCY PROCEDURE—INDEXES OF OPINIONS AND STATEMENTS. Section 2, chapter 234, Laws of 1959 as last amended by section 13, chapter 67, Laws of 1981 and RCW 34.04.020 are each amended to read as follows:

(1) In addition to other rule-making requirements imposed by law:

~~((1))~~ (a) Each agency shall adopt rules governing the formal and informal procedures prescribed or authorized by this chapter and rules of practice before the agency, together with forms and instructions (~~PROVIDED That~~), Rules for the conduct of ~~(contested cases)~~ adjudicative proceedings shall be those which are ~~(promulgated)~~ adopted by the chief administrative law judge ~~(pursuant to RCW 34.04.022, as now or hereafter amended)~~ under section 205 of this act.

~~((2))~~ (b) To assist interested persons dealing with it, each agency shall adopt as a rule a description of its organization, stating the general course and method of its operations and the methods whereby the public may obtain information and make submissions or requests. No person may be required to comply with agency procedure not adopted as a rule as herein required.

~~((3))~~ (2) To the extent not prohibited by federal law or regulation, nor prohibited for reasons of confidentiality by state law, each agency shall keep on file for public inspection all final orders, decisions, and opinions in ~~(contested cases)~~ adjudicative proceedings, interpretive statements, policy statements, and any digest or index to those orders, decisions, ~~(or)~~ opinions, or statements prepared by or for the agency ~~(for its own use)~~.

(3) No agency order, decision, or opinion is valid or effective against any person, nor may it be invoked by the agency for any purpose, unless it is available for public inspection ~~(as herein required)~~. A written final order issued after the effective date of this section, may not be relied on as precedent by an agency to the detriment of any person until it has been indexed as required by RCW 42.17.260. This ~~(provision)~~ subsection is not applicable in favor of any person who has actual knowledge ~~(thereof)~~ of the order, decision, or opinion. The agency has the burden of proving that knowledge, but may meet that burden by proving that the person has been properly served with a copy of the order.

(4) Each agency that is authorized by law to exercise discretion in deciding individual cases is encouraged to formalize the general principles that may evolve from these decisions by adopting the principles as rules that the agency will follow until they are amended or repealed.

NEW SECTION. Sec. 203. INTERPRETIVE AND POLICY STATEMENTS. (1) If the adoption of rules is not feasible and practicable, an agency is encouraged to advise the public of its current opinions, approaches, and likely courses of action by means of interpretive or policy statements. Current interpretive and policy statements are advisory only. An agency is encouraged to convert long-standing interpretive and policy statements into rules.

(2) Each agency shall maintain a roster of interested persons, consisting of persons who have requested in writing to be notified of all interpretive and policy statements issued by that agency. Each agency shall update the roster once each year and eliminate persons who do not indicate a desire to continue on the roster. Whenever an agency issues an interpretive or policy statement, it shall send a copy of the statement to each person listed on the roster. The agency may charge a nominal fee to the interested person for this service.

Sec. 204. DECLARATORY ORDER BY AGENCY—PETITION—COURT REVIEW. Section 8, chapter 234, Laws of 1959 and RCW 34.04.080 are each amended to read as follows:

~~((On petition of any interested))~~ (1) Any person ~~(:)~~ may petition an agency ~~(may issue)~~ for a declaratory ~~(ruling)~~ order with respect to the applicability to ~~(any person, property, or state of facts of any)~~ specified circumstances of a rule, order, or statute enforceable by ~~(it. A declaratory ruling, if issued after argument and stated to be binding, is binding between the agency and the petitioner on the state of facts alleged, unless it is altered or set aside by a court. Such a ruling is subject to review in the superior court of Thurston county in the manner hereinafter provided for the review of decisions in contested cases. Each agency shall prescribe by rule the form for such petitions and the procedure for their submission, consideration, and disposition)~~ the agency. The petition shall set forth facts and reasons on which the petitioner relies to show:

(a) That uncertainty necessitating resolution exists;

(b) That there is actual controversy arising from the uncertainty such that a declaratory order will not be merely an advisory opinion;

(c) That the uncertainty adversely affects the petitioner;

(d) That the adverse effect of uncertainty on the petitioner outweighs any adverse effects on others or on the general public that may likely arise from the order requested; and

(e) That the petition complies with any additional requirements established by the agency under subsection (2) of this section.

(2) Each agency may adopt rules that provide for: (a) The form, contents, and filing of petitions for a declaratory order; (b) the procedural rights of persons in relation thereto; and (c) the disposition of those petitions. These rules may include a description of the classes of circumstances in which the agency will not enter a declaratory order and shall be consistent with the public interest and with the general policy of this chapter to facilitate and encourage agencies to provide reliable advice.

(3) Within fifteen days after receipt of a petition for a declaratory order, the agency shall give notice of the petition to all persons to whom notice is required by law, and may give notice to any other person it deems desirable.

(4) Sections 401 through 429 of this act apply to agency proceedings for declaratory orders only to the extent an agency so provides by rule or order.

(5) Within thirty days after receipt of a petition for a declaratory order an agency, in writing, shall do one of the following:

(a) Enter an order declaring the applicability of the statute, rule, or order in question to the specified circumstances;

(b) Set the matter for specified proceedings to be held no more than ninety days after receipt of the petition;

(c) Set a specified time no more than ninety days after receipt of the petition by which it will enter a declaratory order; or

(d) Decline to enter a declaratory order, stating the reasons for its action.

(6) The time limits of subsection (5)(b) and (c) of this section may be extended by the agency for good cause.

(7) An agency may not enter a declaratory order that would substantially prejudice the rights of a person who would be a necessary party and who does not consent in writing to the determination of the matter by a declaratory order proceeding.

(8) A declaratory order has the same status as any other order entered in an agency adjudicative proceeding. Each declaratory order shall contain the names of all parties to the proceeding on which it is based, the particular facts on which it is based, and the reasons for its conclusions.

NEW SECTION, Sec. 205. MODEL RULES OF PROCEDURE. The chief administrative law judge shall adopt model rules of procedure appropriate for use by as many agencies as possible. The model rules shall deal with all general functions and duties performed in common by the various agencies. Each agency shall adopt as much of the model rules as is reasonable under its circumstances. Any agency adopting a rule of procedure that differs from the model rules shall include in the order of adoption a finding stating the reasons for variance.

PART III.

RULE-MAKING PROCEDURES

NEW SECTION, Sec. 301. SOLICITATION OF COMMENTS BEFORE NOTICE PUBLICATION—RULES COORDINATOR. (1) In addition to seeking information by other methods, an agency may, before publication of a notice of a proposed rule adoption under section 303 of this act, solicit comments from the public on a subject of possible rule making under active consideration within the agency, by causing notice to be published in the state register of the subject matter and indicating where, when, and how persons may comment.

(2) Each agency may appoint committees to comment, before publication of a notice of proposed rule adoption under section 303 of this act, on the subject of a possible rule-making action under active consideration within the agency.

(3) Each agency shall designate a rules coordinator, who shall have knowledge of the subjects of rules being proposed or prepared within the agency for proposal, maintain the records of any such action, and respond to public inquiries about possible or proposed rules and the identity of agency personnel working, reviewing, or commenting on them. The office and mailing address of the rules coordinator shall be published in the state register at the time of designation and in the first issue of each calendar year thereafter for the duration of the designation. The rules coordinator may be an employee of another agency.

NEW SECTION, Sec. 302. RULE-MAKING DOCKET. (1) Each agency shall maintain a current public rule-making docket. The rule-making docket shall contain a listing of the subject of each rule currently being prepared by the agency for proposal under section 303 of this act, the name and address of agency personnel responsible for the proposal, and an indication of the present status of the proposal.

(2) The rule-making docket shall contain a listing of each pending rule-making proceeding. A rule-making proceeding is pending from the time it is commenced by publication of a notice of proposed rule adoption under section 303 of this act until it is terminated under section 306(3) of this act.

(3) For each rule-making proceeding, the docket shall indicate all of the following:

(a) The subject of the proposed rule;

(b) A citation to all notices relating to the proceeding that have been published in the state register under section 303 of this act;

(c) The place where written submissions about the proposed rule may be inspected;

(d) The time during which written submissions will be accepted;

(e) The current timetable established for the agency proceeding, including the time and place of any rule-making hearing, the date of the rule's adoption, filing, indexing, publication, and its effective date.

Sec. 303. NOTICE OF PROPOSED RULE—CONTENTS—DISTRIBUTION BY AGENCY—INSTITUTIONS OF HIGHER EDUCATION. Section 1, chapter 84, Laws of 1977 ex. sess. as last amended by section 2, chapter 221, Laws of 1982 and RCW 34.04.045 are each amended to read as follows:

(1) (For the purpose of legislative review of agency rules filed pursuant to this chapter, any proposed new or amendatory rule shall be accompanied by a statement prepared by the adopting agency which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the agency's stationery or a form bearing the agency's name and shall contain, but is not limited to:) At least twenty days before the rule-making hearing at which the agency receives public comment regarding adoption of a rule, the agency shall cause notice of the hearing to be published in the state register. The publication constitutes the proposal of a rule. The notice shall include all of the following:

(a) A title, ~~((containing))~~ a description of the rule's purpose, and any other information which may be of assistance in identifying the rule or its purpose;

(b) Citations of the statutory authority for adopting the rule and the specific statute the rule is intended to implement;

(c) A summary of the rule and a statement of the reasons supporting the proposed action;

(d) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(e) The name of the person or organization, whether private, public, or governmental, proposing the rule;

(f) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(g) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement;

(h) When, where, and how persons may present their views on the proposed rule;

(i) The date on which the agency intends to adopt the rule;

(j) A short explanation of the rule, its purpose, and anticipated effects, including in the case of a proposal that would modify existing rules, a short description of the changes the proposal would make; and

(k) A copy of the small business economic impact statement, ((where)) if applicable.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the statement on file and available for public inspection and shall forward three copies of the notice and the statement to the rules review committee.

(3) No later than three days after its publication in the state register, the agency shall cause a copy of the notice of proposed rule adoption to be mailed to each person who has made a timely request to the agency for a mailed copy of such notices. An agency may charge for the actual cost of providing individual mailed copies of these notices.

(4) In addition to the notice required by subsections (1) and (2) of this section, an institution of higher education shall cause the notice to be published in the campus or standard newspaper of the institution at least seven days before the rule-making hearing.

NEW SECTION. Sec. 304. PUBLIC PARTICIPATION IN RULE MAKING. (1) The agency shall make a good faith effort to insure that the information on the proposed rule published pursuant to section 303 of this act accurately reflects the rule to be presented and considered at the oral hearing on the rule. Written comment about a proposed rule, including supporting data, shall be accepted by an agency if received no later than the time and date specified in the notice, or such later time and date established at the rule-making hearing.

(2) The agency shall provide an opportunity for oral comment to be received by the agency in a rule-making hearing.

(3) The agency head, a member of the agency head, or a presiding officer designated by the agency head shall preside at the rule-making hearing. Rule-making hearings shall be open to the public. The agency shall cause a record to be made of the hearing by stenographic, mechanical, or electronic means. Unless the agency head presides or is present at substantially all the hearings, the presiding official shall prepare a memorandum for consideration by the agency head, summarizing the contents of the presentations made at the rule-making hearing. The summarizing memorandum is a public document and shall be made available to any person in accordance with chapter 42.17 RCW.

(4) Rule-making hearings are legislative in character and shall be reasonably conducted by the presiding official to afford interested persons the opportunity to present comment. Rule-

making hearings may be continued to a later time and place established on the record without publication of further notice under section 303 of this act.

Sec. 305. PETITION FOR ADOPTION, AMENDMENT, REPEAL OF RULE—AGENCY ACTION. Section 6, chapter 234, Laws of 1959 as amended by section 5, chapter 237, Laws of 1967 and RCW 34.04.060 are each amended to read as follows:

Any (~~interested~~) person may petition an agency requesting the (~~promulgation~~) adoption, amendment, or repeal of any rule. Each agency (~~shall~~) may prescribe by rule the form for such petitions and the procedure for their submission, consideration, and disposition. Within (~~thirty~~) sixty days after submission of a petition, (~~or at the next meeting of the agency if it does not meet within thirty days~~) the agency shall (~~formally consider the petition and shall within thirty days thereafter~~) (1) either deny the petition in writing ((0), stating its reasons for the denial(0)), or (2) initiate rule-making proceedings in accordance with ((RCW 34.04.025)) this chapter.

Sec. 306. WITHDRAWAL OF PROPOSAL—TIME AND MANNER OF ADOPTION. Section 11, chapter 186, Laws of 1980 and RCW 34.04.048 are each amended to read as follows:

(1) A proposed rule may be withdrawn by the proposing agency at any time before adoption. A withdrawn rule may not be adopted unless it is again proposed in accordance with (~~RCW 34.04.025 as now or hereafter amended~~) section 303 of this act.

(2) Before adopting a rule, an agency shall consider the written and oral submissions, or any memorandum summarizing oral submissions.

(3) Rules not adopted within one (~~year~~) hundred eighty days after publication of the text as last proposed in the register shall be regarded as withdrawn. An agency may not thereafter adopt the text of the rules without filing the text in accordance with (~~RCW 34.04.025 as now or hereafter amended~~) section 303 of this act. The code reviser shall give notice of the withdrawal in the register.

(4) An agency may not adopt a rule before the time established in the published notice, or such later time established on the record or by publication in the state register.

NEW SECTION. Sec. 307. VARIANCE BETWEEN PROPOSED AND FINAL RULE. (1) Unless it complies with subsection (3) of this section, an agency may not adopt a rule that is substantially different from the rule proposed in the published notice of proposed rule adoption or a supplemental notice in the proceeding. If an agency contemplates making a substantial variance from a proposed rule described in a published notice, it may file a supplemental notice with the code reviser meeting the requirements of section 303 of this act and reopen the proceedings for public comment on the proposed variance, or the agency may reject the proposed rule and commence a new rule-making proceeding to adopt a substantially different rule. If a new rule-making proceeding is commenced, relevant public comment received regarding the initial proposed rule shall be considered in the new proceeding.

(2) The following factors shall be considered in determining whether an adopted rule is substantially different from the proposed rule on which it is based:

(a) The extent to which a reasonable person affected by the adopted rule would have understood that the published proposed rule would affect his or her interests;

(b) The extent to which the subject of the adopted rule or the issues determined in it are substantially different from the subject or issues involved in the published proposed rule; and

(c) The extent to which the effects of the adopted rule differ from the effects of the published proposed rule.

(3) If the agency, without filing a supplemental notice under subsection (1) of this section, adopts a rule that varies in content from the proposed rule, the general subject matter of the adopted rule must remain the same as the proposed rule. The agency shall briefly describe any changes, other than editing changes, and the principal reasons for adopting the changes. The brief description shall be filed with the code reviser together with the order of adoption for publication in the state register. Within sixty days of publication of the adopted rule in the state register, any interested person may petition the agency to amend any portion of the adopted rule that is substantially different from the proposed rule. The petition shall briefly demonstrate how the adopted rule is substantially different from the proposed rule and shall contain the text of the petitioner's proposed amendment. For purposes of the petition, an adopted rule is substantially different if the issues determined in the adopted rule differ from the issues determined in the proposed rule or the anticipated effects of the adopted rule differ from those of the proposed rule. If the petition meets the requirements of this subsection and section 305 of this act, the agency shall initiate rule-making proceedings upon the proposed amendments within the time provided in section 305 of this act.

Sec. 308. FAILURE TO GIVE TWENTY DAYS NOTICE OF INTENDED ACTION—EFFECT. Section 4, chapter 237, Laws of 1967 and RCW 34.04.027 are each amended to read as follows:

Except for emergency rules adopted under section 309 of this act, when twenty days notice of intended action to adopt, amend, or repeal a rule has not been ((filed with the code reviser, as required in RCW 34.04.025)) published in the state register, as required by section 303 of this act, the code reviser shall not publish such rule and such rule shall not be effective for any purpose.

Sec. 309. EMERGENCY RULES AND AMENDMENTS. Section 3, chapter 234, Laws of 1959 as last amended by section 4, chapter 324, Laws of 1981 and RCW 34.04.030 are each amended to read as follows:

(1) If ~~((the))~~ an agency for good cause finds:

(a) That immediate adoption ((or)), amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that ((observance of)) observing the time requirements of notice and opportunity to ((present views on the proposed action)) comment upon adoption of a permanent rule would be contrary to the public interest((:)); or

(b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule,

the agency may dispense with ((such)) those requirements and adopt, amend, or repeal the rule ((or amendment as)) on an emergency ((rule or amendment)) basis. The agency's finding and a concise statement of the reasons for its finding shall be incorporated in the order for adoption of the emergency rule or amendment ((as)) filed with the office of the code reviser under ((RCW 34.04.040)) section 315 of this act and with the rules review committee.

(2) An emergency rule ((or amendment)) adopted under this section takes effect upon filing with the code reviser and may not remain in effect for longer than ((ninety)) one hundred twenty days after filing. Identical or substantially similar emergency rules may not be adopted in sequence unless conditions have changed or the agency has published notice of its intent to adopt the rule as a permanent rule, and is actively undertaking the appropriate procedures to adopt the rule as a permanent rule. This section does not relieve any agency from compliance with any law requiring that its permanent rules be approved by designated persons or bodies before they become effective.

NEW SECTION. Sec. 310. CONCISE EXPLANATORY STATEMENT. (1) At the time it files an adopted rule with the code reviser or within thirty days thereafter, an agency shall place into the rule-making file maintained under section 313 of this act a concise explanatory statement about the rule, identifying (a) the agency's reasons for adopting the rule, and (b) a description of any difference between the text of the proposed rule as published in the register and the text of the rule as adopted, other than editing changes, stating the reasons for change.

(2) Upon the request of any interested person within thirty days after adoption of a rule, the agency shall issue a concise statement of the principal reasons for overruling the considerations urged against its adoption.

NEW SECTION. Sec. 311. ORDER ADOPTING RULE, CONTENTS. The order of adoption by which each rule is adopted by an agency shall contain all of the following:

(1) The date the agency adopted the rule;

(2) A concise statement of the purpose of the rule;

(3) A reference to all rules repealed, amended, or suspended by the rule;

(4) A reference to the specific statutory or other authority authorizing adoption of the rule;

(5) Any findings required by any provision of law as a precondition to adoption or effectiveness of the rule; and

(6) The effective date of the rule if other than that specified in section 315(2) of this act.

NEW SECTION. Sec. 312. INCORPORATION BY REFERENCE. An agency may incorporate by reference and without publishing the incorporated matter in full, all or any part of a code, standard, rule, or regulation that has been adopted by an agency of the United States, of this state, or of another state, by a political subdivision of this state, or by a generally recognized organization or association if incorporation of the full text in the agency rules would be unduly cumbersome, expensive, or otherwise inexpedient. The reference in agency rules shall fully identify the incorporated matter. An agency may incorporate by reference such matter in its rules only if the agency, organization, or association originally issuing that matter makes copies readily available to the public. The incorporating agency shall have, maintain, and make available for public inspection a copy of the incorporated matter. The rule must state where copies of the incorporated matter are available.

NEW SECTION. Sec. 313. RULE-MAKING FILE. (1) Each agency shall maintain an official rule-making file for each rule that it (a) proposes by publication in the state register, or (b) adopts. The file and materials incorporated by reference shall be available for public inspection.

(2) The agency rule-making file shall contain all of the following:

(a) Copies of all publications in the state register with respect to the rule or the proceeding upon which the rule is based;

(b) Copies of any portions of the agency's public rule-making docket containing entries relating to the rule or the proceeding on which the rule is based;

(c) All written petitions, requests, submissions, and comments received by the agency and all other written material regarded by the agency as important to adoption of the rule or the proceeding on which the rule is based;

(d) Any official transcript of oral presentations made in the proceeding on which the rule is based or, if not transcribed, any tape recording or stenographic record of them, and any

memorandum prepared by a presiding official summarizing the contents of those presentations;

(e) The concise explanatory statement required by section 310 of this act;

(f) All petitions for exceptions to, amendment of, or repeal or suspension of, the rule; and

(g) Any other material placed in the file by the agency.

(3) Internal agency documents are exempt from inclusion in the rule-making file under subsection (2) of this section to the extent they constitute preliminary drafts, notes, recommendations, and intra-agency memoranda in which opinions are expressed or policies formulated or recommended, except that a specific document is not exempt from inclusion when it is publicly cited by an agency in connection with its decision.

(4) Upon judicial review, the file required by this section constitutes the official agency rule-making file with respect to that rule. Unless otherwise required by another provision of law, the official agency rule-making file need not be the exclusive basis for agency action on that rule.

NEW SECTION. Sec. 314. SUBSTANTIAL COMPLIANCE WITH PROCEDURES. No rule proposed after the effective date of this section, is valid unless it is adopted in substantial compliance with sections 301 through 318 of this act. Inadvertent failure to mail notice of a proposed rule adoption to any person as required by section 303(3) of this act does not invalidate a rule. No action based upon this section may be maintained to contest the validity of any rule unless it is commenced within two years after the effective date of the rule.

Sec. 315. RULES FILED WITH CODE REVISER—REGISTER—EFFECTIVE DATES. Section 4, chapter 234, Laws of 1959 as last amended by section 17, chapter 505, Laws of 1987 and RCW 34.04.040 are each amended to read as follows:

(1) Each agency shall file ~~((forthwith))~~ in the office of the code reviser a certified copy of all rules ~~((now in effect and hereafter adopted))~~ it adopts, except ~~((the))~~ for rules contained in tariffs filed with or published by the Washington utilities and transportation commission. The code reviser shall place upon each rule a notation of the time and date of filing and shall keep a permanent register of ~~((such))~~ filed rules open to public inspection. In filing a rule, each agency shall use the standard form prescribed for this purpose by the code reviser.

(2) Emergency rules adopted under ~~((RCW 34.04.030 shall))~~ section 309 of this act become effective upon filing. All other rules ~~((hereafter adopted shall))~~ become effective upon the expiration of thirty days after the date of filing, unless a later date is required by statute or specified in the rule.

(3) A rule may become effective immediately upon its filing with the code reviser or on any subsequent date earlier than that established by subsection (2) of this section, if the agency establishes that effective date in the adopting order and finds that:

(a) Such action is required by the state or federal Constitution, a statute, or court order;

(b) The rule only delays the effective date of another rule that is not yet effective; or

(c) The earlier effective date is necessary because of imminent peril to the public health, safety, or welfare.

The finding and a brief statement of the reasons therefor required by this subsection shall be made a part of the order adopting the rule.

(4) With respect to a rule made effective pursuant to subsection (3) of this section, each agency shall make reasonable efforts to make the effective date known to persons who may be affected by it.

Sec. 316. RULES FOR FILING AND FORM OF RULES AND NOTICES. Section 13, chapter 237, Laws of 1967 and RCW 34.04.055 are each amended to read as follows:

The code reviser may ~~((prescribe regulations))~~ adopt rules for carrying out the provisions of this chapter relating to the filing and publication of rules and notices of intention to adopt rules, including the form and style to be employed by the various agencies in the drafting of such rules and notices.

Sec. 317. STYLE, FORMAT, AND NUMBERING OF RULES—AGENCY COMPLIANCE. Section 14, chapter 237, Laws of 1967 and RCW 34.04.057 are each amended to read as follows:

After the rules of an agency have been published by the code reviser:

(1) All agency orders amending or rescinding such rules, or creating new rules, shall be formulated in accordance with the style, format, and numbering system of the Washington Administrative Code~~((and))~~;

(2) Any subsequent printing or reprinting of such rules shall be printed in the style and format (including the numbering system) of such code; and

(3) Amendments of previously adopted rules shall incorporate any editorial corrections made by the code reviser.

Sec. 318. FORMAT AND STYLE OF RULES AMENDING EXISTING SECTIONS, ADDING NEW SECTIONS—EFFECT OF FAILURE TO COMPLY. Section 1, chapter 19, Laws of 1977 as amended by section 14, chapter 186, Laws of 1980 and RCW 34.04.058 are each amended to read as follows:

(1) Rules ~~((promulgated))~~ proposed or adopted by an agency pursuant to ~~((RCW 34.04.025 or 34.04.030, as now or hereafter amended, which))~~ this chapter that amend existing sections of the administrative code shall have the words which are amendatory to such existing sections

underlined. Any matter to be deleted from an existing section shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. ~~((in the case of))~~ A new section ~~((such))~~ shall be designated 'NEW SECTION' in upper case type and such designation shall be underlined, but the complete text of the section shall not be underlined. No rule may be forwarded by any agency to the code reviser, nor may the code reviser accept for filing any rule unless the format of such rule is in compliance with the provisions of this section.

(2) Once the rule has been formally adopted by the agency the code reviser need not, except with regard to the register published pursuant to ~~((RCW 34.04.050(2)))~~ section 201(3) of this act, include the items enumerated in subsection (1) of this section in the official code.

(3) Any addition to or deletion from an existing code section not filed by the agency in the style prescribed by subsection (1) of this section shall in all respects be ineffectual, and shall not be shown in subsequent publications or codifications of that section unless the ineffectual portion of the rule is clearly distinguished and an explanatory note is appended thereto by the code reviser in accordance with ~~((RCW 34.04.050, as now or hereafter amended, and RCW 34.04.052))~~ section 201 of this act.

PART IV.

ADJUDICATIVE PROCEEDINGS

NEW SECTION, Sec. 401. APPLICATION OF PART IV. (1) Adjudicative proceedings are governed by sections 402 through 423 of this act, except as otherwise provided:

(a) By a rule that adopts the procedures for brief adjudicative proceedings in accordance with the standards provided in section 425 of this act for those proceedings;

(b) By section 424 of this act pertaining to emergency adjudicative proceedings; or

(c) By section 204 of this act pertaining to declaratory proceedings.

(2) Sections 401 through 429 of this act do not apply to rule-making proceedings unless another statute expressly so requires.

NEW SECTION, Sec. 402. COMMENCEMENT—WHEN REQUIRED. (1) Within the scope of its authority, an agency may commence an adjudicative proceeding at any time with respect to a matter within the agency's jurisdiction.

(2) When required by law or constitutional right, and upon the timely application of any person, an agency shall commence an adjudicative proceeding.

(3) An agency may require by rule that an application for an adjudicative proceeding be in writing and that it be filed at a specific address and in a specified manner.

(4) If an agency is required to hold an adjudicative proceeding, an application for an agency to enter an order includes an application for the agency to conduct appropriate adjudicative proceedings, whether or not the applicant expressly requests those proceedings.

(5) An adjudicative proceeding commences when the agency or a presiding officer notifies a party that a prehearing conference, hearing, or other stage of an adjudicative proceeding will be conducted.

NEW SECTION, Sec. 403. DECISION NOT TO CONDUCT AN ADJUDICATION. If an agency decides not to conduct an adjudicative proceeding in response to an application, the agency shall furnish the applicant a copy of its decision in writing, with a brief statement of the agency's reasons and of any administrative review available to the applicant.

NEW SECTION, Sec. 404. AGENCY ACTION ON APPLICATIONS FOR ADJUDICATION. After receipt of an application for an adjudicative proceeding, other than a declaratory order, an agency shall proceed as follows:

(1) Except in situations governed by subsection (2) or (3) of this section, within ninety days after receipt of the application or of the response to a timely request made by the agency under subsection (2) of this section, the agency shall do one of the following:

(a) Approve or deny the application, in whole or in part, on the basis of brief or emergency adjudicative proceedings, if those proceedings are available under this chapter for disposition of the matter;

(b) Commence an adjudicative proceeding in accordance with this chapter; or

(c) Dispose of the application in accordance with section 403 of this act;

(2) Within thirty days after receipt of the application, the agency shall examine the application, notify the applicant of any obvious errors or omissions, request any additional information the agency wishes to obtain and is permitted by law to require, and notify the applicant of the name, mailing address, and telephone number of an office that may be contacted regarding the application;

(3) If the application seeks relief that is not available when the application is filed but may be available in the future, the agency may proceed to make a determination of eligibility within the time limits provided in subsection (1) of this section. If the agency determines that the applicant is eligible, the agency shall maintain the application on the agency's list of eligible applicants as provided by law and, upon request, shall notify the applicant of the status of the application.

Sec. 405. RATE CHANGES, LICENSES. Section 8, chapter 237, Laws of 1967 as amended by section 1, chapter 33, Laws of 1980 and RCW 34.04.170 are each amended to read as follows:

(1) Unless otherwise provided by law: (a) Applications for rate changes and uncontested applications for licenses may, in the agency's discretion, be conducted as adjudicative proceedings; (b) applications for licenses that are contested and review of denials of applications for licenses or rate changes shall be conducted as adjudicative proceedings; and (c) an agency may not revoke, suspend, modify, annul, withdraw, or amend a license unless the agency gives notice of an opportunity for an appropriate adjudicative proceeding in accordance with this chapter or other statute.

(2) When a licensee has made timely and sufficient application for the renewal of a license or a new license with reference to any activity of a continuing nature, an existing full, temporary, or provisional license does not expire until the application has been finally determined by the agency, and, in case the application is denied or the terms of the new license limited, until the last day for seeking review of the agency order or a later date fixed by order of the reviewing court.

((#)) (3) If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

NEW SECTION. Sec. 406. PRESIDING OFFICERS—DISQUALIFICATION, SUBSTITUTION. (1) Except as provided in subsection (2) of this section, in the discretion of the agency head, the presiding officer in an administrative hearing shall be:

(a) The agency head or one or more members of the agency head;

(b) If the agency has statutory authority to do so, a person other than the agency head or an administrative law judge designated by the agency head to make the final decision and enter the final order; or

(c) One or more administrative law judges assigned by the office of administrative hearings in accordance with chapter 34.12 RCW.

(2) (a) An agency expressly exempted under RCW 34.12.020(4) or other statute from the provisions of chapter 34.12 RCW shall designate a presiding officer as provided by rules adopted by the agency.

(b) The presiding officer on review of a failure to pass a professional or occupational licensing examination shall be one or more administrative law judges assigned by the office of administrative hearings in accordance with chapter 34.12 RCW.

(3) Any individual serving or designated to serve alone or with others as presiding officer is subject to disqualification for bias, prejudice, interest, or any other cause provided in this chapter or for which a judge is disqualified.

(4) Any party may petition for the disqualification of an individual promptly after receipt of notice indicating that the individual will preside or, if later, promptly upon discovering facts establishing grounds for disqualification.

(5) The individual whose disqualification is requested shall determine whether to grant the petition, stating facts and reasons for the determination.

(6) If a substitute is required for an individual who becomes unavailable as a result of disqualification or any other reason, the substitute must be appointed by the appropriate appointing authority.

(7) Any action taken by a duly appointed substitute for an unavailable individual is as effective as if taken by the unavailable individual.

NEW SECTION. Sec. 407. REPRESENTATION. (1) A party to an adjudicatory proceeding may participate personally or, if the party is a corporation or other artificial person, by a duly authorized representative.

(2) Whether or not participating in person, any party may be advised and represented at the party's own expense by counsel or, if permitted by provision of law, other representative.

NEW SECTION. Sec. 408. CONFERENCE—PROCEDURE AND PARTICIPATION. (1) Agencies may hold prehearing or other conferences for the settlement or simplification of issues. Every agency shall by rule describe the conditions under which and the manner in which conferences are to be held.

(2) In the discretion of the presiding officer, and where the rights of the parties will not be prejudiced thereby, all or part of the conference may be conducted by telephone, television, or other electronic means. Each participant in the conference must have an opportunity to participate effectively in, to hear, and, if technically and economically feasible, to see the entire proceeding while it is taking place.

Sec. 409. NOTICE OF HEARING. Section 9, chapter 234, Laws of 1959 as last amended by section 1, chapter 31, Laws of 1980 and RCW 34.04.090 are each amended to read as follows:

(1) ~~((In any contested case all parties shall be afforded an opportunity for hearing after not less than twenty days' notice; but no hearing shall be required until the hearing is demanded unless other statutory provisions or agency rules provide otherwise.))~~ The agency or the office of administrative hearings shall set the time and place of the hearing and give not less than seven days advance written notice to all parties and to all persons who have filed written petitions to intervene in the matter.

(2) The notice shall include:

(a) Unless otherwise ordered by the presiding officer, the names and mailing addresses of all parties to whom notice is being given and, if known, the names and addresses of their representatives;

(b) If the agency intends to appear, the mailing address and telephone number of the office designated to represent the agency in the proceeding;

(c) The official file or other reference number and the name of the proceeding;

(d) The name, official title, mailing address, and telephone number of the presiding officer,

if known:

(e) A statement of the time, place and nature of the proceeding;

((b)) (f) A statement of the legal authority and jurisdiction under which the hearing is to be held;

((c)) (g) A reference to the particular sections of the statutes and rules involved;

((d)) (h) A short and plain statement of the matters asserted by the agency; and

(i) A statement that a party who fails to attend or participate in a hearing or other stage of an adjudicative proceeding may be held in default in accordance with this chapter. ((If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter upon request a more definite and detailed statement shall be furnished.

(2) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved:

(3) An agency may provide by rule for entry of summary orders in part or in whole after notice and hearing to all parties. The motion shall be granted if the pleadings, dispositions and admissions on file, together with the affidavits, if any, show there is no genuine issue as to any material fact and that the moving party is entitled to the order as a matter of law:

(4) Unless precluded by law, informal disposition may also be made of any contested case by stipulation, agreed settlement, consent order, or default:

(5) The record in a contested case shall include:

(a) All pleadings, motions, intermediate rulings;

(b) Evidence received or considered;

(c) A statement of matters officially noticed;

(d) Questions and offers of proof, objections, and ruling thereon;

(e) Proposed findings and exceptions;

(f) Any decision, opinion, or report by the officer presiding at the hearing;

(6) Oral proceedings shall be transcribed for the purposes of agency decision pursuant to RCW 34.04.110, as now or hereafter amended, rehearing, or court review. A copy of the record or any part thereof shall be transcribed and furnished to any party to the hearing upon request therefor and payment of the reasonable costs thereof:

(7) Findings of fact shall be based exclusively on the evidence and on matters officially noticed:

(8) Each agency shall adopt appropriate rules of procedure for notice and hearing in contested cases:

(9) Agencies, or their authorized agents, may:

(a) Administer oaths and affirmations, examine witnesses, and receive evidence, and no person shall be compelled to divulge information which he could not be compelled to divulge in a court of law;

(b) Issue subpoenas as provided in RCW 34.04.105;

(c) Rule upon offers of proof and receive relevant evidence;

(d) Take or cause depositions to be taken pursuant to rules promulgated by the agency, and no person shall be compelled to divulge information which he could not be compelled to divulge by deposition in connection with a court proceeding;

(e) Regulate the course of the hearing;

(f) Hold conferences for the settlement or simplification of the issues by consent of the parties;

(g) Dispose of procedural requests or similar matters;

(h) Issue summary orders;

(i) Make decisions or proposals for decisions pursuant to RCW 34.04.110;

(j) Take any other action authorized by agency rule consistent with this chapter.))

(3) If the agency is unable to state the matters required by subsection (2)(h) of this section at the time the notice is served, the initial notice may be limited to a statement of the issues involved. If the proceeding is initiated by a person other than the agency, the initial notice may be limited to the inclusion of a copy of the initiating document. Thereafter, upon request, a more definite and detailed statement shall be furnished.

(4) The notice may include any other matters considered desirable by the agency.

NEW SECTION. Sec. 410. PLEADINGS, BRIEFS, MOTIONS, SERVICE. (1) The presiding officer, at appropriate stages of the proceedings, shall give all parties full opportunity to submit and respond to pleadings, motions, objections, and offers of settlement.

(2) At appropriate stages of the proceedings, the presiding officer may give all parties full opportunity to file briefs, proposed findings of fact and conclusions of law, and proposed initial or final orders.

(3) A party that files a pleading, brief, or other paper with the agency or presiding officer shall serve copies on all other parties, unless a different procedure is specified by agency rule.

NEW SECTION. Sec. 411. DEFAULT. (1) An agency may provide forms for and, by rule, may provide procedures for and impose time limits upon, submission of requests for hearing. Failure of a party to request a hearing within the time limit or limits established by the agency rule constitutes a waiver of that party's right to hearing, and the agency may proceed to resolve the case without further notice to, or hearing for the benefit of, that party. There shall be a minimum of twenty days from notice of an opportunity to request a hearing before a party is deemed to have waived his or her right to a hearing under this subsection.

(2) If a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties a default or other dispositive order, which shall include a statement of the grounds for the order.

(3) Within seven days after service of a default order under subsection (2) of this section, or such longer period as provided by agency rule, the party against whom it was entered may file a written motion requesting that the order be vacated, and stating the grounds relied upon. During the time within which a party may file a written motion under this subsection, the presiding officer may adjourn the proceedings or conduct them without the participation of that party, having due regard for the interests of justice and the orderly and prompt conduct of the proceedings.

NEW SECTION. Sec. 412. INTERVENTION. (1) The presiding officer may grant a petition for intervention at any time, upon determining that the petitioner qualifies as an intervenor under any provision of law and that the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.

(2) If a petitioner qualifies for intervention, the presiding officer may impose conditions upon the intervenor's participation in the proceedings, either at the time that intervention is granted or at any subsequent time. Conditions may include:

(a) Limiting the intervenor's participation to designated issues in which the intervenor has a particular interest demonstrated by the petition; and

(b) Limiting the intervenor's use of discovery, cross-examination, and other procedures so as to promote the orderly and prompt conduct of the proceedings; and

(c) Requiring two or more intervenors to combine their presentations of evidence and argument, cross-examination, discovery, and other participation in the proceedings.

(3) The presiding officer shall timely grant or deny each pending petition for intervention, specifying any conditions, and briefly stating the reasons for the order. The presiding officer may modify the order at any time, stating the reasons for the modification. The presiding officer shall promptly give notice of the decision granting, denying, or modifying intervention to the petitioner for intervention and to all parties.

Sec. 413. SUBPOENAS, DISCOVERY, AND PROTECTIVE ORDERS. Section 10, chapter 237, Laws of 1967 and RCW 34.04.105 are each amended to read as follows:

~~(1) ((In order to determine the necessity or desirability of adopting, amending, repealing, or otherwise revising a rule or proposed rule, agencies may hold public hearings, subpoena witnesses, administer oaths, take the testimony of any person under oath, and in connection therewith, require the production for examination of any books or papers relating to the subject matter of contemplated regulation. Each agency may make rules as to the issuance of subpoenas by the agency or its authorized agents. This subsection shall not preclude the exercise of subpoena powers for investigative purposes granted agencies by other statutory provisions:~~

~~(2) In any contested case after service of notice as required in RCW 34.04.090(1), as now or hereafter amended, agencies, their authorized agents, and hearing examiners hearing the case:~~

~~(a) Shall issue a subpoena upon the request of any party and, to the extent required by agency rule, upon a statement showing general relevance and reasonable scope of the evidence sought; PROVIDED, HOWEVER, That such subpoena may be issued with like effect by the attorney of record of the party to the contested case in whose behalf the witness is required to appear, and the form of such subpoena in each case may be the same as when issued by the agency except that it shall only be subscribed by the signature of such attorney;~~

~~(b) May issue a subpoena upon their own motion;~~

~~(3)) The presiding officer may issue subpoenas and may enter protective orders. A subpoena may be issued with like effect by the agency or the attorney of record in whose behalf the witness is required to appear.~~

~~(2) An agency may by rule determine whether or not discovery is to be available in adjudicative proceedings and, if so, which forms of discovery may be used.~~

~~(3) Except as otherwise provided by agency rules, the presiding officer may decide whether to permit the taking of depositions, the requesting of admissions, and all other procedures authorized by rules 26 through 36 of the superior court civil rules. The presiding officer~~

may condition use of discovery on a showing of necessity and unavailability by other means. In exercising such discretion, the presiding officer shall consider: (a) Whether all parties are represented by counsel; (b) whether undue expense or delay in bringing the case to hearing will result; (c) whether the discovery will promote the orderly and prompt conduct of the proceeding; and (d) whether the interests of justice will be promoted.

(4) Subpoenas issued and discovery orders and protective orders entered under this section may be enforced under the provisions of this chapter on civil enforcement of agency action.

(5) The subpoena powers created by this section shall be state-wide in effect.

~~((4))~~ (6) Witnesses in an (agency hearing or contested case) adjudicatory proceeding shall be paid the same fees and allowances, in the same manner and under the same conditions, as provided for witnesses in the courts of this state by chapter 2.40 RCW and by RCW 5.56.010, ((as now or hereafter amended-PROVIDED:)) except that the agency shall have the power to fix the allowance for meals and lodging in like manner as is provided in RCW 5.56.010((-as now or hereafter amended:)) as to courts. ((Such)) The person initiating an adjudicatory proceeding or the party requesting issuance of a subpoena shall pay the fees and allowances(;) and the cost of producing records required to be produced by (agency) subpoena((- shall be paid by the agency or, in a contested case, by the party requesting the issuance of the subpoena.

~~(5) If an individual fails to obey a subpoena, or obeys a subpoena but refuses to testify when requested concerning any matter under examination or investigation at the hearing, the agency or attorney issuing the subpoena may petition the superior court of the county where the hearing is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the agency. The court upon such petition shall enter an order directing the witness to appear before the court at a time and place to be fixed in such order and then and there to show cause why he has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant, and in the case of a rule-making hearing that the requested appearance and testimony are necessary to secure information the expected nature of which would reasonably tend to cause the agency to exercise its rule-making authority, the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers, and on failing to obey said order the witness shall be dealt with as for contempt of court).~~

NEW SECTION. Sec. 414. PROCEDURE AT HEARING. (1) The presiding officer shall regulate the course of the proceedings, in conformity with the prehearing order, if any.

(2) To the extent necessary for full disclosure of all relevant facts and issues, the presiding officer shall afford to all parties the opportunity to respond, present evidence and argument, conduct cross-examination, and submit rebuttal evidence, except as restricted by a limited grant of intervention or by the prehearing order.

(3) In the discretion of the presiding officer, and where the rights of the parties will not be prejudiced thereby, all or part of the hearing may be conducted by telephone, television, or other electronic means. Each party in the hearing must have an opportunity to participate effectively in, to hear, and, if technically and economically feasible, to see the entire proceeding while it is taking place.

(4) The presiding officer shall cause the hearing to be recorded by a method chosen by the agency. The agency is not required, at its expense, to prepare a transcript, unless required to do so by a provision of law. Any party, at the party's expense, may cause a reporter approved by the agency to prepare a transcript from the agency's record, or cause additional recordings to be made during the hearing if the making of the additional recording does not cause distraction or disruption.

(5) The hearing is open to public observation, except for the parts that the presiding officer states to be closed under a provision of law expressly authorizing closure or under a protective order issued by the presiding officer pursuant to rules adopted by the chief administrative law judge. A presiding officer may order the exclusion of witnesses upon a showing of good cause. To the extent that the hearing is conducted by telephone, television, or other electronic means, and is not closed, the availability of public observation is satisfied by giving members of the public an opportunity, at reasonable times, to hear or inspect the agency's record, and to inspect any transcript obtained by the agency.

Sec. 415. RULES OF EVIDENCE—CROSS-EXAMINATION. Section 10, chapter 234, Laws of 1959 and RCW 34.04.100 are each amended to read as follows:

((In-contested-cases:))

(1) ((Agencies, or their authorized agents, may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent men in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. They may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.

~~(2) All evidence, including but not limited to records and documents in the possession of the agency of which it desires to avail itself, shall be offered and made a part of the record in the case, and no other factual information or evidence shall be considered in the determination of the case.)) Evidence, including hearsay evidence, is admissible if in the judgment of the presiding officer it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. The presiding officer shall exclude evidence that is excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the courts of this state. The presiding officer may exclude evidence that is irrelevant, immaterial, or unduly repetitious.~~

~~(2) If not inconsistent with subsection (1) of this section, the presiding officer shall refer to the Washington Rules of Evidence as guidelines for evidentiary rulings.~~

~~(3) All testimony of parties and witnesses shall be made under oath or affirmation.~~

~~(4) Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.~~

~~((3) Every party shall have the right of cross-examination of witnesses who testify, and shall have the right to submit rebuttal evidence:~~

~~(4) Agencies, or their authorized agents, may take)) (5) Official notice may be taken of (a) any judicially cognizable facts ((and in addition may take notice of general)), (b) technical(:)) or scientific facts within ((their)) the agency's specialized knowledge, and (c) codes or standards that have been adopted by an agency of the United States, of this state or of another state, or by a nationally recognized organization or association. Parties shall be notified either before or during hearing, or by reference in preliminary reports or otherwise, of the material so noticed and the sources thereof, including any staff memoranda and data, and they shall be afforded an opportunity to contest the facts and material so noticed. ((Agencies, or their authorized agents, may utilize their experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to them.)) A party proposing that official notice be taken may be required to produce a copy of the material to be noticed.~~

NEW SECTION, Sec. 416. EX PARTE COMMUNICATIONS. (1) A presiding officer may not communicate, directly or indirectly, regarding any issue in the proceeding other than communications necessary to procedural aspects of maintaining an orderly process, with any person employed by the agency without notice and opportunity for all parties to participate, except as provided in this subsection:

(a) Where the ultimate legal authority of an agency is vested in a multimember body, and where that body presides at an adjudication, members of the body may communicate with one another regarding the proceeding;

(b) Any presiding officer may receive aid from legal counsel, or from staff assistants who are subject to the presiding officer's supervision; and

(c) Presiding officers may communicate with other employees or consultants of the agency who have not participated in the proceeding in any manner, and who are not engaged in any investigative or prosecutorial functions in the same or a factually related case.

(d) This subsection does not apply to communications required for the disposition of ex parte matters specifically authorized by statute.

(2) Unless required for the disposition of ex parte matters specifically authorized by statute or unless necessary to procedural aspects of maintaining an orderly process, a presiding officer may not communicate, directly or indirectly, regarding any issue in the proceeding, with any person not employed by the agency who has a direct or indirect interest in the outcome of the proceeding, without notice and opportunity for all parties to participate.

(3) Unless necessary to procedural aspects of maintaining an orderly process, persons to whom a presiding officer may not communicate under subsections (1) and (2) of this section may not communicate with presiding officers without notice and opportunity for all parties to participate.

(4) If, before serving as presiding officer in an adjudicative proceeding, a person receives an ex parte communication of a type that could not properly be received while serving, the person, promptly after starting to serve, shall disclose the communication in the manner prescribed in subsection (5) of this section.

(5) A presiding officer who receives an ex parte communication in violation of this section shall place on the record of the pending matter all written communications received, all written responses to the communications, and a memorandum stating the substance of all oral communications received, all responses made, and the identity of each person from whom the presiding officer received an ex parte communication. The presiding officer shall advise all parties that these matters have been placed on the record. Upon request made within ten days after notice of the ex parte communication, any party desiring to rebut the communication shall be allowed to place a written rebuttal statement on the record. Portions of the record pertaining to ex parte communications or rebuttal statements do not constitute evidence of any fact at issue in the matter unless a party moves the admission of any portion of the record for purposes of establishing a fact at issue and that portion is admitted pursuant to section 415 of this act.

(6) If necessary to eliminate the effect of an ex parte communication received in violation of this section, a presiding officer who receives the communication may be disqualified, and the portions of the record pertaining to the communication may be sealed by protective order.

(7) The agency shall, and any party may, report any violation of this section to appropriate authorities for any disciplinary proceedings provided by law. In addition, each agency by rule may provide for appropriate sanctions, including default, for any violations of this section.

NEW SECTION. Sec. 417. SEPARATION OF FUNCTIONS. (1) A person who has served as investigator, prosecutor, or advocate in an adjudicative proceeding or in its preadjudicative stage, or one who is subject to the authority, direction, or discretion of such a person, may not serve as a presiding officer in the same proceeding.

(2) A person, including an agency head, who has participated in a determination of probable cause or other equivalent preliminary determination in an adjudicative proceeding may serve as presiding officer or assist or advise a presiding officer in the same proceeding unless a party demonstrates grounds for disqualification in accordance with section 406 of this act.

(3) A person may serve as presiding officer at successive stages of the same adjudicative proceeding unless a party demonstrates grounds for disqualification in accordance with section 406 of this act.

NEW SECTION. Sec. 418. ENTRY OF ORDERS. (1) Except as provided in subsection (2) of this section:

(a) If the presiding officer is the agency head or one or more members of the agency head, the presiding officer may enter an initial order if further review is available within the agency, or a final order if further review is not available;

(b) If the presiding officer is a person designated by the agency to make the final decision and enter the final order, the presiding officer shall enter a final order; and

(c) If the presiding officer is one or more administrative law judges, the presiding officer shall enter an initial order.

(2) With respect to agencies exempt from chapter 34.12 RCW, the presiding officer shall transmit a full and complete record of the proceedings, including such comments upon demeanor of witnesses as the presiding officer deems relevant, to each agency official who is to enter a final or initial order after considering the record and evidence so transmitted.

(3) Initial and final orders shall include a statement of findings and conclusions, and the reasons and basis therefor, on all the material issues of fact, law, or discretion presented on the record, including the remedy or sanction and, if applicable, the action taken on a petition for a stay of effectiveness. Any findings based substantially on credibility of evidence or demeanor of witnesses shall be so identified. Findings set forth in language that is essentially a repetition or paraphrase of the relevant provision of law shall be accompanied by a concise and explicit statement of the underlying evidence of record to support the findings. The order shall also include a statement of the available procedures and time limits for seeking reconsideration or other administrative relief. An initial order shall include a statement of any circumstances under which the initial order, without further notice, may become a final order.

(4) Findings of fact shall be based exclusively on the evidence of record in the adjudicative proceeding and on matters officially noticed in that proceeding. Findings shall be based on the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. Findings may be based on such evidence even if it would be inadmissible in a civil trial. However, the presiding officer shall not base a finding exclusively on such inadmissible evidence unless the presiding officer determines that doing so would not unduly abridge the parties' opportunities to confront witnesses and rebut evidence. The basis for this determination shall appear in the order.

(5) Where it bears on the issues presented, the agency's experience, technical competency, and specialized knowledge may be used in the evaluation of evidence.

(6) If a person serving or designated to serve as presiding officer becomes unavailable for any reason before entry of the order, a substitute presiding officer shall be appointed as provided in section 406 of this act. The substitute presiding officer shall use any existing record and may conduct any further proceedings appropriate in the interests of justice.

(7) The presiding officer may allow the parties a designated time after conclusion of the hearing for the submission of memos, briefs, or proposed findings.

(8) Initial or final orders shall be served in writing within ninety days after conclusion of the hearing or after submission of memos, briefs, or proposed findings in accordance with subsection (7) of this section unless this period is waived or extended for good cause shown.

(9) The presiding officer shall cause copies of initial and final orders to be delivered to each party and to the agency head.

NEW SECTION. Sec. 419. REVIEW OF INITIAL ORDERS. (1) As authorized by law, an agency may by rule provide that initial orders in specified classes of cases may become final without further agency action unless, within a specified period, (a) the agency head upon its own motion determines that the initial order should be reviewed, or (b) a party to the proceedings files exceptions to the initial order. Upon occurrence of either event, notice shall be given to all parties to the proceeding.

(2) As provided by law, an agency head may appoint a person to review initial orders and to prepare and enter final agency orders.

(3) Sections 406 and 416 of this act apply to any person reviewing an initial order on behalf of an agency as part of the decision process, and to persons communicating with them, to the same extent that it is applicable to presiding officers.

(4) The officer reviewing the initial order (including the agency head reviewing an initial order) is, for the purposes of this chapter, termed the reviewing officer. The reviewing officer shall exercise all the decision-making power that the reviewing officer would have had to decide and enter the final order had the reviewing officer presided over the hearing, except to the extent that the issues subject to review are limited by a provision of law or by the reviewing officer upon notice to all the parties. In reviewing findings of fact by presiding officers, the reviewing officers shall give due regard to the presiding officer's opportunity to observe the witnesses.

(5) The reviewing officer shall personally consider the whole record or such portions of it as may be cited by the parties.

(6) The reviewing officer shall afford each party an opportunity to present written argument and may afford each party an opportunity to present oral argument.

(7) The reviewing officer shall enter a final order disposing of the proceeding or remand the matter for further proceedings, with instructions to the presiding officer who entered the initial order. Upon remanding a matter, the reviewing officer shall order such temporary relief as is authorized and appropriate.

(8) A final order shall include, or incorporate by reference to the initial order, all matters required by section 418(3) of this act.

(9) The reviewing officer shall cause copies of the final order or order remanding the matter for further proceedings to be served upon each party.

NEW SECTION, Sec. 420. STAY. A party may submit to the presiding or reviewing officer, as is appropriate to the stage of the proceeding, a petition for stay of effectiveness of a final order within ten days of its service unless otherwise provided by statute or stated in the final order. Disposition of the petition for stay shall be made by the presiding officer, reviewing officer, or agency head as provided by agency rule. Disposition may be made either before or after the effective date of the final order. Disposition denying a stay is not subject to judicial review.

NEW SECTION, Sec. 421. RECONSIDERATION. (1) Within ten days of the service of a final order, any party may file a petition for reconsideration, stating the specific grounds upon which relief is requested. The place of filing shall be specified by agency rule.

(2) The petition shall be disposed of by the same person or persons who entered the order, if reasonably available. The disposition shall be in the form of a written order denying the petition, granting the petition and dissolving or modifying the final order, or granting the petition and setting the matter for further hearing. The petition shall be deemed to have been denied if not disposed of within twenty days.

(3) No petition for reconsideration may stay the effectiveness of an order.

(4) The agency head may extend the time limits in this section for good cause, with due consideration that the rights of the parties will not be prejudiced by the extension and that extension will be in the public interest.

(5) The filing of a petition for reconsideration is not a prerequisite for seeking judicial review. An order denying reconsideration, or an extension of time limits pursuant to subsection (4) of this section is not subject to judicial review.

NEW SECTION, Sec. 422. EFFECTIVENESS OF ORDERS. (1) Unless a later date is stated in an order or a stay is granted, an order is effective when signed, but:

(a) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the final order;

(b) A nonparty may not be required to comply with a final order unless the agency has made the final order available for public inspection and copying or the nonparty has actual knowledge of the final order;

(c) For purposes of determining time limits for further administrative procedure or for judicial review, the determinative date is the date of service of the order.

(2) Unless a later date is stated in the initial order or a stay is granted, the time when an initial order becomes a final order in accordance with section 418 of this act is determined as follows:

(a) When the initial order is entered, if administrative review is unavailable; or

(b) When the agency head with such authority enters an order stating, after a petition for administrative review has been filed, that review will not be exercised.

(3) This section does not preclude an agency from taking immediate action to protect the public interest in accordance with section 424 of this act.

NEW SECTION, Sec. 423. AGENCY RECORD. (1) An agency shall maintain an official record of each adjudicative proceeding under this chapter.

(2) The agency record shall include:

(a) Notices of all proceedings;

(b) Any prehearing order;

- (c) Any motions, pleadings, briefs, petitions, requests, and intermediate rulings;
 - (d) Evidence received or considered;
 - (e) A statement of matters officially noticed;
 - (f) Proffers of proof and objections and rulings thereon;
 - (g) Proposed findings, requested orders, and exceptions;
 - (h) The recording prepared for the presiding officer at the hearing, together with any transcript of all or part of the hearing considered before final disposition of the proceeding;
 - (i) Any final order, initial order, or order on reconsideration;
 - (j) Staff memoranda or data submitted to the presiding officer, unless prepared and submitted by personal assistants and not inconsistent with section 416 of this act; and
 - (k) Matters placed on the record after an ex parte communication.
- (3) Except to the extent that this chapter or another statute provides otherwise, the agency record constitutes the exclusive basis for agency action in adjudicative proceedings under this chapter and for judicial review of adjudicative proceedings.

NEW SECTION. Sec. 424. EMERGENCY ADJUDICATIVE PROCEEDINGS. (1) Unless otherwise provided by law, an agency may use emergency adjudicative proceedings in a situation involving an immediate danger to the public health, safety, or welfare requiring immediate agency action.

(2) The agency may take only such action as is necessary to prevent or avoid the immediate danger to the public health, safety, or welfare that justifies use of emergency adjudication.

(3) The agency shall enter an order, including a brief statement of findings of fact, conclusions of law, and policy reasons for the decision if it is an exercise of the agency's discretion, to justify the determination of an immediate danger and the agency's decision to take the specific action.

(4) The agency shall give such notice as is practicable to persons who are required to comply with the order. The order is effective when entered.

(5) After entering an order under this section, the agency shall proceed as quickly as feasible to complete any proceedings that would be required if the matter did not involve an immediate danger.

(6) The agency record consists of any documents regarding the matter that were considered or prepared by the agency. The agency shall maintain these documents as its official record.

(7) Unless otherwise required by a provision of law, the agency record need not constitute the exclusive basis for agency action in emergency adjudicative proceedings or for judicial review thereof.

(8) This section shall not apply to agency action taken pursuant to a provision of law that expressly authorizes the agency to issue a cease and desist order. The agency may proceed, alternatively, under that independent authority.

NEW SECTION. Sec. 425. BRIEF ADJUDICATIVE PROCEEDINGS—APPLICABILITY. (1) An agency may use brief adjudicative proceedings if:

(a) The use of those proceedings in the circumstances does not violate any provision of law;

(b) The protection of the public interest does not require the agency to give notice and an opportunity to participate to persons other than the parties;

(c) The matter is entirely within one or more categories for which the agency by rule has adopted this section and sections 426 through 429 of this act; and

(d) The issue and interests involved in the controversy do not warrant use of the procedures of sections 402 through 424 of this act.

(2) Brief adjudicative proceedings are not authorized for public assistance and food stamp programs provided for in Title 74 RCW, including but not limited to public assistance as defined in RCW 74.04.005(1).

NEW SECTION. Sec. 426. BRIEF ADJUDICATIVE PROCEEDINGS—PROCEDURE. (1) If not specifically prohibited by law, the following persons may be designated as the presiding officer of a brief adjudicative proceeding:

(a) The agency head;

(b) One or more members of the agency head;

(c) One or more administrative law judges; or

(d) One or more other persons designated by the agency head.

(2) Before taking action, the presiding officer shall give each party an opportunity to be informed of the agency's view of the matter and to explain the party's view of the matter.

(3) At the time any unfavorable action is taken the presiding officer shall give each party a brief statement of the reasons for the decision. Within ten days, the presiding officer shall give the parties a brief written statement of the reasons for the decision and information about any internal administrative review available.

(4) The brief written statement is a proposed order. If no review is taken of the proposed order as authorized by sections 427 and 428 of this act, the proposed order shall be the final order.

NEW SECTION. Sec. 427. BRIEF PROCEEDINGS—ADMINISTRATIVE REVIEW—APPLICABILITY. Unless prohibited by any provision of law, an agency, on its own motion, may conduct administrative review of an order resulting from brief adjudicative proceedings. An agency shall conduct this review upon the written or oral request of a party if the agency receives the request within twenty-one days after furnishing the written statement required by section 426(3) of this act.

NEW SECTION. Sec. 428. BRIEF PROCEEDINGS—ADMINISTRATIVE REVIEW—PROCEDURES. Unless otherwise provided by statute:

(1) If the parties have not requested review, the agency may review an order resulting from a brief adjudicative proceeding on its own motion and without notice to the parties, but it may not take any action on review less favorable to any party than the original order without giving that party notice and an opportunity to explain that party's view of the matter.

(2) The reviewing officer may be any person who could have presided at the brief proceeding, but the reviewing officer must be one who is authorized to grant appropriate relief upon review.

(3) The reviewing officer shall give each party an opportunity to explain the party's view of the matter and shall make any inquiries necessary to ascertain whether the proceeding must be converted to a formal adjudicative hearing.

(4) The order on review must be in writing, must include a brief statement of the reasons for the decision, and must be entered within twenty days after the date of the initial order or of the request for review, whichever is later. The order shall include a description of any further available administrative review or, if none is available, a notice that judicial review may be available.

(5) A request for administrative review is deemed to have been denied if the agency does not make a disposition of the matter within twenty days after the request is submitted.

NEW SECTION. Sec. 429. AGENCY RECORD IN BRIEF PROCEEDINGS. (1) The agency record consists of any documents regarding the matter that were considered or prepared by the presiding officer for the brief adjudicative proceeding or by the reviewing officer for any review. The agency shall maintain these documents as its official record.

(2) Unless otherwise required by a provision of law, the agency record need not constitute the exclusive basis for agency action in brief adjudicative proceedings or for the judicial review of brief adjudicative proceedings.

PART V.

JUDICIAL REVIEW AND CIVIL ENFORCEMENT

NEW SECTION. Sec. 501. RELATIONSHIP BETWEEN THIS CHAPTER AND OTHER JUDICIAL REVIEW AUTHORITY. This chapter establishes the exclusive means of judicial review of agency action, except:

(1) The provisions of this chapter for judicial review do not apply to litigation in which the sole issue is a claim for money damages or compensation and the agency whose action is at issue does not have statutory authority to determine the claim.

(2) Ancillary procedural matters before the reviewing court, including intervention, class actions, consolidation, joinder, severance, transfer, protective orders, and other relief from disclosure of privileged or confidential material, are governed, to the extent not inconsistent with this chapter, by court rule.

(3) To the extent that de novo review or jury trial review of agency action is expressly authorized by provision of law.

NEW SECTION. Sec. 502. PETITION FOR REVIEW—WHERE FILED. (1) Except as provided in subsection (2) of this section and section 508 of this act, proceedings for review under this chapter shall be instituted by filing a petition in the superior court, at the petitioner's option, for (a) Thurston county, (b) the county of the petitioner's residence or principal place of business, or (c) in any county where the property owned by the petitioner and affected by the contested decision is located.

(2) For proceedings involving institutions of higher education, the petition shall be filed either in the county in which the principal office of the institution involved is located or in the county of a branch campus if the action involves such branch.

Sec. 503. DIRECT REVIEW BY COURT OF APPEALS. Section 1, chapter 76, Laws of 1980 and RCW 34.04.133 are each amended to read as follows:

The final decision of an administrative agency in ~~((a contested case))~~ an adjudicative proceeding under this chapter ~~((34.04 RCW))~~ may be directly reviewed by the court of appeals upon certification by the superior court pursuant to this section. An application for ~~((such))~~ direct review must be filed with the superior court within thirty days of the filing of the petition for review in superior court. The superior court may certify a case for direct review only if the judicial review is limited to the record of the agency proceeding and the court finds that:

(1) Fundamental and urgent issues affecting the future administrative process or the public interest are involved which require a prompt determination;

(2) Delay in obtaining a final and prompt determination of such issues would be detrimental to any party or the public interest;

(3) An appeal to the court of appeals would be likely regardless of the determination in superior court; and

(4) The appellate court's determination in the proceeding would have significant precedential value.

Sec. 504. REFUSAL OF REVIEW BY COURT OF APPEALS. Section 2, chapter 76, Laws of 1980 and RCW 34.04.135 are each amended to read as follows:

The court of appeals may refuse to accept review of a case certified pursuant to ((RCW 34.04.133)) section 503 of this act. The refusal to accept such review is not subject to further appellate review, notwithstanding anything in Rule 13.3 of the Rules of Appellate Procedure to the contrary.

Sec. 505. APPEAL TO SUPREME COURT OR COURT OF APPEALS. Section 14, chapter 234, Laws of 1959 as amended by section 87, chapter 81, Laws of 1971 and RCW 34.04.140 are each amended to read as follows:

An aggrieved party may secure a review of any final judgment of the superior court under this chapter by appeal to the supreme court or the court of appeals. ((Such)) The appeal shall be taken in the manner provided by law for appeals from the superior court in other civil cases.

NEW SECTION. Sec. 506. STANDING. A person has standing to obtain judicial review of agency action if that person is aggrieved or adversely affected by the agency action. A person is aggrieved or adversely affected within the meaning of this section only when all three of the following conditions are present:

(1) The agency action has prejudiced or is likely to prejudice that person;

(2) That person's asserted interests are among those that the agency was required to consider when it engaged in the agency action challenged; and

(3) A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the agency action.

NEW SECTION. Sec. 507. EXHAUSTION OF ADMINISTRATIVE REMEDIES. A person may file a petition for judicial review under this chapter only after exhausting all administrative remedies available within the agency whose action is being challenged, or available within any other agency authorized to exercise administrative review, except:

(1) A petitioner for judicial review of a rule need not have participated in the rule-making proceeding upon which that rule is based, or have petitioned for its amendment or repeal;

(2) A petitioner for judicial review need not exhaust administrative remedies to the extent that this chapter or any other statute states that exhaustion is not required; or

(3) The court may relieve a petitioner of the requirement to exhaust any or all administrative remedies upon a showing that:

(a) The remedies would be patently inadequate;

(b) The exhaustion of remedies would be futile; or

(c) The grave irreparable harm that would result from having to exhaust administrative remedies would clearly outweigh the public policy requiring exhaustion of administrative remedies.

Sec. 508. DECLARATORY JUDGMENT ON VALIDITY OF RULE. Section 7, chapter 234, Laws of 1959 as amended by section 8, chapter 6, Laws of 1982 and RCW 34.04.070 are each amended to read as follows:

((†)) The validity of any rule may be determined upon petition for a declaratory judgment ((thereon)) addressed to the superior court of Thurston county, when it appears that the rule, or its threatened application, interferes with or impairs or immediately threatens to interfere with or impair, the legal rights or privileges of the petitioner. The agency shall be made a party to the proceeding. The declaratory judgment order may be ((rendered)) entered whether or not the petitioner has first requested the agency to pass upon the validity of the rule in question.

~~((2)) In a proceeding under subsection (1) of this section the court shall declare the rule invalid only if it finds that it violates constitutional provisions or exceeds the statutory authority of the agency or was adopted without compliance with statutory rule-making procedures.~~

~~(3) A petition for a declaratory judgment pursuant to this section may not be solely based on the contents of the small business economic impact statement. However, in the case of a petition for a declaratory judgment as to the validity of any rule which is adopted after June 10, 1982, and which is based on grounds other than the contents of the small business economic impact statement, the compliance or noncompliance by the agency with the provisions of this chapter and where applicable the small business economic impact statement shall constitute part of the whole record of the agency's action in connection with the petition.))~~

NEW SECTION. Sec. 509. TIME FOR FILING PETITION FOR REVIEW. Subject to other requirements of this chapter or of another statute:

(1) A petition for judicial review of a rule may be filed at any time, except as limited by section 314 of this act.

(2) A petition for judicial review of an order shall be filed with the court and served on the agency, the office of the attorney general, and all parties of record within thirty days after service of the final order.

(3) A petition for judicial review of agency action other than the adoption of a rule or the entry of an order is not timely unless filed with the court and served on the agency, the office of the attorney general, and all other parties of record within thirty days after the agency action, but the time is extended during any period that the petitioner did not know and was under no duty to discover or could not reasonably have discovered that the agency had taken the action or that the agency action had a sufficient effect to confer standing upon the petitioner to obtain judicial review under this chapter.

(4) Service of the petition on the agency shall be by delivery of a copy of the petition to the office of the director, or other chief administrative officer or chairperson of the agency, at the principal office of the agency. Service of a copy by mail upon the other parties of record and the office of the attorney general shall be deemed complete upon deposit in the United States mail, as evidenced by the postmark.

(5) Failure to timely serve a petition on the office of the attorney general is not grounds for dismissal of the petition.

NEW SECTION. Sec. 510. PETITION FOR REVIEW—CONTENTS. A petition for review must set forth:

- (1) The name and mailing address of the petitioner;
- (2) The name and mailing address of the petitioner's attorney, if any;
- (3) The name and mailing address of the agency whose action is at issue;
- (4) Identification of the agency action at issue, together with a duplicate copy, summary, or brief description of the agency action;
- (5) Identification of persons who were parties in any adjudicative proceedings that led to the agency action;
- (6) Facts to demonstrate that the petitioner is entitled to obtain judicial review;
- (7) The petitioner's reasons for believing that relief should be granted; and
- (8) A request for relief, specifying the type and extent of relief requested.

NEW SECTION. Sec. 511. STAY AND OTHER TEMPORARY REMEDIES. (1) Unless precluded by law, the agency may grant a stay, in whole or in part, or other temporary remedy during the pendency of judicial review.

(2) After a petition for review has been filed, a party may file a motion in the reviewing court seeking a stay or other temporary remedy.

(3) If judicial relief is sought for a stay or other temporary remedy from agency action based on public health, safety, or welfare grounds the court shall not grant such relief unless the court finds that:

- (a) The applicant is likely to prevail when the court finally disposes of the matter;
- (b) Without relief the applicant will suffer irreparable injury;
- (c) The grant of relief to the applicant will not substantially harm other parties to the proceedings; and
- (d) The threat to the public health, safety, or welfare is not sufficiently serious to justify the agency action in the circumstances.

(4) If the court determines that relief should be granted from the agency's action granting a stay or other temporary remedies, the court may remand the matter or may enter an order denying a stay or granting a stay on appropriate terms.

NEW SECTION. Sec. 512. LIMITATION ON NEW ISSUES. (1) Issues not raised before the agency may not be raised on appeal, except to the extent that:

- (a) The person did not know and was under no duty to discover or could not have reasonably discovered facts giving rise to the issue;
- (b) The agency action subject to judicial review is a rule and the person has not been a party in adjudicative proceedings that provided an adequate opportunity to raise the issue;
- (c) The agency action subject to judicial review is an order and the person was not notified of the adjudicative proceeding in substantial compliance with this chapter; or
- (d) The interests of justice would be served by resolution of an issue arising from:
 - (i) A change in controlling law occurring after the agency action; or
 - (ii) Agency action occurring after the person exhausted the last feasible opportunity for seeking relief from the agency.

(2) The court shall remand to the agency for determination any issue that is properly raised pursuant to subsection (1) of this section.

NEW SECTION. Sec. 513. JUDICIAL REVIEW OF FACTS CONFINED TO RECORD. Judicial review of disputed issues of fact shall be conducted by the court without a jury and must be confined to the agency record for judicial review as defined by this chapter, supplemented by additional evidence taken pursuant to this chapter.

NEW SECTION. Sec. 514. NEW EVIDENCE TAKEN BY COURT OR AGENCY. (1) The court may receive evidence in addition to that contained in the agency record for judicial review, only if it relates to the validity of the agency action at the time it was taken and is needed to decide disputed issues regarding:

- (a) Improper constitution as a decision-making body or grounds for disqualification of those taking the agency action;
- (b) Unlawfulness of procedure or of decision-making process; or

(c) Material facts in rule making, brief adjudications, or other proceedings not required to be determined on the agency record.

(2) The court may remand a matter to the agency, before final disposition of a petition for review, with directions that the agency conduct fact-finding and other proceedings the court considers necessary and that the agency take such further action on the basis thereof as the court directs, if:

(a) The agency was required by this chapter or any other provision of law to base its action exclusively on a record of a type reasonably suitable for judicial review, but the agency failed to prepare or preserve an adequate record;

(b) The court finds that (i) new evidence has become available that relates to the validity of the agency action at the time it was taken, that one or more of the parties did not know and was under no duty to discover or could not have reasonably been discovered until after the agency action, and (ii) the interests of justice would be served by remand to the agency;

(c) The agency improperly excluded or omitted evidence from the record; or

(d) A relevant provision of law changed after the agency action and the court determines that the new provision may control the outcome.

NEW SECTION. Sec. 515. AGENCY RECORD FOR REVIEW—COSTS. (1) Within thirty days after service of the petition, or within further time allowed by the court or by other provision of law, the agency shall transmit to the court the original or a certified copy of the agency record for judicial review of the agency action. The record shall consist of any agency documents expressing the agency action, other documents identified by the agency as having been considered by it before its action and used as a basis for its action, and any other material described in this chapter as the agency record for the type of agency action at issue, subject to the provisions of this section.

(2) If part of the record has been preserved without a transcript, the agency shall prepare a transcript for inclusion in the record transmitted to the court, except for portions that the parties stipulate to omit in accordance with subsection (4) of this section.

(3) The agency may charge a nonindigent petitioner with the reasonable costs of preparing any necessary copies and transcripts for transmittal to the court. A failure by the petitioner to pay any of this cost to the agency relieves the agency from the responsibility for preparation of the record and transmittal to the court.

(4) The record may be shortened, summarized, or organized temporarily or, by stipulation of all parties, permanently.

(5) The court may tax the cost of preparing transcripts and copies for the record:

(a) Against a party who unreasonably refuses to stipulate to shorten, summarize, or organize the record;

(b) As provided by section 516 of this act; or

(c) In accordance with any other provision of law.

(6) Additions to the record pursuant to section 514 of this act must be made as ordered by the court.

(7) The court may require or permit subsequent corrections or additions to the record.

Sec. 516. JUDICIAL REVIEW. Section 13, chapter 234, Laws of 1959 as last amended by section 1, chapter 52, Laws of 1977 ex. sess. and RCW 34.04.130 are each amended to read as follows:

(1) ~~((Any person aggrieved by a final decision in a contested case, whether such decision is affirmative or negative in form, is entitled to judicial review thereof only under the provisions of this 1967 amendatory act, and such person may not use any other procedure to obtain judicial review of a final decision, even though another procedure is provided elsewhere by a special statute or a statute of general application. Where the agency's rules provide a procedure for rehearing or reconsideration, and that procedure has been invoked, the agency decision shall not be final until the agency shall have acted thereon.~~

~~((2) Proceedings for review under this chapter shall be instituted by filing a petition in the superior court, at the petitioner's option, for (a) Thurston county, (b) the county of the petitioner's residence or principal place of business, or (c) in any county where the property owned by the petitioner and affected by the contested decision is located. The petition shall be served and filed within thirty days after the service of the final decision of the agency. Copies of the petition shall be served upon the agency and all parties of record. If a timely petition is filed any party of record not filing or joining in the first petition who wants relief from the decision must join in the petition or serve and file a cross-petition within twenty days after service of the first petition or thirty days after service of the final decision of the agency, whichever period of time is longer. The court, in its discretion, may permit other interested persons to intervene.~~

~~((3) The filing of the petition shall not stay enforcement of the agency decision. Where other statutes provide for stay or supersedeas of an agency decision, it may be stayed by the agency or the reviewing court only as provided therein; otherwise the agency may do so, or the reviewing court may order a stay upon such terms as it deems proper.~~

~~((4) Within thirty days after service of the petition, or within such further time as the court may allow, the agency shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review, but, by stipulation of all parties to the review~~

proceeding, the record may be shortened. Any party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional costs. The court may require or permit subsequent corrections or additions to the record when deemed desirable.

(5) The review shall be conducted by the court without a jury and shall be confined to the record, except that in cases of alleged irregularities in procedure before the agency, not shown in the record, testimony thereon may be taken in the court. The court shall, upon request, hear oral argument and receive written briefs:

(6) The court may affirm the decision of the agency or remand the case for further proceedings; or it may reverse the decision if the substantial rights of the petitioners may have been prejudiced because the administrative findings, inferences, conclusions, or decisions are)) Generally, except to the extent that this chapter or another statute provides otherwise:

(a) The burden of demonstrating the invalidity of agency action is on the party asserting invalidity;

(b) The validity of agency action shall be determined in accordance with the standards of review provided in this section, as applied to the agency action at the time it was taken;

(c) The court shall make a separate and distinct ruling on each material issue on which the court's decision is based; and

(d) The court shall grant relief only if it determines that a person seeking judicial relief has been substantially prejudiced by the action complained of.

(2) Review of rules. (a) A rule may be reviewed by petition for declaratory judgment filed pursuant to section 508 of this act or by review of other agency action.

(b) The validity of any rule may be determined upon petition for a declaratory judgment addressed to the superior court of Thurston county, when it appears that the rule, or its threatened application, interferes with or impairs or immediately threatens to interfere with or impair the legal rights or privileges of the petitioner. The agency shall be made a party to the proceeding. The declaratory judgment order may be entered whether or not the petitioner has first requested the agency to pass upon the validity of the rule in question.

(c) In a declaratory judgment proceeding, the court shall declare the rule invalid only if it finds that it violates constitutional provisions or exceeds the statutory authority of the agency or was adopted without compliance with statutory rule-making procedures.

(3) Review of agency orders. The court shall grant relief from an agency order only if it determines that:

(a) The order, or the statute or rule on which the order is based, is in violation of constitutional provisions on its face or as applied; ((or))

(b) ((in excess of)) The order is outside the statutory authority or jurisdiction of the agency conferred by any provision of law; ((or))

(c) ((made upon)) The agency has engaged in unlawful procedure or decision making process, or has failed to follow a prescribed procedure; ((or))

(d) ((affected by other error of)) The agency has erroneously interpreted or applied the law; ((or))

(e) ((clearly erroneous in view of the entire record as submitted and the public policy contained in the act of the legislature authorizing the decision or order)) The order, other than a rule, is not supported by evidence that is substantial when viewed in light of the whole record before the court, which includes the agency record for judicial review, supplemented by any additional evidence received by the court under this chapter; ((or))

(f) The agency has not decided all issues requiring resolution by the agency;

(g) The persons entering the order were subject to disqualification;

(h) The order is inconsistent with a rule of the agency unless the agency explains the inconsistency by stating facts and reasons to demonstrate a rational basis for inconsistency; or

(i) The order is arbitrary or capricious.

(4) Review of other agency action.

(a) All agency action not reviewable under subsection (2) or (3) of this section shall be reviewed under this subsection.

(b) A person whose rights are violated by an agency's failure to perform a duty that is required by law to be performed may file a petition for review pursuant to section 502 of this act, seeking an order pursuant to this subsection requiring performance. Within twenty days after service of the petition for review, the agency shall file and serve an answer to the petition, made in the same manner as an answer to a complaint in a civil action. The court may hear evidence, pursuant to section 514 of this act, on material issues of fact raised by the petition.

(c) Relief for persons aggrieved by the performance of an agency action, including the exercise of discretion, or an action under (b) of this subsection can be granted only if the court determines that the action is:

(i) Unconstitutional;

(ii) Outside the statutory authority of the agency or the authority conferred by a provision of law;

(iii) Arbitrary or capricious; or

(iv) Taken by persons who were not properly constituted as agency officials lawfully entitled to take such action.

NEW SECTION, Sec. 517. TYPE OF RELIEF. (1) The court may order an agency to take action required by law, order an agency to exercise discretion required by law, affirm or set aside agency action, enjoin or stay the agency action, remand the matter for further proceedings, or enter a declaratory judgment order. In reviewing matters within agency discretion, the court shall limit its function to assuring that the agency has exercised its discretion in accordance with law, and shall not itself undertake to exercise the discretion that the legislature has placed in the agency. The court shall remand to the agency for modification of agency action, unless remand is impracticable or would cause unnecessary delay.

(2) The sole remedy available to a person who is wrongfully denied licensure based upon a failure to pass an examination administered by a state agency, or under its auspices, is the right to retake the examination free of the defect or defects the court may have found in the examination or the examination procedure.

(3) The court may award damages, compensation, or ancillary relief only to the extent expressly authorized by another provision of law.

(4) If the court sets aside or modifies agency action or remands the matter to the agency for further proceedings, the court may make any interlocutory order it finds necessary to preserve the interests of the parties and the public, pending further proceedings or agency action.

NEW SECTION, Sec. 518. PETITION BY AGENCY FOR ENFORCEMENT. (1) In addition to other remedies provided by law, an agency may seek enforcement of its rule or order by filing a petition for civil enforcement in the superior court.

(2) The petition must name as respondent each alleged person against whom the agency seeks to obtain civil enforcement.

(3) Venue is determined as in other civil cases.

(4) A petition for civil enforcement filed by an agency may request, and the court may grant, declaratory relief, temporary or permanent injunctive relief, any other civil remedy provided by law, or any combination of the foregoing.

NEW SECTION, Sec. 519. PETITION BY OTHERS FOR ENFORCEMENT. (1) Any person who would qualify under this chapter as having standing to obtain judicial review of an agency's failure to enforce an order directed to another person may file a petition for civil enforcement of that order, but the action may not be commenced:

(a) Until at least sixty days after the petitioner has given notice of the alleged violation and of the petitioner's intent to seek civil enforcement to the head of the agency concerned, to the attorney general, and to each person against whom the petitioner seeks civil enforcement;

(b) If the agency has filed and is diligently prosecuting a petition for civil enforcement of the same order against the same person; or

(c) If a petition for review of the same order has been filed and a stay is in effect.

(2) The petition shall name, as respondents, the agency whose order is sought to be enforced and each person against whom the petitioner seeks civil enforcement.

(3) The agency whose order is sought to be enforced may move to dismiss the petition on the grounds that it fails to qualify under this section or that the enforcement would be contrary to the policy of the agency. The court shall grant the motion to dismiss the petition unless the petitioner demonstrates that (a) the petition qualifies under this section and (b) the agency's failure to enforce its order is based on an exercise of discretion that is arbitrary or capricious.

(4) Except to the extent expressly authorized by law, a petition for civil enforcement may not request, and the court may not grant, any monetary payment apart from taxable costs.

NEW SECTION, Sec. 520. DEFENSES—LIMITATION ON NEW ISSUES. (1) In a proceeding for civil enforcement a respondent may only assert as a defense:

(a) That the rule or order is invalid under section 516(3) (a) or (b) of this act. The court may only consider issues and receive evidence within the limitations provided by sections 512, 513, and 514 of this act;

(b) That the rule or order does not apply to the party or that the party has not violated the rule or order; and

(c) A defense specifically authorized by statute.

(2) The court, to the extent necessary for the determination of the matter, may consider new issues or take new evidence.

NEW SECTION, Sec. 521. INCORPORATION OF OTHER JUDICIAL REVIEW PROVISIONS. Proceedings for civil enforcement are governed by the following provisions of this chapter on judicial review, as modified where necessary to adapt them to those proceedings:

(1) Section 501(2) of this act (ancillary procedural matters); and

(2) Section 515 of this act (agency record for judicial review).

NEW SECTION, Sec. 522. REVIEW BY HIGHER COURT. Decisions on petitions for civil enforcement are reviewable as in other civil cases.

PART VI.

LEGISLATIVE REVIEW AND MISCELLANEOUS PROVISIONS

Sec. 601. JOINT ADMINISTRATIVE RULES REVIEW COMMITTEE—MEMBERS—APPOINTMENT—TERMS—VACANCIES. Section 5, chapter 324, Laws of 1981 as amended by section 1, chapter 53, Laws of 1983 and RCW 34.04.210 are each amended to read as follows:

(1) There is hereby created a joint administrative rules review committee which shall be a bipartisan committee consisting of four senators and four representatives from the state legislature. The senate members of the committee shall be appointed by the president of the senate, and the house members of the committee shall be appointed by the speaker of the house. Not more than two members from each house may be from the same political party. All appointments to the committee are subject to approval by the caucuses to which the appointed members belong.

(2) ~~((The initial members of the committee shall be appointed as soon as possible after July 26, 1981, and shall serve until the next regular session of the legislature convenes in an odd-numbered year. Thereafter))~~ Members shall be appointed as soon as possible after the legislature convenes in regular session in an odd-numbered year, and their terms shall extend until their successors are appointed and qualified at the next regular session of the legislature in an odd-numbered year or until such members no longer serve in the legislature, whichever occurs first. Members may be reappointed to a committee.

(3) The president of the senate shall appoint the chairperson in even-numbered years and the vice chairperson in odd-numbered years from among committee membership. The speaker of the house shall appoint the chairperson in odd-numbered years and the vice chairperson in even-numbered years from among committee membership. Such appointments shall be made in January of each year as soon as possible after a legislative session convenes.

(4) A vacancy on the committee shall be filled by appointment of a legislator from the same political party as the original appointment. The appropriate appointing authority shall make the appointment within thirty days of the vacancy occurring.

Sec. 602. REVIEW OF PROPOSED RULES—NOTICE. Section 6, chapter 324, Laws of 1981 as amended by section 1, chapter 451, Laws of 1987 and RCW 34.04.220 are each amended to read as follows:

Whenever a majority of the members of the rules review committee determines that a proposed rule is not within the intent of the legislature as expressed in the statute which the rule implements, the committee shall give the affected agency written notice of its decision. The notice shall be given at least seven days prior to any hearing scheduled for consideration of or adoption of the proposed rule pursuant to ~~((RCW 34.04.025(1)(a)(iii)))~~ section 303 of this act. The notice shall include a statement of the review committee's findings and the reasons therefor. When the agency holds a hearing on the proposed rule, the agency shall consider the review committee's decision.

Sec. 603. REVIEW OF EXISTING RULES—POLICY STATEMENTS, GUIDELINES, ISSUANCES—NOTICE—HEARING. Section 7, chapter 324, Laws of 1981 as amended by section 2, chapter 451, Laws of 1987 and RCW 34.04.230 are each amended to read as follows:

(1) All rules required to be filed pursuant to ~~((RCW 34.04.040))~~ section 315 of this act, and emergency rules adopted pursuant to ~~((RCW 34.04.030))~~ section 309 of this act, are subject to selective review by the legislature.

(2) The rules review committee may review an agency's use of policy statements, guidelines, and issuances that are of general applicability, or their equivalents to determine whether or not an agency has failed to adopt a rule ~~((as defined in RCW 34.04.010(2)))~~.

(3) If the rules review committee finds by a majority vote of its members: (a) That an existing rule is not within the intent of the legislature as expressed by the statute which the rule implements, (b) that the rule has not been adopted in accordance with all applicable provisions of law, or (c) that an agency is using a policy statement, guideline, or issuance in place of a rule, the agency affected shall be notified of such finding and the reasons therefor. Within thirty days of the receipt of the rules review committee's notice, the agency shall file notice of a hearing on the rules review committee's finding with the code reviser and mail notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings as provided in ~~((RCW 34.04.025, as now or hereafter amended))~~ section 303 of this act. The agency's notice shall include the rules review committee's findings and reasons therefor, and shall be published in the Washington state register in accordance with the provisions of chapter 34.08 RCW.

(4) The agency shall consider fully all written and oral submissions regarding (a) whether the rule in question is within the intent of the legislature as expressed by the statute which the rule implements, (b) whether the rule was adopted in accordance with all applicable provisions of law, or (c) whether the agency is using a policy statement, guideline, or issuance in place of a rule.

Sec. 604. COMMITTEE OBJECTIONS TO AGENCY ACTION OR FAILURE TO ADOPT RULE—STATEMENT IN REGISTER AND WAC—SUSPENSION OF RULE. Section 8, chapter 324, Laws of 1981 as amended by section 3, chapter 451, Laws of 1987 and RCW 34.04.240 are each amended to read as follows:

(1) Within seven days of an agency hearing held after notification of the agency by the rules review committee pursuant to ~~((RCW 34.04.220 or 34.04.230))~~ section 602 or 603 of this act, the affected agency shall notify the committee of its action on a proposed or existing rule to which the committee objected or on a committee finding of the agency's failure to adopt rules. If the rules review committee determines, by a majority vote of its members, that the agency

has failed to provide for the required hearings or notice of its action to the committee, the committee may file notice of its objections, together with a concise statement of the reasons therefor, with the code reviser within thirty days of such determination.

(2) If the rules review committee finds, by a majority vote of its members: (a) That the proposed or existing rule in question has not been modified, amended, withdrawn, or repealed by the agency so as to conform with the intent of the legislature, or (b) that the agency is using a policy statement, guideline, or issuance in place of a rule, the rules review committee may, within thirty days from notification by the agency of its action, file with the code reviser notice of its objections together with a concise statement of the reasons therefor. Such notice and statement shall also be provided to the agency by the rules review committee.

(3) If the rules review committee makes an adverse finding under subsection (2) of this section, the committee may, by a two-thirds vote of its members, recommend suspension of an existing rule. Within seven days of such vote the committee shall transmit to the governor, the code reviser, and the agency written notice of its objection and recommended suspension and the concise reasons therefor. Within thirty days of receipt of the notice, the governor shall transmit to the committee, the code reviser, and the agency written approval or disapproval of the recommended suspension. If the suspension is approved by the governor, it is effective from the date of that approval and continues until ninety days after the expiration of the next regular legislative session.

(4) The code reviser shall publish transmittals from the rules review committee or the governor issued pursuant to subsection (1), (2), or (3) of this section in the Washington state register and shall publish in the next supplement and compilation of the Washington Administrative Code a reference to the committee's objection or recommended suspension and the governor's action on it and to the issue of the Washington state register in which the full text thereof appears.

(5) The reference shall be removed from a rule published in the Washington Administrative Code if a subsequent adjudicatory proceeding determines that the rule is within the intent of the legislature or was adopted in accordance with all applicable laws, whichever was the objection of the rules review committee.

Sec. 605. RECOMMENDATIONS BY COMMITTEE TO LEGISLATURE. Section 9, chapter 324, Laws of 1981 as amended by section 4, chapter 451, Laws of 1987 and RCW 34.04.250 are each amended to read as follows:

The rules review committee may recommend to the legislature that the original enabling legislation serving as authority for the ~~((promulgation))~~ adoption of any rule reviewed by the committee be amended or repealed in such manner as the committee deems advisable.

Sec. 606. REVIEW AND OBJECTION PROCEDURES—NO PRESUMPTION ESTABLISHED. Section 10, chapter 324, Laws of 1981 and RCW 34.04.260 are each amended to read as follows:

It is the express policy of the legislature that establishment of procedures for review of administrative rules by the legislature and the notice of objection required by ~~((RCW 34.04.230(2) and 34.04.240(2)))~~ sections 603(2) and 604(2) of this act in no way serves to establish a presumption as to the legality or constitutionality of a rule in any subsequent judicial proceedings interpreting such rules.

NEW SECTION. Sec. 607. The provisions of RCW 4.84.185 relating to civil actions that are frivolous and advanced without reasonable cause apply to petitions for judicial review under this chapter.

PART VII.

TECHNICAL PROVISIONS

NEW SECTION. Sec. 701. REPEALER. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.010;
- (2) Section 2, chapter 57, Laws of 1971 ex. sess., section 42, chapter 169, Laws of 1977 ex. sess., section 11, chapter 324, Laws of 1981 and RCW 28B.19.020;
- (3) Section 3, chapter 57, Laws of 1971 ex. sess., section 10, chapter 240, Laws of 1977 ex. sess., section 12, chapter 324, Laws of 1981, section 7, chapter 221, Laws of 1982 and RCW 28B.19.030;
- (4) Section 23, chapter 186, Laws of 1980, section 8, chapter 221, Laws of 1982 and RCW 28B.19.033;
- (5) Section 24, chapter 186, Laws of 1980 and RCW 28B.19.037;
- (6) Section 4, chapter 57, Laws of 1971 ex. sess., section 4, chapter 46, Laws of 1973 1st ex. sess., section 11, chapter 240, Laws of 1977 ex. sess., section 13, chapter 324, Laws of 1981 and RCW 28B.19.040;
- (7) Section 5, chapter 57, Laws of 1971 ex. sess., section 9, chapter 87, Laws of 1980, section 12, chapter 505, Laws of 1987 and RCW 28B.19.050;
- (8) Section 6, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.060;
- (9) Section 7, chapter 57, Laws of 1971 ex. sess., section 25, chapter 186, Laws of 1980 and RCW 28B.19.070;
- (10) Section 26, chapter 186, Laws of 1980 and RCW 28B.19.073;
- (11) Section 27, chapter 186, Laws of 1980 and RCW 28B.19.077;
- (12) Section 8, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.080;

- (13) Section 9, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.090;
 (14) Section 10, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.100;
 (15) Section 11, chapter 57, Laws of 1971 ex. sess., section 5, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.19.110;
 (16) Section 12, chapter 57, Laws of 1971 ex. sess., section 6, chapter 46, Laws of 1973 1st ex. sess., section 26, chapter 67, Laws of 1981 and RCW 28B.19.120;
 (17) Section 13, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.130;
 (18) Section 14, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.140;
 (19) Section 15, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.150;
 (20) Section 14, chapter 324, Laws of 1981 and RCW 28B.19.160;
 (21) Section 15, chapter 324, Laws of 1981 and RCW 28B.19.163;
 (22) Section 16, chapter 324, Laws of 1981 and RCW 28B.19.165;
 (23) Section 17, chapter 324, Laws of 1981 and RCW 28B.19.168;
 (24) Section 16, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.200;
 (25) Section 20, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.210;
 (26) Section 19, chapter 57, Laws of 1971 ex. sess. (uncodified);
 (27) Section 22, chapter 57, Laws of 1971 ex. sess. (uncodified);
 (28) Section 12, chapter 237, Laws of 1967, section 14, chapter 67, Laws of 1981 and RCW 34.04.022;
 (29) Section 3, chapter 237, Laws of 1967, section 17, chapter 250, Laws of 1971 ex. sess., section 7, chapter 240, Laws of 1977 ex. sess. section 3, chapter 324, Laws of 1981, section 1, chapter 221, Laws of 1982 and RCW 34.04.025;
 (30) Section 2, chapter 19, Laws of 1977 and RCW 34.04.026;
 (31) Section 13, chapter 186, Laws of 1980 and RCW 34.04.052;
 (32) Section 9, chapter 234, Laws of 1959, section 9, chapter 237, Laws of 1967, section 1, chapter 31, Laws of 1980 and RCW 34.04.090;
 (33) Section 11, chapter 234, Laws of 1959 and RCW 34.04.110;
 (34) Section 12, chapter 234, Laws of 1959, section 1, chapter 12, Laws of 1975 and RCW 34.04.120;
 (35) Section 3, chapter 221, Laws of 1982 and RCW 34.04.270;
 (36) Section 4, chapter 221, Laws of 1982, section 18, chapter 505, Laws of 1987 and RCW 34.04.280;
 (37) Section 5, chapter 221, Laws of 1982 and RCW 34.04.290;
 (38) Section 16, chapter 234, Laws of 1959 and RCW 34.04.900;
 (39) Section 27, chapter 237, Laws of 1967 and RCW 34.04.901;
 (40) Section 17, chapter 234, Laws of 1959, section 25, chapter 237, Laws of 1967 and RCW 34.04.910;
 (41) Section 18, chapter 234, Laws of 1959 and RCW 34.04.920;
 (42) Section 29, chapter 237, Laws of 1967 and RCW 34.04.921; and
 (43) Section 26, chapter 237, Laws of 1967 and RCW 34.04.931.

Sec. 702. DOCUMENTS AND INDEXES TO BE MADE PUBLIC. Section 26, chapter 1, Laws of 1973 as last amended by section 3, chapter 403, Laws of 1987 and RCW 42.17.260 are each amended to read as follows:

(1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of subsection (5) of this section, RCW 42.17.310, 42.17.315, or other statute which exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by RCW 42.17.310 and 42.17.315, an agency shall delete identifying details in a manner consistent with RCW 42.17.310 and 42.17.315 when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

(2) Each agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after ~~((January 1, 1973))~~ the effective date of this section:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency under section 203 of this act;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(3) An agency need not maintain such an index for records issued, adopted, or promulgated before the effective date of this section, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

(4) A public record may be relied on, used, or cited as precedent by an agency against a party other than an agency and it may be invoked by the agency for any other purpose only if—

(a) It has been indexed in an index available to the public; or

(b) Parties affected have timely notice (actual or constructive) of the terms thereof.

(5) (a) Except as provided in (b) of this subsection, this chapter shall not be construed as giving authority to any agency to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies shall not do so unless specifically authorized or directed by law (~~(:PROVIDED, HOWEVER, That)~~).

(b) Lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor (~~(:PROVIDED FURTHER, That)~~). Such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter (~~(34.04)~~) ... RCW (sections 101 through 607 of this act).

NEW SECTION. Sec. 703. CAPTIONS AND HEADINGS. Section captions and subchapter headings used in this act do not constitute any part of the law.

NEW SECTION. Sec. 704. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 705. EFFECTIVE DATE—APPLICATION. This act shall take effect on July 1, 1989, and shall apply to all rule-making actions and agency proceedings begun on or after that date. Rule-making actions or other agency proceedings begun before July 1, 1989, shall be completed under the applicable provisions of chapter 28B.19 or 34.04 RCW existing immediately before that date in the same manner as if they were not amended by this act or repealed by section 701 of this act.

NEW SECTION. Sec. 706. Parts I through VI of this act shall constitute a new chapter in Title 34 RCW, and the sections amended or set forth in this act shall be recodified in the order they appear in this act. The code reviser shall correct all statutory references to these sections and to the repealed chapters 28B.19 and 34.04 RCW to reflect this recodification and repeal.*

The Clerk read the following amendments by Representatives Armstrong and Padden to the amendment:

On page 29, after line 11 of the amendment, insert: "(2) An agency with authority to grant or deny a professional or occupational license shall notify an applicant for a new license not later than twenty days prior to the date of the examination required for that license of any grounds for denial of the license which are based on specific information disclosed in the application submitted to the agency. The agency shall notify the applicant either that the license is denied or that the decision to grant or deny the license will be made at a future date. If the agency fails to give the notification prior to the examination and the applicant is denied licensure, the examination fee shall be refunded to the applicant."

On page 29, line 12, strike "(2)" and insert "(3)"

On page 29, line 20, strike "(3)" and insert "(4)"

With consent of the House, Mr. Padden withdrew the amendments to the amendment.

Mr. Padden moved adoption of the following amendments by Representatives Armstrong and Padden to the amendment:

On page 29, after line 11 of the amendment, insert: "(2) An agency with authority to grant or deny a professional or occupational license shall notify an applicant for a new or renewal license not later than twenty days prior to the date of the examination required for that license of any grounds for denial of the license which are based on specific information disclosed in the application submitted to the agency. The agency shall notify the applicant either that the license is denied or that the decision to grant or deny the license will be made at a future date. If the agency fails to give the notification prior to the examination and the applicant is denied licensure, the examination fee shall be refunded to the applicant. If the applicant takes the examination, the agency shall notify the applicant of the results."

On page 29, line 12, strike "(2)" and insert "(3)"

On page 29, line 20, strike "(3)" and insert "(4)"

Representatives Padden and Armstrong spoke in favor of the amendments to the amendment, and they were adopted.

Mr. Armstrong moved adoption of the following amendments to the amendment:

On page 29, line 36, strike "(a)"

On page 30, after line 3, strike all material through "RCW." on line 7

Mr. Armstrong spoke in favor of the amendments to the amendment, and Mr. Padden opposed them.

Mr. Armstrong again spoke in favor of the amendments to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Armstrong to the amendment to Substitute House Bill No. 1367, and the amendments to the amendment were adopted by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Allen, Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Crane, Doty, Ferguson, Fuhrman, Hankins, Holland, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams J, Wilson S, Winsley - 35.

Excused: Representative Williams B - 1.

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the amendment as amended.

Representatives Armstrong and Padden spoke in favor of the amendment as amended.

ROLL CALL

The Clerk called the roll on the adoption of the amendment as amended to Substitute House Bill No. 1367, and the amendment as amended was adopted by the following vote: Yeas, 94; nays, 1; absent, 2; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Hargrove - 1.

Absent: Representatives Doty, Fuhrman - 2.

Excused: Representative Williams B - 1.

The bill was ordered engrossed. On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1367, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan,

Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Engrossed Substitute House Bill No. 1367, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Meyers, the House advanced to the seventh order of business.

THIRD READING

MOTION

Mr. Meyers moved that the House immediately consider Substitute House Bill No. 152 on third reading. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 152, by Committee on Human Services (originally sponsored by Representatives Brekke, Winsley, Sutherland, H. Sommers, Leonard, Jacobsen, Moyer, Scott, P. King and Lewis; by request of Department of Social and Health Services)

Revising the membership and duties of the state advisory committee to the department of social and health services.

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

Representatives Brekke and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 152, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Substitute House Bill No. 152, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 4403, by Committee on Natural Resources (originally sponsored by Representatives K. Wilson, Haugen, Basich and P. King)

Providing for the development of rules to permit gillnet fishing during daylight hours.

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

Representative K. Wilson spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Concurrent Resolution No. 4403, and the resolution was adopted by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Substitute House Concurrent Resolution No. 4403, having received the constitutional majority, was declared adopted.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SECRETARY OF STATE

February 8, 1988

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

Mr. Speaker:

As required by Article II, Section 1, of the State Constitution and RCW 29.79.200, we herewith respectfully certify that we have completed the verification of the signatures on Initiative to the Legislature 97, a copy of which was certified to you on January 11, 1988, and we have determined that the Initiative contains the signatures of at least 153,090 legal voters of the state of Washington. As this number exceeds that required by the State Constitution (151,133), we hereby certify that the Initiative to the Legislature 97 is qualified to appear on the state general election ballot unless approved by the Legislature during this session.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the state of Washington on this eighth day of February, 1988.

(Seal)

Ralph Munro, Secretary of State

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

MOTIONS

On motion of Mr. Ebersole, House Bill No. 1689 was referred from Committee on Ways & Means to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1947 was referred from Committee on Ways & Means to Committee on Commerce & Labor.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 6, 1988

HB 1604 Prime Sponsor, Representative H. Sommers: Lowering property tax on low-income housing. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill by Committee on Housing be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Rust, Schoon, Taylor and Valle.

MINORITY recommendation: Do not pass. Signed by Representative Holland.

Voting nay: Representatives Holland and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

February 6, 1988

HJR 4226 Prime Sponsor, Representative H. Sommers: Amending the Constitution to allow current use property tax valuation on low-income housing. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Basich, Dellwo, Rust, Schoon, Taylor and Valle.

MINORITY recommendation: Do not pass. Signed by Representative Holland.

Voting nay: Representatives Holland and Winsley.

Absent: Representatives Bristow and Grimm.

Passed to Committee on Rules for second reading.

The Speaker (Mr. Appelwick presiding) referred the bill and resolution on today's supplemental committee reports under the fifth order of business to the committees so designated.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Tuesday, February 9, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTIETH DAY

MORNING SESSION

House Chamber, Olympia, Tuesday, February 9, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Grimm and Walk, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Scott Neilson and Nicole Mailey. Prayer was offered by Sister Lucy Wynkoop of St. Placid Priory of Olympia.

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

MESSAGE FROM THE SENATE

February 8, 1988

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5117,
 ENGROSSED SENATE BILL NO. 5229,
 SENATE BILL NO. 5451,
 REENGROSSED SENATE BILL NO. 5475,
 SUBSTITUTE SENATE BILL NO. 5480,
 SUBSTITUTE SENATE BILL NO. 5500,
 SUBSTITUTE SENATE BILL NO. 5586,
 SUBSTITUTE SENATE BILL NO. 5653,
 SUBSTITUTE SENATE BILL NO. 6109,
 SUBSTITUTE SENATE BILL NO. 6145,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6148,
 SUBSTITUTE SENATE BILL NO. 6176,
 SUBSTITUTE SENATE BILL NO. 6178,
 SENATE BILL NO. 6210,
 SENATE BILL NO. 6211,
 ENGROSSED SENATE BILL NO. 6299,
 SENATE BILL NO. 6373,
 SENATE BILL NO. 6374,
 SENATE BILL NO. 6375,
 SUBSTITUTE SENATE BILL NO. 6411,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6446,
 SENATE JOINT MEMORIAL NO. 8030,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 2032 by Representative Patrick

AN ACT Relating to children born or killed during the course of an abortion; amending RCW 70.58.070, 70.58.150, 70.58.160, and 68.04.020; adding a new section to chapter 68.08 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2033 by Representative Patrick

AN ACT Relating to unborn children; amending RCW 9A.32.055; and declaring an emergency.

Referred to Committee on Judiciary.

HCR 4442 by Representatives Basich, Barnes, O'Brien, Locke, Vekich, Taylor, Prince, Valle, Crane, Jones, Grant, R. King, Hargrove, B. Williams, Pruitt, Holm, S. Wilson, Meyers, Rasmussen, Sayan, Bumgarner, Nealey, Wineberry, Anderson, Ferguson and Sanders

Supporting construction of a Washington State Korean Veterans Memorial.

Referred to Committee on State Government.

SB 5117 by Senator Barr

Requiring owners to control livestock to within twelve hours of running at large in livestock restricted area.

Referred to Committee on Agriculture & Rural Development.

ESB 5229 by Senators Kreidler, Deccio, Sellar, Kiskaddon and Stratton; by request of Department of Social and Health Services

Revising the membership and duties of the state advisory committee to the department of social and health services.

Referred to Committee on Human Services.

SB 5451 by Senators Hansen, Patterson and Garrett

Changing requirements for operation of passenger charter carriers.

Referred to Committee on Transportation.

ReESB 5475 by Senators Gaspard, West, Tanner, Rinehart, Bauer, Williams, Bender, Moore, Talmadge and Saling; by request of Office of Governor

Establishing the Washington fund for excellence in higher education program.

Referred to Committee on Higher Education.

SSB 5480 by Committee on Education (originally sponsored by Senators Patterson, Metcalf, Barr and Bailey)

Permitting second-class school districts to hire officers' spouses on a half-time basis.

Referred to Committee on Education.

SSB 5500 by Committee on Law & Justice (originally sponsored by Senators Talmadge, Hayner, Lee and Rasmussen)

Changing provisions relating to valuation of homestead or agricultural property for foreclosure purposes.

Referred to Committee on Judiciary.

SSB 5586 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Tanner, West and Bauer; by request of Department of Labor and Industries)

Changing provisions relating to hours of labor.

Referred to Committee on Commerce & Labor.

SSB 5653 by Committee on Environment & Natural Resources (originally sponsored by Senators Bender and Vognild)

Providing for free hunting and fishing license for disabled veterans.

Referred to Committee on Natural Resources.

SSB 6109 by Committee on Law & Justice (originally sponsored by Senators Pullen, Halsan and Barr)

Specifying the grounds for bringing a products liability action based on design defects for firearms or ammunition.

Referred to Committee on Judiciary.

SSB 6145 by Committee on Higher Education (originally sponsored by Senators Rinehart, Bailey, Bauer, Saling, Gaspard, Kiskaddon, Smitherman and Benitz)

Establishing a program to promote collaborative relationships between various educational faculty and staff.

Referred to Committee on Higher Education.

ESSB 6148 by Committee on Law & Justice (originally sponsored by Senators Pullen, Halsan, Garrett, Johnson and Barr)

Revising certain procedures for applying for concealed pistol licenses.

Referred to Committee on Judiciary.

SSB 6176 by Committee on Agriculture (originally sponsored by Senators Barr, Hansen, Benitz, Anderson and Bailey)

Creating a uniform seed law.

Referred to Committee on Agriculture & Rural Development.

SSB 6178 by Committee on Agriculture (originally sponsored by Senators Benitz, Barr, Hansen, Anderson, Bailey and Newhouse)

Implementing the vinifera grape growers' assessment.

Referred to Committee on Agriculture & Rural Development.

SB 6210 by Senators McCaslin, Garrett, Zimmerman, Hayner and Nelson; by request of Office of State Auditor

Authorizing the state auditor to contract with certified public accountants for municipal audits.

Referred to Committee on Local Government.

SB 6211 by Senators McCaslin, Garrett, Zimmerman, Hayner and Nelson; by request of Office of State Auditor

Authorizing the state auditor to contract with certified public accountants for departmental audits.

Referred to Committee on State Government.

ESB 6299 by Senators Metcalf, Owen, Vognild, Barr and Conner

Revising provisions on forest protection.

Referred to Committee on Natural Resources.

SB 6373 by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Correcting obsolete statutory references.

Referred to Committee on Financial Institutions & Insurance.

SB 6374 by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Correcting references to the state boxing commission.

Referred to Committee on Commerce & Labor.

SB 6375 by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Revising references to the department of wildlife.

Referred to Committee on Natural Resources.

SSB 6411 by Committee on Economic Development & Labor (originally sponsored by Senators Smith, Smitherman, Anderson, Deccio, Zimmerman, Lee, Craswell, West, Saling, Cantu and Johnson)

Providing for replacement of lost temporary total disability payments.

Referred to Committee on Commerce & Labor.

ESSB 6446 by Committee on Environment & Natural Resources (originally sponsored by Senators Rinehart, Bluechel, Kreidler, Garrett, Gaspard and Lee)

Encouraging state purchasing of recovered materials.

Referred to Committee on Environmental Affairs.

SJM 8030 by Senators Barr, Hansen and Sellar

Requesting expedited funding for the lighting system at Grand Coulee Dam.

MOTION

Mr. Ebersole moved that the bills, memorial and resolution listed on today's introduction sheet be considered first reading under the fourth order of business and referred to the committees so designated. The motion was carried.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1409 on second reading. The motion was carried.

HOUSE BILL NO. 1409, by Representatives Patrick, Cole, Wang and Barnes

Amending provisions for liquor sale licensure.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE CONCURRENT RESOLUTION NO. 4431, by Representatives Jacobsen, Rust, Leonard, Cole, Locke, Winsley, Brough, Peery, Fisher, Holm, Belcher, Pruitt, Jesernig, Haugen, Anderson, Appelwick, Grimm, Basich, Ebersole, Nelson, K. Wilson, Nutley, Crane, Hankins, Bristow, P. King, Rasmussen, Hine and Miller

Establishing a Joint Legislative Advisory Committee on Women in Athletics.

The resolution was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 22nd Day, February 1, 1988.)

On motion of Mr. Jacobsen, the committee amendment was adopted.

Ms. K. Wilson moved adoption of the following amendment by Representatives K. Wilson, Unsoeld, Winsley, Miller, Rasmussen, Scott, Cole, Holm, Belcher, Walker, H. Sommers, Haugen, Hine, Cantwell, Spanel, Allen, Leonard, Brekke, Brough, Hankins and Fisher:

On page 2, beginning on line 15, insert the following:

"BE IT FURTHER RESOLVED, That at least half the legislators and half the other members selected to serve on the advisory committee should be women; and"

Representatives K. Wilson, Brough, Padden, Jacobsen and Moyer spoke in favor of the amendment, and it was adopted.

Mr. Jacobsen moved adoption of the following amendment:

Beginning on page 1, after line 26, strike all the material down to and including "and" on page 2, line 14, and insert the following:

"BE IT FURTHER RESOLVED, That the committee shall consist of up to twenty-five members as follows:

(1) Two members from each caucus of the House of Representatives, selected by the speaker; at least one member from each caucus shall be a member of the Committee on Higher Education in the House of Representatives;

(2) Two members from each caucus of the Senate, selected by the President of the Senate; at least one member from each caucus shall be a member of the Committee on Higher Education in the Senate;

(3) Representatives of students, faculty, and administrators of the four-year institutions of higher education and the community colleges, selected by the Speaker of the House of Representatives and the President of the Senate; and

(4) Representatives of community sports programs, selected by the Speaker of the House of Representatives and the President of the Senate; and

BE IT FURTHER RESOLVED, That at least half the legislators and half the other members selected to serve on the advisory committee should be women; and"

Representatives Jacobsen and Ballard spoke in favor of the amendment, and it was adopted.

The resolution was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Jacobsen, Miller, Basich, Bristow, Hine and Nelson spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 4431, and the resolution was adopted by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grimm, Walk - 2.

Engrossed House Concurrent Resolution No. 4431, having received the constitutional majority, was declared adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

Representative Grimm appeared at the bar of the House.

SPEAKER'S PRIVILEGE

The Speaker introduced to the members of the House of Representatives the party of Washington State Dairy Princesses--the Washington State Dairy Princess, Syrie Hollen; the First Alternate Dairy Princess, Susan Lanting; and the Second Alternate Dairy Princess, Melinda Flaig, who were seated in the place of honor in the House Chambers. The members of the House welcomed the young ladies and their families and escorts.

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

THIRD READING

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed House Bill No. 1544 on third reading. The motion was carried.

ENGROSSED HOUSE BILL NO. 1544, by Representatives Belcher, Allen, Wang, Ebersole, Appelwick, Cole, Unsoeld, Fisher, Locke, Jacobsen, K. Wilson, Lux, Anderson, Scott, Vekich, Grimm, Brekke, Rust, Basich, Wineberry, Sayan, Braddock, Leonard, H. Sommers, R. King, Nelson, Jones, Heavey and Nutley

Increasing the state minimum wage.

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

Representatives Belcher, Ebersole, Vekich, R. King, Wang and Unsoeld spoke in favor of passage of the bill, and Representatives Patrick, Ballard, Silver, Schoon, Sanders, Butterfield, Barnes, B. Williams, Doty, Amondson and Brooks opposed it.

Representative Crane demanded the previous question, and the demand was sustained.

To close debate, Ms. Belcher again spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1544, and the bill passed the House by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Heavey, Hine, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 52.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Cooper, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Haugen, Holland, Holm, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rasmussen, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Zellinsky - 45.

Excused: Representative Walk - 1.

Engrossed House Bill No. 1544, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Walk appeared at the bar of the House.

There being no objection, the House advance to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4718, by Representatives Sutherland, P. King, Cantwell, Appelwick, Rayburn, Jacobsen, Lewis, Baugher, Cooper, Nutley, Butterfield, Grimm, Doty, Walk, Peery and Sanders

WHEREAS, The 1988 World Exposition will be held in Brisbane, Australia from April to October; and

WHEREAS, An estimated one thousand groups in North America auditioned to perform there, but only sixty-five groups from the United States and Canada were chosen; and

WHEREAS, Five auspicious performing groups from Washington State were selected and invited to perform at Expo 88; and

WHEREAS, Five groups chosen to represent one state is unusual, since most states average only one or two selected groups and some states are represented by none; and

WHEREAS, The five groups indicate that Washington has an extraordinary amount of exceptional talent; and

WHEREAS, The North America Performance Project, the organization responsible for making the final selections of performing groups from the United States and Canada, says that Washington is one of two states in the United States that will bring the best representation to the World Exposition; and

WHEREAS, The Columbia Presbyterian Church Choir from Vancouver performed at last year's World Exposition in Vancouver, British Columbia and has been chosen to perform their sacred music again this year; and

WHEREAS, The Bel Canto Choral Society of Yakima, an all-women's choir, has also been selected for the second time to perform a variety of music at the World Exposition; and

WHEREAS, The Seattle Choral Company of Seattle, a men's and women's chorus, has been chosen to perform both classical and popular music for their first time at a World Exposition; and

WHEREAS, An orchestra combined from 10th, 11th, and 12th grade students of two Puyallup high schools, Rogers High School and Puyallup High School, called

Orchaustralia will also travel to Australia for their first performance of light classical and popular music at a World Exposition; and

WHEREAS, The Skiperiors, a jump-rope team from Crystal Springs Elementary School in Bothell, performed at last year's World Exposition and has been invited to perform again this year; and

WHEREAS, The Skiperiors team of 35 girls and boys from 5 to 15 years of age is the only jump-rope team that was selected to perform this year, but will not be able to attend because of lack of funds;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor these five outstanding performing groups for representing Washington State at the 1988 World Exposition in Australia, and we celebrate their excellence, demonstrated by their invitations to perform; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the director and each member of the Columbia Presbyterian Church Choir and to the Mayor of Vancouver, to the director and each member of the Bel Canto Choral Society and to the Mayor of Yakima, to the director and each member of the Seattle Choral Company and to the Mayor of Seattle, to the directors and each member of Orchaustralia and to the Mayor of Puyallup, to the director and each member of the Skiperiors jump-rope team and to the Mayor of Bothell.

Mr. Sutherland moved adoption of the resolution. Representatives Sutherland and Lewis spoke in favor of it, and the resolution was adopted.

MOTION

Mr. Ebersole moved that the House recess until 1:30 p.m.

AFTERNOON SESSION

The House was called to order by the Speaker. The Clerk called the roll and all members were present except Representatives Dellwo, Silver and Taylor. Representative Taylor was excused.

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

SECOND READING

HOUSE BILL NO. 1319, by Representatives Walker, Wang, Patrick, Brough, Winsley, Miller, Prince, Holland, R. King, Belcher, Fisher and Locke; by request of Select Committee on Employment and the Family

Establishing minimum standards for leave for family care.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1319 was substituted for House Bill No. 1319, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1319 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walker, Wang and Brough spoke in favor of passage of the bill, and Mr. Barnes opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1319, and the bill passed the House by the following vote: Yeas, 89; nays, 6; absent, 2; excused, 1.

Voting yeas: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dary, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P., King R., Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith C., Sommers D., Sommers H.

Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Amondson, Barnes, Fuhrman, Padden, Sanders, Williams J - 6.

Absent: Representatives Dellwo, Silver - 2.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1319, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1323, by Representatives Braddock, Chandler, Nutley, Peery, Meyers, Lux, Brooks and Unsoeld; by request of Office of Insurance Commissioner

Revising the Washington state health insurance coverage access act.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1323 was substituted for House Bill No. 1323, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1323 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1323, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Dellwo, Silver - 2.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1404 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 538, by Representatives Locke, Brough, Wang, Unsoeld, Valle, Miller, Todd and Niemi

Providing for the modification of judgments regarding the community property distribution of military retirement benefits.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 538 was substituted for House Bill No. 538, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 538 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Locke spoke in favor of passage of the bill, and Mr. Padden opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 538, and the bill passed the House by the following vote: Yeas, 84; nays, 11; absent, 2; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King, R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rust, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Baugher, Betrozoff, Bumgarner, Chandler, Ferguson, Hargrove, Padden, Rayburn, Sanders, Sommers D, Williams J - 11.

Absent: Representatives Dellwo, Silver - 2.

Excused: Representative Taylor - 1.

Substitute House Bill No. 538, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I intended to vote "No" on SHB 538.

SALLY W. WALKER, 28th District.

Representatives Dellwo and Silver appeared at the bar of the House.

HOUSE BILL NO. 791, by Representatives Crane, Ballard, Wineberry and P. King

Regulating camping clubs.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 791 was substituted for House Bill No. 791, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 791 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 791, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Substitute House Bill No. 791, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 840 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1333, by Representatives Locke, Brough, Dellwo, Walker, Heavey, Belcher, Todd and P. King

Revising sexual offenses.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1333 was substituted for House Bill No. 1333, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1333 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brough, Locke and Hargrove spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1333, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1333, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1335, by Representatives Grimm and Walker

Revising the terms of elected officials and the commencement dates for legislative sessions.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 19th Day, January 29, 1988.)

On motion of Ms. Fisher, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Walker spoke in favor of passage of the bill, and Representatives Nealey and Bristow opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1335, and the bill passed the House by the following vote: Yeas, 57; nays, 39; absent, 1; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Beck, Belcher, Brekke, Butterfield, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Leonard, Locke, Lux, May, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Sayan, Schmidt, Schoon, Scott, Sommers D, Spanel, Sutherland, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams J, Wilson K, Winsley, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Betrozoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Chandler, Day, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, King P, Kremen, Lewis, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Rust, Sanders, Silver, Smith C, Sommers H, Sprenkle, Vekich, Williams B, Wilson S - 39.

Absent: Representative Wineberry - 1.

Excused: Representative Taylor - 1.

Engrossed House Bill No. 1335, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 1336, by Representatives Ballard, Grimm, Rayburn, McLean, Ferguson, Lewis, Silver, Amondson, Kremen, Betzoff, Bristow, Rasmussen, Doty, Baugher, Fuhrman and Smith

Extending the sales and use tax exemption for horticultural products to third persons.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1336 was substituted for House Bill No. 1336, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1336 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ballard, Schoon, Rayburn, Grant and Bumgarner spoke in favor of passage of the bill, and Representatives Rust, Lux and Nelson opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1336, and the bill passed the House by the following vote: Yeas, 73; nays, 24; excused, 1.

Voting yea: Representatives Allen, Amondson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Day, Dellwo, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jesernig, King R, Kremen, Leonard, Lewis, May, McLean, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Anderson, Armstrong, Belcher, Braddock, Brekke, Cole, Cooper, Crane, Dorn, Fisher, Heavey, Jacobsen, Jones, King P, Locke, Lux, Meyers, Nelson, Pruitt, Rust, Sommers H, Valle, Williams J, Winsley - 24.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1336, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

HOUSE BILL NO. 1404, by Representatives Bristow, Brooks, McLean, Holm, Braddock, Lux, Peery, Cooper and Day

Revising provisions relating to licensure of nursing.

The bill was read the second time. On motion of Mr. Bristow, Substitute House Bill No. 1404 was substituted for House Bill No. 1404, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1404 was read the second time.

Mr. Bristow moved adoption of the following amendment:

On page 1, line 23 after "with" insert "the state board of practical nursing."

Mr. Bristow spoke in favor of the amendment, and it was adopted.

Mr. Bristow moved adoption of the following amendment:

On page 3, after line 1, insert a new section to read as follows:

*NEW SECTION. Sec. 5. Section 5, chapter 222, Laws of 1949, as last amended by section 129, chapter 259, Laws of 1986 and RCW 18.78.050 are each amended to read as follows: The board shall conduct examinations for all applicants for licensure under this chapter and shall certify qualified applicants to the department of licensing for licensing. The board shall also determine and formulate what constitutes the curriculum for an approved practical nursing

program preparing persons for licensure under this chapter. The board shall establish criteria for licensure by endorsement.

The board may adopt rules or issue advisory opinions in response to questions from professional health associations, health care practitioners, and consumers in this state concerning licensed practical nurse practice. The board shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice after three years inactive or lapsed status.

The board shall adopt such rules as are necessary to fulfill the purposes of this chapter pursuant to chapter 34.04 RCW.

Renumber the remaining sections consecutively.

Mr. Bristow spoke in favor of the amendment, and it was adopted.

Mr. Bristow moved adoption of the following amendment by Representatives Bristow and Day:

On page 6, after line 12, insert the following:

NEW SECTION. Sec. 10. The legislature finds that significant changes occurring simultaneously in the health care delivery system and the demography of the national population are resulting in a shortage of qualified nursing personnel which has the potential of dramatically reducing the quality of health care in the state of Washington, particularly in long-term care and critical emergent care. One of the more important contributors to this shortage is the fall in enrollment of students wishing to pursue nursing as a career. In today's complex health care environment, a more integrated approach to the delivery of nursing care may provide comprehensive answers to the problem. The legislature finds that encouraging qualified individuals to enter the nursing profession is of paramount importance to the state in reducing this shortage. The legislature urges the health professions, industry, and philanthropic community organizations to join with state government in assuring the success of this program.

NEW SECTION. Sec. 11. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Conditional scholarship' means a loan that is forgiven in whole or in part if the recipient renders nursing service as a nurse serving in a nurse shortage area, as defined by the state health coordinating council.

(2) 'Institution of higher education' or 'institution' means a community college, vocational-technical school, or university in the state of Washington which is accredited by an accrediting association recognized as such by rule of the higher education coordinating board.

(3) 'Board' means the higher education coordinating board.

(4) 'Eligible student' means a student who has been accepted into a program leading to eligibility for licensure as a licensed practical nurse, or to a program leading to an associate, baccalaureate, or higher degree in nursing or continues satisfactory progress within the program; and has a declared intention to serve in a nurse shortage area upon completion of the educational program.

(5) 'Nurse shortage area' means those areas where nurses are in short supply as a result of geographic maldistribution; or specialty areas of nursing, such as geriatrics or critical care, where vacancies exist in serious numbers that jeopardize patient care and pose a threat to the public health and safety. The state health coordinating council shall determine nurse shortage areas in the state guided by federal standards of 'health manpower shortage areas.'

(6) Develop criteria for a contract for service in lieu of the five-year service in a nurse shortage area where appropriate, that may be a combination of service and payment.

(7) 'Forgiven' or 'to forgive' or 'forgiveness' means to render nursing service in a nurse shortage area in the state of Washington in lieu of monetary repayment.

(8) 'Satisfied' means paid-in-full.

(9) 'Participant' means an eligible student who has received a conditional scholarship under this chapter.

NEW SECTION. Sec. 12. The nurses conditional scholarship program is established. The program shall be administered by the higher education coordinating board. In administering the program, the board shall have the following powers and duties:

(1) Select students to receive conditional scholarships, with the assistance of a screening committee;

(2) Adopt rules and guidelines to implement this chapter;

(3) Publicize the program;

(4) Collect and manage repayments from students who do not meet their services obligations under this chapter; and

(5) Solicit and accept grants and donations from public and private sources for the program.

NEW SECTION. Sec. 13. The higher education coordinating board shall establish a planning committee to develop criteria for the screening and selection of recipients of the conditional scholarships. These criteria also may include, for approximately half of the recipients, requirements that those recipients meet the definition of 'needy student' under RCW 28B.10.802.

NEW SECTION. Sec. 14. The board may award conditional scholarships to eligible students from the funds appropriated to the board for this purpose, or from any private donations, or any other funds given to the board for this program. The amount of the conditional scholarship awarded an individual shall not exceed three thousand dollars per academic year. Students are eligible to receive conditional scholarships for a maximum of five years while continually enrolled in an approved program.

NEW SECTION. Sec. 15. (1) Participants in the conditional scholarship program incur an obligation to repay the conditional scholarship, with interest, unless they serve for five years in nurse shortage areas of the state of Washington. Nurse shortage areas may include geographical areas as a result of maldistribution, or specialty areas of nursing such as gerontology, critical care, or coronary care.

(2) The terms of the repayment, including deferral of the interest, shall be consistent with the terms of the federal guaranteed loan program.

(3) The period for repayment shall be five years, with payments accruing quarterly commencing nine months from the date the participant completes or discontinues the course of study.

(4) The entire principal and interest of each payment shall be forgiven for each payment period in which the participant serves in a nurse shortage area, as determined by the state health coordinating council, until the entire repayment obligation is satisfied or the borrower ceases to so serve. Should the participant cease to serve in this state before the participant's repayment obligation is completed, payments on the unsatisfied portion of the principal and interest shall begin the next payment period and continue until the remainder of the participant's repayment obligation is satisfied.

(5) The board is responsible for collection of repayments made under this section and shall exercise due diligence in such collection, maintaining all necessary records to ensure that maximum repayments are made. Collection and servicing of repayments under this section shall be pursued using the full extent of the law, including wage garnishment if necessary, and shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency. The board is responsible to forgive all or parts of such repayments under the criteria established in this section and shall maintain all necessary records of forgiven payments.

(6) Receipts from the payment of principal or interest or any other subsidies to which the board as administrator is entitled, which are paid by or on behalf of participants under this section, shall be deposited with the higher education coordinating board and shall be used to cover the costs of granting the conditional scholarships, maintaining necessary records, and making collections under subsection (5) of this section. The board shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to grant conditional scholarships to eligible students.

NEW SECTION. Sec. 16. Sections 10 through 15 of this act shall constitute a new chapter in Title 28B RCW.

NEW SECTION. Sec. 17. No conditional scholarships shall be granted after June 30, 1994, until the program is reviewed by the legislative budget committee and is reenacted by the legislature."

Representatives Bristow and Brooks spoke in favor of the amendment, and it was adopted.

Mr. Day moved adoption of the following amendment:

On page 6, after line 12, insert a new section as follows:

*NEW SECTION. Sec. 11. A new section is added to chapter 18.88 to read as follows:

Upon approval by the board and following verification of satisfactory completion of an advanced formal education, the department of licensing shall issue an interim permit authorizing the applicant to practice specialized and advanced nursing practice pending notification of the results of the first certification examination. If the applicant passes the examination, the department shall grant advanced registered nurse practitioner status. If the applicant fails the examination, the interim permit shall expire upon notification and is not renewable. The holder of the interim permit is subject to chapter 18.130 RCW."

Representatives Day and Brooks spoke in favor of the amendment, and it was adopted.

On motion of Mr. Bristow, the following amendments to the title were adopted:

On page 1, line 1 of the title, after "amending" insert "RCW 18.78.050,"

On page 1, line 3 of the title, after "RCW;" insert "adding a new chapter to Title 28B RCW;"

On page 1, line 3 of the title, after "RCW;" insert "adding a new section to chapter 18.88 RCW"

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1404, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Engrossed Substitute House Bill No. 1404, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1342, by Representatives Sanders, Patrick, Wang and May

Adding requirements for contractor's notice to customers.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1342 was substituted for House Bill No. 1342, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1342 was read the second time.

Mr. Sanders moved adoption of the following amendments:

On page 1, line 18, after "contractor's" strike "bond" and insert "registration"

On page 2, line 6, after "contractor's" strike all material through "registration is" on line 7 and insert "registration has expired or is revoked or"

Mr. Sanders spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sanders, Schoon, Patrick and Sayan spoke in favor of passage of the bill, and Representatives Lux, Heavey and J. Williams opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1342, and the bill passed the House by the following vote: Yeas, 68; nays, 29; excused, 1.

Voting yea: Representatives Allen, Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Betzoff, Braddock, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Crane, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Hankins, Haugen, Holland, Holm, Jesernig, Jones, King R, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Sommers D, Spanel, Sprenkle, Sutherland, Unsoeld, Valle, Vekich, Walker, Wang, Williams B, Wilson K, Wilson S, Winsley, and Mr. Speaker - 68.

Voting nay: Representatives Anderson, Baugher, Belcher, Brekke, Bristow, Cooper, Day, Dellwo, Dorn, Grimm, Hargrove, Heavey, Hine, Jacobsen, King P, Leonard, Locke, Lux, Meyers, Nelson, Pruitt, Rasmussen, Schmidt, Sommers H, Todd, Walk, Williams J, Wineberry, Zellinsky - 29.

Excused: Representative Taylor - 1.

Engrossed Substitute House Bill No. 1342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1346, by Representatives Meyers, Sutherland, S. Wilson, Belcher, R. King, Amondson, Cantwell, P. King, Grimm, Holland, Lewis, J. Williams, Sanders, Zellinsky, Smith, Cooper and K. Wilson

Providing reduced rental fees for lease of communication sites on state lands.

The bill was read the second time.

Mr. Locke moved adoption of the following amendment by Representatives Locke, Meyers and Silver:

On page 2, line 15, strike all of section 4.

Mr. Locke spoke in favor of the amendment, and it was adopted.

On motion of Mr. Appelwick, the following amendment to the title was adopted:

On page 1, line 2 of the title, strike everything after "communications;" and insert "and adding new sections to chapter 79.12 RCW."

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Meyers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1346, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Engrossed House Bill No. 1346, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1366, by Representatives Hine, Silver, H. Sommers, Walker, Dellwo, Patrick, McLean and Bristow

Providing for judges retirement.

The bill was read the second time. On motion of Mr. Bristow, Substitute House Bill No. 1366 was substituted for House Bill No. 1366, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1366 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine, Silver and H. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1366, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland,

Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Armstrong - 1.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1366, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1369, by Representatives Winsley and Lux

Regulating escrow.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1369 was substituted for House Bill No. 1369, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1369 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Winsley and Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1369, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1369, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1393, by Representatives Cantwell, Miller, P. King, Cole, Betzoff, Rust and Sprenkle

Revising provisions for park and recreation service areas.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1393 was substituted for House Bill No. 1393, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1393 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cantwell and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1393, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1393, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1421, by Representatives Haugen, S. Wilson, Baugher, Vekich, Silver, May, Brough, Sanders, Schoon, Moyer, Nealey and Ferguson; by request of Office of State Auditor

Authorizing the state auditor to contract with certified public accountants.

The bill was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1421, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Valle - 1.

Excused: Representative Taylor - 1.

House Bill No. 1421, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1460, by Representatives Armstrong, Locke and May; by request of Office of the Administrator for the Courts

Revising jury selection and summoning.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1460 was substituted for House Bill No. 1460 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1460 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1460, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1460, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1482, by Representatives Rasmussen, Dorn, Winsley, Crane, Holland, Holm, Cooper, Walker, Betrozoff, Rayburn, Scott, Hargrove, Grant, Kremen, Unsoeld, Barnes, Baugher, Doty, Moyer, Wineberry, Anderson, Jesernig, Jones, Brough, Basich, Meyers, Ballard, P. King, May, Taylor, Miller, Spanel, Silver, Ferguson and Butterfield

Revoking or suspending juveniles' drivers licenses for violation of certain drug or alcohol laws.

The bill was read the second time.

On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rasmussen and Padden spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Rasmussen yielded to question by Mr. Schoon.

Mr. Schoon: Looking at the bill, I don't find the age of thirteen indicated in the bill. Is there some provision that, if a child of thirteen is arrested, they will retain that information so that child cannot apply for a license at sixteen?

Ms. Rasmussen: That is right. It is sent to the Department of Licensing and when they go to apply for a learner's permit at fifteen and a half, it is pulled from the computer.

Representatives Schoon, Dorn and Ferguson spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1482, and the bill passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Belcher, Fisher, Nelson, Vekich - 4.

Excused: Representative Taylor - 1.

House Bill No. 1482, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1502, by Representatives Meyers, Schmidt and P. King

Revising provisions on secured transactions under the Uniform Commercial Code.

The bill was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Meyers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1502, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty,

Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

House Bill No. 1502, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1524, by Representatives Cole, Prince, Jacobsen, Fisher, Holm, P. King, Basich, Valle, Lux, Locke, Brough, Winsley, Hankins and Rasmussen

Regulating manufacturer's rebates.

The bill was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Prince spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1524, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

House Bill No. 1524, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1539, by Representatives Dorn, Leonard, Rasmussen, Grant, Brekke, Holm, Heavey, Fox, Vekich, Sprenkle, Basich, Ebersole, Winsley, Day, Padden, Ferguson, Fisher, Rayburn, P. King, Anderson, Rust, Todd, Silver and Lux

Requiring the development of a juvenile court training curriculum.

The bill was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Dorn spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1539, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

House Bill No. 1539, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House defer consideration of House Bill No. 1552, House Bill No. 1760 and House Bill No. 1801, and that the bills hold their places on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1802, by Representatives Spanel, Peery, Betzoff, Crane, Walker, Schoon, Silver, Moyer, Butterfield, Doty, May, D. Sommers, Basich, Miller, P. King and Hine

Changing requirements for admission to teacher preparation programs.

The bill was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Spanel and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1802, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

House Bill No. 1802, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House defer consideration of House Bill No. 1855 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1115, by Representatives Hargrove, Basich and Sanders

Allowing disabled persons to park free at institutions of higher education.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 1115 was substituted for House Bill No. 1115, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1115 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Hargrove spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1115, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1115, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1285, by Representatives Taylor, Day, Padden, S. Wilson, Prince, Bumgarner, Dellwo, Smith, May, Moyer and Silver

Providing an exception to the licensing requirement for grain dealers.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1285 was substituted for House Bill No. 1285, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1285 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nealey and Rayburn spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1285, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Vekich - 1.

Excused: Representative Taylor - 1.

Substitute House Bill No. 1285, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Butterfield was excused.

HOUSE BILL NO. 1334, by Representatives Haugen, Patrick and Lewis

Permitting county employees to transfer to prior existing positions in the sheriff's office.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1334 was substituted for House Bill No. 1334, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1334 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1334, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard,

Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Butterfield, Taylor - 2.

Substitute House Bill No. 1334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative B. Williams was excused.

HOUSE BILL NO. 1362, by Representatives Nealey, Betzoff, Rasmussen and McLean

Revising provisions on weights and measures.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1362 was substituted for House Bill No. 1362, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1362 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nealey and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1362, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Allen, Amundson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Substitute House Bill No. 1362, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1373, by Representatives Unsoeld and Belcher

Eliminating the current year tax cancellation for property becoming exempt from property tax.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1373 was substituted for House Bill No. 1373, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1373 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Unsoeld spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1373, and the bill passed the House by the following vote: Yeas, 91; nays, 4; excused, 3.

Voting yeas: Representatives Allen, Amundson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux,

May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Fuhrman, Schmidt, Williams J, Wilson S - 4.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Substitute House Bill No. 1373, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1377, by Representatives Cooper, Padden, Armstrong, Sanders, Heavey, Wineberry, Pruitt, Rasmussen, May and Haugen; by request of Pharmacy Board

Regulating precursor drugs.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1377 was substituted for House Bill No. 1377, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1377 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cooper and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1377, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Substitute House Bill No. 1377, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House defer consideration of House Bill No. 1416 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1492, by Representatives H. Sommers and Chandler; by request of Governor Gardner

Revising various boards and commissions.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 19th Day, January 29, 1988.)

Ms. H. Sommers moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

On motion of Ms. H. Sommers, the committee amendment to the title was adopted.

The bill was ordered engrossed. On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1492, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Engrossed House Bill No. 1492, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1494, by Representatives Scott, Padden, Leonard, Moyer, Cole, Haugen, Wang, S. Wilson, Lewis, Patrick, Winsley, P. King, Pruitt, Miller, K. Wilson and Locke

Establishing the period when a person can bring an action for damages resulting from childhood sexual abuse.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1494 was substituted for House Bill No. 1494, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1494 was read the second time.

On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Scott, Padden and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1494, and the bill passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Braddock, Vekich - 2.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Substitute House Bill No. 1494, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1499, by Representatives Kremen, Holland, Grant, Braddock and May

Requiring the department of natural resources to study methods of encouraging businesses to remove sand and gravel.

The bill was read the second time. On motion of Ms. K. Wilson, Substitute House Bill No. 1499 was substituted for House Bill No. 1499, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1499 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Kremen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1499, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hanks, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsold, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Belcher - 1.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Substitute House Bill No. 1499 having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1536, by Representatives Appelwick, Brough, P. King and May
Revising the laws governing parenting plans.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1536 was substituted for House Bill No. 1536, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1536 was read the second time.

Mr. Appelwick moved adoption of the following amendment:

On page 12, line 31, after "is" strike everything through "month" on line 36 and insert ":

(a) A change in the dispute resolution process; or

(b) A minor change in the residential schedule which:

(i) Does not change the residence the child resides in the majority of the time;

(ii) Does not exceed twenty-four full days in a calendar year; and

(iii) Does not exceed five full days in a calendar month"

Mr. Appelwick spoke in favor of the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment:

On page 14, after line 4, insert "Sec. 14 Section 28, chapter 460, Laws of 1987 and RCW 26.10.040 are each amended to read as follows:

In entering an order under this chapter, the court shall consider, approve, or make provision for:

(1) Child custody, visitation, and the support of any child entitled to support;

(2) The allocation of the children as a federal tax exemption; and

(3) Any necessary continuing restraining orders."

Renumber the remaining sections consecutively.

Mr. Appelwick spoke in favor of the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment:

On page 17, after line 12, insert:

"NEW SECTION. Sec. 19. A new section is added to chapter 26.10 RCW to read as follows:

(1) In a proceeding under this chapter either party may file a motion for temporary support of children entitled to support. The motion shall be accompanied by an affidavit setting forth the factual basis for the motion and the amount requested.

(2) In a proceeding under this chapter either party may file a motion for a temporary restraining order or preliminary injunction, providing relief proper in the circumstances, and restraining or enjoining any person from:

(a) Transferring, removing, encumbering, concealing, or in any way disposing of any property except in the usual course of business or for the necessities of life, and, if so restrained or enjoined, requiring him to notify the moving party of any proposed extraordinary expenditures made after the order is issued;

(b) Molesting or disturbing the peace of the other party or of any child and, upon a showing by clear and convincing evidence that the party so restrained or enjoined has used or displayed or threatened to use a deadly weapon as defined in RCW 9A.04.110 in an act of violence or has previously committed acts of domestic violence and is likely to use or display or threaten to use a deadly weapon in an act of domestic violence, requiring the party to surrender any deadly weapon in his immediate possession or control or subject to his immediate possession or control to the sheriff of the county having jurisdiction of the proceeding or to the restrained or enjoined party's counsel or to any person designated by the court. The court may order temporary surrender of deadly weapons without notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for response has elapsed;

(c) Entering the family home or the home of the other party upon a showing of the necessity therefor;

(d) Removing a child from the jurisdiction of the court.

(3) The court may issue a temporary restraining order without requiring notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(4) The court may issue a temporary restraining order or preliminary injunction and an order for temporary support in such amounts and on such terms as are just and proper in the circumstances.

(5) Restraining orders issued under this section restraining the person from molesting or disturbing another party or from entering a party's home shall bear the legend: VIOLATION OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER CHAPTER 26.10 RCW AND WILL SUBJECT A VIOLATOR TO ARREST.

(6) The court may order that any temporary restraining order granted under this section be forwarded by the clerk of the court on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the order, the law enforcement agency shall forthwith enter the order for one year into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any county in the state.

(7) A temporary order, temporary restraining order, or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding;

(b) May be revoked or modified;

(c) Terminates when the final order is entered or when the motion is dismissed;

(d) May be entered in a proceeding for the modification of an existing order.

(8) A support debt owed to the state for public assistance expenditures which has been charged against a party pursuant to RCW 74.20A.040 and/or 74.20A.055 shall not be merged in, or otherwise extinguished by, the final decree or order, unless the office of support enforcement has been given notice of the final proceeding and an opportunity to present its claim for the support debt to the court and has failed to file an affidavit as provided in this subsection. Notice of the proceeding shall be served upon the office of support enforcement personally, or by certified mail, and shall be given no fewer than thirty days prior to the date of the final proceeding. An original copy of the notice shall be filed with the court either before service or within a reasonable time thereafter. The office of support enforcement may present its claim, and thereby preserve the support debt, by filing an affidavit setting forth the amount of the debt with the court, and by mailing a copy of the affidavit to the parties or their attorney prior to the date of the final proceeding."

Renumber the remaining sections consecutively.

Mr. Appelwick spoke in favor of the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendments:

On page 17, beginning on line 16, strike "a parenting plan" and insert "the court"

On page 17, line 20, strike "parenting plan" and insert "residential schedule or this chapter"

On page 17, beginning on line 27, strike "a parenting plan" and insert "the court"

On page 17, line 31, strike "parenting plan" and insert "residential schedule or this chapter"

Representatives Appelwick and Padden spoke in favor of the amendments, and they were adopted.

On motion of Mr. Appelwick, the following amendments to the title were adopted:

On page 1, line 5 of the title, after "26.09.907," insert "26.10.040."

On page 1, line 6 of the title, after "26.09.120;" insert "adding a new section to chapter 26.10 RCW;"

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1536, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsöld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Engrossed Substitute House Bill No. 1536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1546, by Representatives Brekke, Winsley, Scott, Leonard, H. Sommers, Moyer, Padden, Todd and Anderson; by request of Department of Social and Health Services

Revising provisions governing consultation by department of social and health services on reports of abuse.

The bill was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1546, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsöld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

House Bill No. 1546, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1562, by Representatives Basich, Beck and Sanders

Exempting materials valued below a certain amount sold from public lands from auction sale requirements.

The bill was read the second time. On motion of Ms. K. Wilson, Substitute House Bill No. 1562 was substituted for House Bill No. 1562, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1562 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Basich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1562, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Substitute House Bill No. 1562, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1616, by Representatives Sprenkle, Ballard, K. Wilson, Sutherland, Jones, Vekich, Miller, Haugen, Basich, O'Brien, Sayan, Spanel and Unsoeld

Authorizing purchase of certain state trust lands for parks use.

The bill was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Sprenkle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1616, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

House Bill No. 1616, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1673, by Representatives Todd, Barnes, Nutley, Cooper, Cantwell, Sanders, Sayan, Crane, Unsoeld, Rasmussen, Sprenkle, J. Williams, Leonard, Cole, Dorn, Patrick, Pruitt and Beck

Establishing an office of mobile home affairs.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 1673 was substituted for House Bill No. 1673, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1673 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Todd spoke in favor of passage of the bill, and Mr. Padden opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1673, and the bill passed the House by the following vote: Yeas, 85; nays, 10; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Ballard, Bumgarner, Chandler, Fuhrman, McLean, Moyer, Nealey, Padden, Silver, Smith C - 10.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

Substitute House Bill No. 1673, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House defer consideration of House Bill No. 1786 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1813, by Representatives Rasmussen, Prince, Basich, Nealey, Grant, Silver, Bristow, Chandler and Crane

Changing the custodian of the revolving fund for the agriculture research facility at the Rainier school farm at Washington State University.

The bill was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rasmussen and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1813, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

House Bill No. 1813, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 840 on second reading. The motion was carried.

ENGROSSED HOUSE BILL NO. 840, by Representatives Cole, Allen, Rust, Valle, Jacobsen, Belcher, Nelson, R. King, Scott, Dellwo, Pruitt, Unsoeld, Brekke, Fisher, Sprenkle, Leonard and P. King

Prohibiting corporal punishment in schools.

The bill was read the second time.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove, Sutherland, K. Wilson, Amondson, Padden, Dorn, B. Williams, Day, Kremen and Locke:

On page 1, line 8 after "schools" insert ", without specific written approval from the student's parents or guardian"

Mr. Hargrove spoke in favor of the amendment, and Ms. Cole opposed it.

POINT OF ORDER

Mr. Hargrove: Mr. Speaker, she is not speaking to the amendment. She is speaking to the entire bill. I would ask that you would limit her to the amendment.

The Speaker (Mr. O'Brien presiding): You have sort of a broad amendment here.

Ms. Cole continued her remarks against the amendment. Representatives Padden, Fuhrman, Barnes, K. Wilson and Schoon spoke in favor of the amendment, and Representatives Leonard and Pruitt opposed it.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Hargrove and others to House Bill No. 840, and the amendment was adopted by the following vote: Yeas, 49; nays, 46; excused, 3.

Voting yea: Representatives Amondson, Ballard, Barnes, Basich, Baugher, Betzoff, Brooks, Brough, Bumgarner, Cantwell, Chandler, Day, Dorn, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Haugen, Holland, Jesernig, King P, Kremen, Lewis, Locke, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Sanders, Schoon, Silver, Smith C, Sutherland, Waik, Walker, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 49.

Voting nay: Representatives Allen, Anderson, Appelwick, Armstrong, Beck, Belcher, Braddock, Brekke, Bristow, Cole, Cooper, Crane, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Heavey, Hine, Holm, Jacobsen, Jones, King R, Leonard, Lux, Meyers, Nelson, Nutley, O'Brien, Pruitt, Rust, Sycan, Schmidt, Scott, Sommers D, Sommers H, Spanel, Sprengle, Todd, Unsoeld, Valle, Vekich, Wang, and Mr. Speaker - 46.

Excused: Representatives Butterfield, Taylor, Williams B - 3.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

STATEMENT FOR THE JOURNAL

On the Hargrove amendment to HB 840 I inadvertently voted "No" but I should have voted "Yes." I believe parents should have the right to authorize reasonable discipline of their children in school.

DUANE SOMMERS, 6th District.

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:30 a.m., Wednesday, February 10, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, February 10, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Brooks, Day and Vekich.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christine Stover and Tim Holmes. Prayer was offered by Sister Therese Ganneville of St. Placid Priory of Olympia.

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

MESSAGE FROM THE SENATE

February 9, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5036,
 SUBSTITUTE SENATE BILL NO. 5595,
 SUBSTITUTE SENATE BILL NO. 5708,
 SECOND SUBSTITUTE SENATE BILL NO. 5720,
 SUBSTITUTE SENATE BILL NO. 5844,
 SUBSTITUTE SENATE BILL NO. 5943,
 ENGROSSED SENATE BILL NO. 5953,
 ENGROSSED SENATE BILL NO. 6093,
 SUBSTITUTE SENATE BILL NO. 6094,
 SUBSTITUTE SENATE BILL NO. 6195,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6235,
 SUBSTITUTE SENATE BILL NO. 6239,
 SUBSTITUTE SENATE BILL NO. 6264,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6266,
 SENATE BILL NO. 6349,
 SENATE BILL NO. 6397,
 SENATE BILL NO. 6480,
 ENGROSSED SENATE BILL NO. 6511,
 SENATE BILL NO. 6571,
 SENATE BILL NO. 6572,
 ENGROSSED SENATE BILL NO. 6647,
 ENGROSSED SENATE BILL NO. 6720,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8019,
 SENATE JOINT MEMORIAL NO. 8022,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8027,
 SENATE JOINT MEMORIAL NO. 8028,
 HOUSE CONCURRENT RESOLUTION NO. 4441.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 2034 by Representatives Amondson, Braddock, Zellinsky, Kremen, Bumgarner, McLean, Ferguson, S. Wilson, Fuhrman, Chandler, J. Williams, Schmidt, Beck, Hargrove, Padden, Betrozoff, Silver, Winsley, Allen and Walker

AN ACT Relating to lifeline telephone services; amending RCW 80.36.420, 80.36.430, and 80.36.470; and adding new sections to chapter 80.36 RCW.

Referred to Committee on Energy & Utilities.

ESSB 5036 by Committee on Environment & Natural Resources (originally sponsored by Senator Rasmussen)

Restricting sale of surplus salmon eggs by the department of fisheries.

Referred to Committee on Natural Resources.

SSB 5595 by Committee on Economic Development & Labor (originally sponsored by Senator Kreidler)

Establishing liens for owners of self-storage facilities.

Referred to Committee on Judiciary.

SSB 5708 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Warnke, Bluechel, Smitherman and Bailey)

Establishing a fair competition review commission.

Referred to Committee on Commerce & Labor.

2SSB 5720 by Committee on Education (originally sponsored by Senators Gaspard, Patterson, Barr, Bailey, Bauer and Hansen)

Revising the authority for cooperative agreements between or among school districts.

Referred to Committee on Education.

SSB 5844 by Committee on Transportation (originally sponsored by Senators Conner and Peterson)

Requiring bonds from motor freight brokers.

Referred to Committee on Transportation.

SSB 5943 by Committee on Law & Justice (originally sponsored by Senators Nelson, Williams, Kiskaddon, Conner and Anderson)

Revising provisions on the small claims department of district court.

Referred to Committee on Judiciary.

ESB 5953 by Senator Gaspard

Providing reduced work load options for certain tenured community college faculty members.

Referred to Committee on Higher Education.

ESB 6093 by Senators Pullen, Talmadge, Garrett, Nelson, Johnson, Rasmussen, McMullen and von Reichbauer; by request of Department of Corrections

Providing for presentence reports on sexual offenders.

Referred to Committee on Judiciary.

SSB 6094 by Committee on Law & Justice (originally sponsored by Senators Pullen, Talmadge, Garrett, Johnson, Rasmussen and McMullen; by request of Department of Corrections)

Providing for imposing crime-related conditions on offenders.

Referred to Committee on Judiciary.

SSB 6195 by Committee on Environment & Natural Resources (originally sponsored by Senators Vognild, Metcalf, Rasmussen, Conner, DeJarnatt, Deccio, Garrett, Madsen, Hansen and Halsan)

Establishing civil and criminal liability for hindering logging activities.

Referred to Committee on Natural Resources.

E2SSB 6235 by Committee on Ways & Means (originally sponsored by Senators Metcalf, Owen, Rasmussen and von Reichbauer; by request of Department of Ecology)

Creating the water pollution control account and authorizing financial assistance from it.

Referred to Committee on Environmental Affairs.

SSB 6239 by Committee on Environment & Natural Resources (originally sponsored by Senators Zimmerman, Metcalf and Rasmussen)

Establishing a hotline for fishery user groups.

Referred to Committee on Natural Resources.

SSB 6264 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Kreidler, Smith and Anderson)

Requiring a report on the management of infectious wastes.

Referred to Committee on Environmental Affairs.

ESSB 6266 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Vognlid and Barr)

Revising provisions for aquifer protection districts.

Referred to Committee on Local Government.

SB 6349 by Senators Smith, Kreidler, Benitz, Metcalf, Barr and Patterson

Requiring licenses for professional salmon fishing guides.

Referred to Committee on Natural Resources.

SB 6397 by Senators Barr and Rasmussen

Revising provisions relating to forest fires.

Referred to Committee on Natural Resources.

SB 6480 by Senators DeJarnatt, Metcalf, Owen and Pullen

Establishing the crime of obstructing the taking of fish or wildlife.

Referred to Committee on Natural Resources.

ESB 6511 by Senators Metcalf, Owen, Smith, Kreidler and Bailey

Providing for the containment of garbage or other material.

Referred to Committee on Transportation.

SB 6571 by Senators Smith and Zimmerman

Providing for a special senior citizen salmon and steelhead bank fishing recreation area.

Referred to Committee on Natural Resources.

SB 6572 by Senator Smith

Clarifying the designation of certain salmon fishing areas.

Referred to Committee on Natural Resources.

ESB 6647 by Senators Metcalf, Rasmussen, Conner, Barr, Owen, Nelson, Zimmerman, von Reichbauer, Vognlid, Anderson, DeJarnatt, McMullen, Craswell, Kreidler and Bauer

Requiring a plan to increase salmon production one hundred percent by the year 2000.

Referred to Committee on Natural Resources.

ESB 6720 by Senators Metcalf and Madsen

Providing for the management of waste tires.

Referred to Committee on Environmental Affairs.

SSJM 8019 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, DeJarnatt, Anderson, Conner and von Reichbauer)

Requesting curtailment of the foreign catch of Washington-produced salmon.

Referred to Committee on Natural Resources.

SJM 8022 by Senators Metcalf, Bender and Kreidler

Requesting stable federal funding for parks and recreation.

Referred to Committee on Natural Resources.

SSJM 8027 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Owen, Smith and Bailey)

Urging the reduction of plastic wastes in the Pacific Ocean.

Referred to Committee on Environmental Affairs.

SJM 8028 by Senators Zimmerman and Bauer

Petitioning Congress and the Army Corps of Engineers to designate sites in the Columbia River Gorge National Scenic Area to receive spoil material to improve the recreational value of those sites.

Referred to Committee on Environmental Affairs.

SJM 8030 by Senators Barr, Hansen and Sellar

Requesting expedited funding for the lighting system at Grand Coulee Dam.

Referred to Committee on Trade & Economic Development.

MOTION

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

REPORT OF STANDING COMMITTEE

February 9, 1988

SB 6243 Prime Sponsor, Senator Smitherman: Revising labor dispute disqualification for unemployment compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, Patrick, Sanders, Sayan, Smith and Walker.

Absent: Representatives Jones and O'Brien.

Passed to Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) referred the bill listed on today's committee report under the fifth order of business to the committee so designated.

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1786 on second reading.

ENGROSSED HOUSE BILL NO. 1786, by Representatives Holland, Cole, Leonard, Lux, Pruitt, Taylor, Dorn, Todd, Ferguson, Miller, Wineberry, Winsley, Nealey, Rasmussen and Ebersole

Exempting vocational-technical institutes from competitive bidding in the case of sole source suppliers.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 5, 1988.)

Mr. Peery moved adoption of the committee amendment on page 1, after line 4. Mr. Peery spoke in favor of the amendment, and it was adopted.

Mr. Peery moved adoption of the committee amendment on page 3, line 23.

Mr. Holland moved adoption of the following amendment to the committee amendment on page 3, line 23:

On page 1, line 16 of the amendment after "required," insert "The purchaser shall negotiate to receive the best possible price."

Mr. Holland spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Peery spoke in favor of the committee amendment as amended, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1786, and the bill passed the House by the following vote: Yeas, 95; absent, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Brooks, Day, Vekich - 3.

Engrossed House Bill No. 1786, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Brooks, Day and Vekich appeared at the bar of the House. Representative Bristow was excused.

HOUSE BILL NO. 1819, by Representatives Unsoeld, Belcher, Holm, Sayan, Brough, Haugen, Appelwick, Crane, Dellwo and Ebersole

Revising the property tax exemption for houses for the aged.

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

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purposes of amendment.

Mr. Ebersole moved that the House defer further consideration of House Bill No. 1819 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1929, by Representative Rayburn

Extending the effective date of certain emergency drought relief laws.

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

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1929, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting ye: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bristow - 1.

House Bill No. 1929, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1936 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1993, by Representatives Rayburn and Lewis

Providing for drought relief.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1993 was substituted for House Bill No. 1993, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1993 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1993, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting ye: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bristow - 1.

Substitute House Bill No. 1993, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 4036, by Representatives Valle, May, Rust, Brekke, Jacobsen, Pruitt, Anderson, Todd, Lux and Ferguson

Requesting a Western States Recycling Coalition.

The memorial was read the second time. On motion of Mr. Ebersole, Substitute House Joint Memorial No. 4036 was substituted for House Joint Memorial No. 4036, and the substitute memorial was placed on the second reading calendar.

Substitute House Joint Memorial No. 4036 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Valle and May spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Memorial No. 4036, and the memorial passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bristow - 1.

Substitute House Joint Memorial No. 4036, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1339, by Representatives H. Sommers, Armstrong, Baugher, Padden, Silver, Lewis, Sanders, Kremen, Braddock, Heavey, Zellinsky, Betzoff, Peery, Bristow, Crane, Holm and K. Wilson

Increasing penalties for the illegal transfer of food stamps.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1339 was substituted for House Bill No. 1339, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1339 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1339, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bristow - 1.

Substitute House Bill No. 1339, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1429, by Representatives Appelwick, Patrick, P. King, Brough, Armstrong, Wang, McLean, Butterfield, Chandler, Fuhrman, Doty, Todd, Silver, Moyer and Brekke

Providing for home detention under the sentencing reform act.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1429 was substituted for House Bill No. 1429, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1429 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong, Chandler, Appelwick and Lux spoke in favor of passage of the bill, and Ms. Schmidt opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1429, and the bill passed the House by the following vote: Yeas, 88; nays, 9; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsöld, Valle, Vekich, Waik, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 88.

Voting nay: Representatives Ballard, Betzoff, Ferguson, Heavey, Miller, Schmidt, Walker, Williams J, Zellinsky - 9.

Excused: Representative Bristow - 1.

Substitute House Bill No. 1429, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1430, by Representatives Holland, Peery, Schoon, Rayburn, Walker, Cole, Betzoff, Ebersole, Fuhrman, Holm, Taylor, Pruitt, Butterfield, Rasmussen, Spanel, Cooper, P. King, Rust, Valle, Appelwick, Todd and Silver

Allowing the superintendent of public instruction to appoint a designee to the board of natural resources.

The bill was read the second time.

Mr. Holland moved adoption of the following amendment by Representatives Holland and Peery:

On page 1, line 14, after "RCW." insert "The designee of the superintendent of public instruction shall be an individual holding the position of deputy superintendent of public instruction."

Mr. Holland spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Holland, Peery and Betzoff spoke in favor of passage of the bill, and Mr. Hargrove spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1430, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick,

Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Hargrove - 1.

Excused: Representative Bristow - 1.

Engrossed House Bill No. 1430, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1432, by Representatives Crane, Butterfield, P. King, Patrick, Cantwell, Basich, Cooper, Baugher, Jones, Todd, Zellinsky, Padden, Hargrove, Appelwick, Peery, Meyers, Kremen, Dorn, Betrozoff, Holland, McLean, May, Fuhrman, B. Williams, Brough, Hankins, Jesernig, Silver, Moyer, Rasmussen and Winsley

Revising criminal mental defenses.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1432 was substituted for House Bill No. 1432, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1432 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane, Butterfield, Schmidt and Brough spoke in favor of passage of the bill, and Mr. Dellwo opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1432, and the bill passed the House by the following vote: Yeas, 85; nays, 12; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Belcher, Braddock, Cole, Dellwo, Fisher, Heavey, King R, Locke, Nutley, Unsoeld, Wang, Wineberry - 12.

Excused: Representative Bristow - 1.

Substitute House Bill No. 1432, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1504, by Representatives P. King, Padden and Meyers

Making technical corrections to trust and estate law.

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

Representatives P. King and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1504, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan,

Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bristow - 1.

House Bill No. 1504, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1513, by Representatives Braddock, Lewis, Bumgarner, Day and Dellwo

Providing for certification of dietitians and nutritionists.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1513 was substituted for House Bill No. 1513, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1513 was read the second time.

Mr. Braddock moved adoption of the following amendments by Representatives Braddock and Lewis:

On page 2, beginning on line 23, strike all the material through "chapter." on line 26
On page 5, line 31, after "on" strike "any certification or"

Representatives Braddock and Lewis spoke in favor of the amendments, and they were adopted.

Mr. Meyers moved adoption of the following amendments by Representatives Meyers and Lewis:

On page 4, line 35, after "chapter." strike "Three" and insert "Two"
On page 5, line 3, after "appointments," strike all material through "appointment." on line 6 and insert "Two members of the committee shall be certified nutritionists who have been engaged in the provision of general nutrition services for at least five years immediately preceding their appointments."

Mr. Meyers spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1513, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bristow - 1.

Engrossed Substitute House Bill No. 1513, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1578, by Representatives Zellinsky, Walk, Meyers, Baugher, Ebersole, Ballard, McLean, Miller, Sayan, B. Williams, Schmidt, Sanders, Vekich, Silver and Lewis

Allowing antique vehicles to operate without fenders in dry weather.

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

Representatives Zellinsky and Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1578, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bristow - 1.

House Bill No. 1578, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1669, by Representatives Wang, Patrick, Ebersole, O'Brien, Locke, Sayan and Winsley

Requiring successor employers to observe existing collective bargaining agreements.

The bill was read the second time. Mr. Ebersole moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Ms. Brough spoke against the motion.

With consent of the House, Mr. Ebersole withdrew the motion.

The bill was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1686, by Representatives Nealey, Fisher, Belcher, Walker, Chandler, Beck, Grant, Silver, Fuhrman, May, Rasmussen, Moyer, Sanders, McLean and Miller

Regulating the use of the state seal.

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

Representatives Nealey and Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1686, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Dellwo, Heavey - 2.

Excused: Representative Bristow - 1.

House Bill No. 1686, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1936 on second reading. The motion was carried.

HOUSE BILL NO. 1936, by Representatives Brough, K. Wilson and Sanders

Providing for group fishing permits for groups supervised by health care facility or hospital staff.

The bill was read the second time.

Ms. Brough moved adoption of the following amendment by Representatives Brough and K. Wilson:

On page 1, line 24, after "facility" insert ", including nursing homes."

Representatives Brough and K. Wilson spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1936, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Beicher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bristow - 1.

Engrossed House Bill No. 1936, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House recess until 1:30 p.m.

AFTERNOON SESSION

The Speaker called the House to order. The Clerk called the roll and all members were present except Representatives Bristow, Locke and Taylor. Representatives Bristow and Taylor were excused.

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1796 on second reading. The motion was carried.

HOUSE BILL NO. 1796, by Representatives Padden, Winsley, Brough and D. Sommers

Requiring specific access service for "976" information-access telephone services.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 5, 1988.)

Mr. Nelson moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1796, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Locke - 1.

Excused: Representatives Bristow, Taylor - 2.

Engrossed House Bill No. 1796, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Locke appeared at the bar of the House.

HOUSE BILL NO. 1836, by Representatives Hargrove, Wineberry, Schoon, Vekich, Braddock, Brekke, Sanders, Winsley, Lewis and Todd

Encouraging economic self-sufficiency through self-employment of families receiving aid to families with dependent children.

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

Representatives Hargrove and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1836, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bristow, Taylor - 2.

House Bill No. 1836, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Joint Memorial No. 4045 on second reading. The motion was carried.

HOUSE JOINT MEMORIAL NO. 4045, by Representatives Bumgarner, Sutherland, Silver, Brooks, Cole, Grant, Moyer, Haugen, D. Sommers, K. Wilson, Nealey, Hargrove, Sanders, Doty, Padden, Meyers, Amondson, Fuhrman and Taylor

Urging Congress to fund fully the Lower Snake River Fish and Wildlife Compensation Plan.

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

Representatives Bumgarner and Brooks spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4045, and the memorial passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winstley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bristow, Taylor - 2.

House Joint Memorial No. 4045, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1726 on second reading. The motion was carried.

HOUSE BILL NO. 1726, by Representatives Hine, Ferguson, Nelson, Brough, H. Sommers, Valle, Holland, Rust, Appelwick, Locke, Heavey, Miller, May, Lux, Brekke, Todd, O'Brien, Patrick, Wineberry, Crane, Cantwell, Anderson, Jacobsen, J. Williams, Leonard, Armstrong, P. King, Barnes, Betzoff, Cole, Haugen, Fisher, Nutley and Unsoeld

Revising membership on metropolitan councils.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1726 was substituted for House Bill No. 1726, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1726 was read the second time.

Ms. Hine moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The purpose of this act is to reduce the size of metropolitan councils and restructure the composition of metropolitan municipal councils to more closely approximate the concept of 'one person, one vote.'

NEW SECTION. Sec. 2. A metropolitan municipal corporation shall be governed by a metropolitan council consisting of twenty-one members, nine of whom are elected directly to the council and twelve of whom are county and city elected officials acting in an ex officio and independent capacity.

Subject to the provisions of sections 3 and 4 of this act, the twelve ex officio members shall be drawn from among the central county, central city, and other component cities as follows:

(1) Ex officio members from the central county shall consist of the executive of the county, if one exists, and those members of the county legislative authority who are elected from the county legislative authority districts located wholly within the metropolitan municipal corporation within which the greatest number of unincorporated area residents reside. If such districts do not exist, the county legislative authority of the central county shall select the officials on or before the first day of February of each year to serve for the succeeding calendar year.

(2) Ex officio members from the central city shall consist of the mayor and the remainder shall be central city officials who are selected by the council of the central city on or before the first day of February of each year to serve for the succeeding calendar year.

(3) Ex officio members from the other component cities shall consist of the mayor of the other component city with the largest population, and the remainder shall be selected by all the mayors of these other component cities meeting at a time and place prior to February 1 of each even-numbered year, as designated by the metropolitan council. The chair of the council shall preside. After nominations are made, successive ballots shall be taken until one candidate for each position receives a majority of all votes cast.

NEW SECTION. Sec. 3. The metropolitan council of a metropolitan municipal corporation existing on the effective date of this section shall retain its existing composition until January 1, 1989, at which time the newly constituted metropolitan council shall assume control over the metropolitan municipal corporation. The newly constituted metropolitan council shall be as follows:

(1) The nine directly elected members shall be elected at the 1988 general election and assume office in accordance with RCW 29.04.170.

(2) The twelve ex officio members shall include five elected officials from the central county, four elected officials from the central city, and three elected officials from the other component cities. Any initial selections of such officials that are required shall be made on or before December 15, 1988. However, the existing metropolitan council may adopt a resolution providing for an alternative distribution of the number of the twelve ex officio members who are from the central county, central city, and other component cities if this resolution is adopted before December 1, 1988, and the resolution is approved by a vote of at least a majority of the full metropolitan council.

NEW SECTION. Sec. 4. The metropolitan council shall provide for a redistribution of the twelve ex officio member positions among the central county, central city, and other component cities, on the basis of relative proportion of the total population of the metropolitan municipal corporation that each of the three represented groups possesses, on a date specified by the metropolitan council, within six months after: (1) The date when state redistricting data is released to the state; (2) five years after the date when state redistricting data is released to the state; and (3) whenever the proportionate population ascribed to the central county, central city, or other component cities is altered by ten percent or greater amount due to incorporations or annexations occurring after the last date under subsection (1) or (2) of this section when the adjustment was subject to potential adjustment. The population of the unincorporated area of the metropolitan municipal corporation shall be ascribed to the central county for purposes of this potential adjustment.

After any redistribution of the number of ex officio positions between the central county, central city, and other component cities, the elected officials who become ex officio members of the metropolitan council shall be designated, or selected, as provided in section 2 of this act, except for the number of officials who are apportioned between the central county, central city, and other component cities and the date by which the designations or selections are made.

A metropolitan municipal corporation created after the effective date of this section shall have the ex officio members distributed among the central county, central city, and other component cities as provided in this section.

NEW SECTION. Sec. 5. Each directly elected council member shall reside in, be nominated from, and be elected from a separate county legislative authority district if the boundaries of the metropolitan municipal corporation are coterminous with the boundaries of the central county and the central county has nine county legislative authority districts.

The metropolitan council shall establish nine council districts if these conditions do not exist, which council districts, as nearly as possible, shall follow precinct lines, follow neighborhood and community boundaries, and include approximately equal populations. A metropolitan council shall redraw these council district lines to reflect the concept of 'one person, one vote' within six months of the date whenever state redistricting data is released to the state.

NEW SECTION. Sec. 6. The five initial directly elected council members receiving the greatest number of votes shall serve terms of four years and the other four initial directly elected council members shall serve terms of two years until their successors are elected and qualified and assume office in accordance with RCW 29.04.170, if the election at which they are elected is in an odd-numbered year.

The five initial directly elected council members receiving the greatest number of votes shall serve terms of three years and the other four initial directly elected council members shall serve terms of one year until their successors are elected and qualified and assume office in accordance with RCW 29.04.170, if the election at which they are elected is in an even-numbered year.

Thereafter, each directly elected member of a metropolitan council shall serve a four-year term until his or her successor is elected and qualified and assumes office in accordance with RCW 29.04.170. Elections shall be held in odd-numbered years and shall be held in conformance with the provisions of Title 29 RCW.

A vacancy in a directly elected position shall be filled by action of the metropolitan council selecting a person qualified to hold the position until a person is elected to fill the remainder

of the unexpired term at the next district general election, as provided in RCW 29.21.360, 29.21.370, and 29.21.410. The person so elected shall take office immediately when qualified as defined in RCW 29.01.135.

NEW SECTION, Sec. 7. A vacancy in an ex officio position on a metropolitan council shall be filled in the same manner as provided for the original selection.

NEW SECTION, Sec. 8. The chair of a metropolitan council shall be elected by membership of the council from among the directly elected members, to serve at the pleasure of the metropolitan council.

NEW SECTION, Sec. 9. Each member of the council shall receive per diem compensation at a rate of fifty dollars per day for each day or major portion thereof devoted to the business of the metropolitan municipal corporation, and for attending each meeting of the council or a subcommittee of the council, unless the council reduces the per diem rate of compensation, but not to exceed seven thousand dollars in any one year.

Each member of the council additionally shall receive a salary as follows: (1) Five hundred dollars per month, unless the council reduces the amount of salary, if the metropolitan municipal corporation had expenditures in excess of fifteen million dollars in the preceding calendar year; and (2) three hundred fifty dollars per month, unless the council reduces the amount of salary, if the metropolitan municipal corporation had expenditures of from two million dollars to fifteen million dollars in the preceding calendar year. The council members of a metropolitan municipal corporation that had expenditures of less than two million dollars in the preceding calendar year shall not receive a salary, unless the council establishes a salary of not to exceed two hundred dollars per month.

Metropolitan council members who are also county or city elected officials who serve in such city or county capacities on a full-time basis shall receive this salary, but shall not receive this per diem compensation. The county or city government for which these council members are elected officials shall receive the per diem compensation that would be paid to these officials if they did not serve the county or city on a full-time basis.

Any member of the council may waive all or any portion of his or her salary or per diem compensation as to any month or months during his or her term as a metropolitan council member, by a written waiver filed with the metropolitan municipal corporation as provided in this section. The waiver, to become effective, must be filed any time prior to the date on which the remuneration otherwise would be paid. The waiver shall specify the month or period of months for which it is made.

Each council member shall be reimbursed for reasonable expenses actually incurred in the conduct of official business for the metropolitan municipal corporation.

NEW SECTION, Sec. 10. The ex officio members of a metropolitan council shall be the governing body of a newly created metropolitan municipal corporation until the directly elected members are elected and take office in accordance with RCW 29.04.170. The ex officio members of the metropolitan council of a newly created metropolitan municipal corporation shall be selected, or designated, within twenty-five days after the date of the election at which the favorable vote was cast authorizing the creation of the metropolitan municipal corporation. The first order of business of a metropolitan council, that does not include its directly elected members, shall be to choose a temporary chair from among their number and provide for the election of the directly elected members, which may include creating nine districts within the metropolitan municipal corporation from which the directly elected members will be elected. The directly elected members shall be elected at the next general election occurring at least ninety days after the metropolitan municipal corporation has been created.

Sec. 11. Section 35.58.040, chapter 7, Laws of 1965 as last amended by section 3, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.040 are each amended to read as follows:

At the time of its formation no metropolitan municipal corporation shall include only a part of any city, and every city shall be either wholly included or wholly excluded from the boundaries of such corporation. If subsequent to the formation of a metropolitan municipal corporation a part only of any city shall be included within the boundaries of a metropolitan municipal corporation such part shall be deemed to be 'unincorporated' for the purpose of selecting a member of the metropolitan council pursuant to (RCW 35.58.120(3)) section 2 of this 1988 act and such city shall neither select nor participate in the selection of a member on the metropolitan council pursuant to (RCW 35.58.120) section 3 or 4 of this 1988 act.

Any metropolitan municipal corporation now existing or hereafter created, within a class A county contiguous to a class AA county or class AA county, shall, upon May 21, 1971 as to metropolitan corporations existing on such date or upon the date of formation as to metropolitan corporations formed after May 21, 1971, have the same boundaries as those of the respective central county of such metropolitan corporation: PROVIDED, That the boundaries of such metropolitan corporation may be enlarged after such date by annexation as provided in chapter 35.58 RCW as now or hereafter amended. Any contiguous metropolitan municipal corporations may be consolidated into a single metropolitan municipal corporation upon such terms, for the purpose of performing such metropolitan function or functions, and to be effective at such time as may be approved by resolutions of the respective metropolitan councils. In the event of such consolidation the component city with the largest population shall be the central

city of such consolidated metropolitan municipal corporation and the component county with the largest population shall be the central county of such consolidated metropolitan municipal corporation.

Sec. 12. Section 4, chapter 277, Laws of 1977 ex. sess. and RCW 36.56.040 are each amended to read as follows:

If, from the testimony given before the county legislative authority, it appears that the public interest or welfare would be satisfied by the county assuming the rights, powers, functions, and obligations of the metropolitan municipal corporation, the county legislative authority may declare that to be its intent and assume such rights, powers, functions, and obligations by ordinance or resolution, as the case may be, providing that the county shall be vested with every right, power, function, and obligation currently granted to or possessed by the metropolitan municipal corporation pursuant to chapter 35.58 RCW (including RCW 35.58.273 relating to levy and use of the motor vehicle excise tax) or other provision of state law, including but not limited to, the power and authority to levy a sales and use tax pursuant to chapter 82.14 RCW or other provision of law: PROVIDED, That such ordinance or resolution shall be submitted to the voters of the county for their adoption and ratification or rejection, and if a majority of the persons voting on the proposition residing within the central city shall vote in favor thereof and a majority of the persons voting on the proposition residing in the metropolitan area outside of the central city shall vote in favor thereof, the ordinance or resolution shall be deemed adopted and ratified.

Upon assumption of the rights, powers, functions, and obligations of the metropolitan municipal corporation by the county, the metropolitan council established pursuant to ~~((the provisions of RCW 35.58.120 through 35.58.160))~~ sections 2 through 6 of this 1988 act shall be abolished, said provisions shall be inapplicable to the county, and the county legislative authority shall thereafter be vested with all rights, powers, duties, and obligations otherwise vested by law in the metropolitan council: PROVIDED, That in any county with a home rule charter such rights, powers, functions, and obligations shall vest in accordance with the executive and legislative responsibilities defined in such charter.

NEW SECTION. Sec. 13. The following acts or parts of acts are each repealed:

(1) Section 10, chapter 105, Laws of 1967, section 4, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.118;

(2) Section 35.58.120, chapter 7, Laws of 1965, section 3, chapter 105, Laws of 1967, section 1, chapter 135, Laws of 1969 ex. sess., section 5, chapter 303, Laws of 1971 ex. sess., section 5, chapter 70, Laws of 1974 ex. sess., section 3, chapter 190, Laws of 1981, section 1, chapter 92, Laws of 1983 and RCW 35.58.120;

(3) Section 35.58.130, chapter 7, Laws of 1965 and RCW 35.58.130;

(4) Section 35.58.140, chapter 7, Laws of 1965, section 4, chapter 105, Laws of 1967, section 2, chapter 135, Laws of 1969 ex. sess., section 6, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.140;

(5) Section 35.58.150, chapter 7, Laws of 1965, section 5, chapter 105, Laws of 1967, section 1, chapter 44, Laws of 1984 and RCW 35.58.150;

(6) Section 35.58.160, chapter 7, Laws of 1965, section 2, chapter 84, Laws of 1974 ex. sess., section 1, chapter 330, Laws of 1985 and RCW 35.58.160; and

(7) Section 35.58.270, chapter 7, Laws of 1965, section 12, chapter 105, Laws of 1967 and RCW 35.58.270.

NEW SECTION. Sec. 14. Sections 3 through 10 of this act are added to chapter 35.58 RCW.

NEW SECTION. Sec. 15. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Ferguson moved adoption of the following amendments to the amendment:

On page 3, line 3 of the amendment, strike "1989" and insert "1990"

On page 3, line 10 of the amendment, strike "1988" and insert "1989"

On page 3, line 21 of the amendment, strike "1988" and insert "1989"

On page 3, line 29 of the amendment, strike "1988" and insert "1989"

On page 14, line 29 of the amendment, after "Sec. 15." strike the remainder of the section and insert "This act shall take effect on June 1, 1989."

Representatives Ferguson, Betrozoff and Schoon spoke in favor of the amendments to the amendment, and Representatives Hine, Brough and Haugen opposed them. The amendments to the amendment were not adopted.

The Speaker stated the question before the House to be the adoption of the amendment by Ms. Hine. Representatives Hine, Brough and Nelson spoke in favor of the amendment.

POINT OF INQUIRY

Ms. Hine yielded to question by Mr. May.

Mr. May: I think you have done good work here, and I would like to compliment you for that. In your third little bullet on this explanation I've been looking at for about the last ten minutes, it says that it would permit ex officio members who are also full-time officials of the county or city to receive the salary. I look at this as double pay, and I need to understand a little bit better why we have to have this double pay.

Ms. Hine: Thank you, Representative May. The pay would go to the county or city where that person served in their elected position. The idea is that when people are working on the metro council on metro business, that metro ought to reimburse the sponsoring government where that elected official is paid full-time. In any other instance the pay would be for those who are truly part-time or are not drawing full-time salaries.

Mr. May: To follow up, are they getting both per diem and a salary in this, or is the per diem the salary?

Ms. Hine: Both would go back to the local government, to the government that they represent.

The amendment by Ms. Hine was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine, Brough and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1726, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent, 1; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Ferguson, Sanders - 2.

Absent: Representative Wilson S - 1.

Excused: Representatives Bristow, Taylor - 2.

Engrossed Substitute House Bill No. 1726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 1884 on second reading. The motion was carried.

HOUSE BILL NO. 1884, by Representatives Prince, Nealey and D. Sommers

Permitting legal loads from other states to move in border areas.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 5, 1988.)

Mr. Baugher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Prince moved adoption of the following amendment by Representatives Prince and Haugen:

On page 5 strike all language through "moving" on line 2 and insert "Loads of not more than eighty thousand pounds which may be legally hauled in the state bordering this state which also has a sales tax, are legal in this state when moving to a port district"

Mr. Prince spoke in favor of adoption of the amendment.

POINT OF INFORMATION

Mr. Lewis: With the committee amendment adopted on page 5, line 3, that prohibits triple trailers, how far does this amendment go since it says "on page 5, strike all language through 'moving' on line 2 and insert...", but it doesn't have a pick-up point on the amendment? Would we be, in essence, striking the committee amendment and the rest of the language on line 3 and even "system" with this amendment?

The Speaker: No.

POINT OF INQUIRY

Mr. Prince yielded to question by Mr. Schoon.

Mr. Schoon: Would the amendment before us prohibit shipping of logs from the state of Oregon to the Port of Longview?

Mr. Prince: Yes, it would. Oregon does not have a sales tax.

The amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Prince and Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1884, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bristow, Taylor - 2.

Engrossed House Bill No. 1884, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Meyers to preside.

The Speaker (Mr. Meyers presiding) declared the House to be at ease.
The Speaker called the House to order.

Representatives Bristow and Taylor appeared at the bar of the House.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 1760 on second reading. The motion was carried.

HOUSE BILL NO. 1760, by Representatives Chandler, Winsley, Nutley, Todd, Ferguson, Lux, Betzoff, Hargrove and Sanders

Revising provisions for industrial loan companies.

The bill was read the second time.

Mr. Vekich moved adoption of the following amendment by Representatives Vekich, Schoon, Fox, Cantwell, Basich, Day, Holm, Rasmussen, Grant, Hargrove, Kremen and Wineberry:

On page 1, after line 3, insert the following:

"NEW SECTION, Sec. 1. INTENT. The legislature finds that the vitality of the state economy is dependent on the ability of existing, growing, and new firms in the state to generate enough quality employment opportunities for the state's citizens. This task requires the availability of needed capital at the appropriate stage of development for the new firms and growing firms that are the major source of innovations and new jobs in the state. The state has a critical interest in increasing employment opportunities, retaining existing employment, assisting new and growing enterprises, and promoting an environment in which entrepreneurship can flourish. The limited availability of capital to viable firms that do not meet current commercial bank or venture capital criteria for loans or equity investments restricts the state's efforts to pursue these goals. Without access to appropriate and adequate financing at each stage of an enterprise's development, talented entrepreneurs and promising firms are unable to remain competitive or to gain access to the new markets essential for their long-term growth.

The legislature further finds that the availability of capital to finance the expansion of enterprises is particularly crucial for the creation of new employment opportunities. The state has an interest in the accessibility in the state's credit markets of long-term financing and investment involving greater risk than bank financing but promising lower return than venture capital investment. To ensure the availability of capital to permit the expansion of new and growing enterprises in Washington state, the legislature authorizes the creation of business and industrial development corporations which is a new form of regulated financing entity, provides for technical assistance to ensure their soundness, and authorizes incentives for investments in business and industrial development corporations which provide financing in the state, and authorizes greater incentives for investments in business and industrial development corporations which provide financing in economically distressed areas of the state.

NEW SECTION, Sec. 2. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Corporation' means a Washington business and industrial development corporation created under this chapter.

(2) 'Financial institution' means any banking corporation or trust company, national banking association, savings and loan association, insurance company or related corporation, partnership, foundation, or other institution engaged primarily in lending or investing funds.

(3) 'Board of directors' means the board of directors of the corporation created under this chapter.

(4) 'Loan limit' means for any financial institution, the maximum amount permitted to be outstanding at one time on loans made by such financial institution to the corporation, as determined under the provisions of this chapter.

(5) 'Business' means an individual, proprietorship, joint venture, partnership, trust, business trust, syndicate, association, joint stock company, cooperative, corporation, or any other organization operating in this state, and paying more than fifty percent of its contributions or payments for the purposes of unemployment insurance to this state.

(6) 'Associate' means, if used with respect to a corporation:

(a) A controlling person, director, officer, agent, or advisor of that corporation.

(b) A director, officer, or partner of a person referred to in (a) of this subsection.

(c) A person who controls, is controlled by, or is under common control with a person referred to in (a) of this subsection directly or indirectly through one or more intermediaries.

(d) Any close relative of any person referred to in (a) of this subsection.

(e) A person of which a person referred to in (a) through (d) of this subsection is a director or officer.

(f) A person in which a person referred to in (a) through (d) of this subsection, or any combination of those persons acting in concert, owns or controls, directly or indirectly, a twenty percent or greater equity interest.

For the purposes of this subsection (6)(f), a person who is in a relationship referred to in this subsection within six months before or after a corporation provides financing assistance shall be considered to be in that relationship as of the date that corporation provides that financing assistance.

If a corporation, in order to protect its interests, designates a person to serve as a director of, officer of, or in any capacity in the management of a business to which that corporation provides financing assistance, that person shall not, on that account, be considered to have a relationship with that business. This exception does not apply if the person has, directly or indirectly, any other financial interest in the business or if the person, at any time before the corporation provides the financing assistance, served as a director of, officer of, or in any other capacity in the management of the business for a period of thirty days or more.

(7) 'Close relative' means a parent, child, sibling, spouse, father-in-law, mother-in-law, son-in-law, brother-in-law, daughter-in-law, or sister-in-law.

NEW SECTION. Sec. 3. FORMATION. Seven or more persons, a majority of whom shall be residents of this state, who may desire to create a business and industrial development corporation under the provisions of this chapter, for the purpose of promoting, developing and advancing the prosperity and economic welfare of the state and, to that end, to exercise the powers and privileges hereinafter provided, may be incorporated by filing in the office of the secretary of state, as hereinafter provided, articles of incorporation. The articles of incorporation shall contain:

(1) The name of the corporation, which shall include the words 'Business and Industrial Development Corporation of Washington.'

(2) The location of the principal office of the corporation, but such corporation may have offices in such other places within the state as may be fixed by the board of directors.

(3) The purposes for which the corporation is founded, which shall be to provide moderate risk financing and management assistance to businesses operating primarily in Washington state to increase job opportunities for Washington citizens and the prosperity of the state. In furtherance of these purposes, the corporation may provide a range of financing assistance.

(4) The names and post office addresses of the members of the first board of directors, who, unless otherwise provided by the articles of incorporation or the bylaws, shall hold office for the first year of existence of the corporation or until their successors are elected and have qualified.

(5) Any provision which the incorporators may choose to insert for the regulation of the business and for the conduct of the affairs of the corporation and any provision creating, dividing, limiting and regulating the powers of the corporation, the directors, stockholders or any class of the stockholders, including, but not limited to a list of the officers, and provisions governing the issuance of stock certificates to replace lost or destroyed certificates.

(6) The amount of authorized capital stock and the number of shares into which it is divided, the par value of each share and the amount of capital with which it will commence business and, if there is more than one class of stock, a description of the different classes; the names and post office addresses of the subscribers of stock and the number of shares subscribed by each. The aggregate of the subscription shall be the minimum amount of capital with which the corporation shall commence business which shall not be less than two million dollars, except as otherwise provided in this chapter. The articles of incorporation may also contain any provision consistent with the laws of this state for the regulation of the affairs of the corporation.

(7) The articles of incorporation shall be in writing, subscribed by not less than five natural persons competent to contract and acknowledged by each of the subscribers before an officer authorized to take acknowledgments and filed in the office of the secretary of state for approval. A duplicate copy so subscribed and acknowledged may also be filed.

NEW SECTION. Sec. 4. CERTIFICATION. The articles of incorporation shall recite that the corporation is organized under this chapter.

The secretary of state shall not approve articles of incorporation for a corporation organized under this chapter until the state supervisor of banking has certified the corporation as eligible to operate as a business and industrial development corporation under this chapter.

A person transacting business in this state shall not use a name or title which indicates that the person is a business and industrial development corporation including, but not limited to, the use of the term 'BIDCO', and shall otherwise represent that the person is a business and industrial development corporation until such time as the person has been certified as a business and industrial development corporation.

A corporation shall be certified by the state supervisor of banking as eligible to operate under this chapter upon meeting the following conditions:

(a) The corporation has paid a three thousand dollar certification fee to the state supervisor of banking;

(b) The corporation has submitted a business plan which includes at least three years of detailed financial projections and other relevant information;

(c) The corporation has provided information about the character and competence of each director and officer of the corporation; and

(d) The supervisor finds that the corporation will be run competently, will be run in accordance with its articles of incorporation, has a net worth and lendable funds sufficient to provide financing assistance, and that the directors and officers of the corporation have agreed to comply with the terms of this chapter. In making the finding under this subsection, the supervisor shall:

(i) Consult with the director of trade and economic development and the director of community development;

(ii) Require a minimum net worth of one and one-half million dollars and an additional one and one-half million dollars in lendable funds or an enforceable pledge for one and one-half million dollars in lendable funds unless the supervisor finds that special circumstances render lesser amounts adequate for the corporation to meet the intent of this chapter and operate according to its business plan.

Whenever the articles of incorporation shall have been filed in the office of the secretary of state and approved by the secretary and all taxes, fees and charges, have been paid, as required by law, the subscribers, their successors and assigns shall constitute a corporation, and said corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may from time to time be issued.

NEW SECTION. Sec. 5. TECHNICAL ASSISTANCE TO NEW BIDCOS. The director of trade and economic development is authorized to provide technical assistance and advice to persons forming corporations under this chapter. The director of trade and economic development is authorized to enter into contracts to carry out the purposes of this section. The director of trade and economic development may contract with the department of community development to undertake a portion of the activities necessary to carry out the purposes of this section.

NEW SECTION. Sec. 6. REGULATION BY THE SUPERVISOR OF BANKING. (1) A corporation shall transact its business in a safe and sound manner and shall maintain itself in a safe and sound condition. The supervisor of banking shall revoke the certification of a corporation if the supervisor finds that the corporation has failed to operate or maintain itself in a safe and sound manner or has failed to operate in accordance with its articles of incorporation under section 3(3) of this act, and the corporation may not transact business as a business and industrial development corporation until such time as the supervisor recertifies the corporation consistent with section 4 of this act. The secretary of state shall remove from the active files the incorporation records of a corporation with its certification revoked until such time as the supervisor of banking has recertified the corporation.

(2) In determining whether a corporation is transacting business in a safe and sound manner or has committed an unsafe or unsound act, the supervisor shall consider the risk of a provision of financing assistance to a business firm, within the context of the anticipated higher risks associated with the purposes of corporations organized under this chapter.

(3) Subsection (2) of this section does not limit the authority of the supervisor to:

(a) Determine that a corporation's financing assistance to a single business or group of affiliated firms is in violation of subsection (1) of this section if the amount of that financing assistance is unduly large in relation to the total assets on the total shareholders equity of the corporation.

(b) Require that a corporation maintain a reserve in the amount of anticipated losses.

(c) Require that a corporation have a written financing assistance policy, approved by its board of directors, including credit evaluation and other matters. The supervisor shall not require that a corporation adopt a financing assistance policy that contains standards which prevent the corporation from exercising flexibility in meeting the capital needs of the individual firms.

NEW SECTION. Sec. 7. AUDITS BY SUPERVISOR OF BANKING. The corporation shall be examined at least once every eighteen months by the state supervisor of banking and shall make quarterly reports of its condition to said state supervisor of banking and more frequently upon call of the state supervisor of banking, who in turn shall make copies of such reports available to the state insurance commissioner and the governor; and the corporation shall also furnish such other information as may from time to time be required by the state supervisor of banking and secretary of state. The corporation shall pay the actual cost of said examinations. The state supervisor of banking shall exercise the same power and authority over corporations organized under this chapter as is now exercised over banks and trust companies by the provisions of Title 30 RCW, where the provisions of Title 30 RCW are not in conflict with this chapter. In adopting rules to govern examinations and reports of corporations operating under this chapter, the supervisor of banking shall determine whether or not the corporation is operating within the purposes of the corporation as specified in its articles of incorporation. In making this determination, the supervisor of banking shall consult with the director of trade and economic development and the director of community development or their designee. In regulating corporations under this chapter, the supervisor of banking shall not consider the risk of a provision of financing assistance to a business unless the supervisor determines that the risk is so great compared with the realistically expected return as to constitute gross mismanagement.

The state supervisor of banking shall publish annually and provide to the house trade and economic development committee, house ways and means committee, senate economic development and labor committee and senate ways and means committee information on the impact of this chapter in promoting economic development in Washington. At the minimum, the information shall include aggregate statistics on each of the following:

- (1) The number and locations of corporations operating under this chapter;
- (2) The number of instances and dollar amount of financing and management assistance given by corporations operating under this chapter to:
 - (a) All individual businesses assisted;
 - (b) Types of businesses classified using the standard industrial classification manual;
 - (c) Minority and women-owned businesses; and
 - (d) Businesses located in areas of high unemployment;
- (3) The number of jobs created or retained by:
 - (a) All individual businesses assisted;

- (b) Types of businesses classified using the standard industrial classification manual;
- (c) Minority and women-owned businesses; and
- (d) Businesses located in areas of high unemployment;
- (4) The percentage of each business's total contributions or payments for unemployment insurance made to the state of Washington.

NEW SECTION, Sec. 8. POWERS. The business of a corporation shall be to provide financing and management assistance to businesses operating primarily in Washington state. In furtherance of its business and in addition to the powers now or hereafter conferred on business corporations by the provisions of Title 23A RCW, each corporation shall, subject to the restrictions and limitations herein contained, have the following powers:

(1) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation.

(2) To borrow money for any of the purposes of the corporation; to issue therefor its bonds, debentures, notes or other evidence of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof or interest therein, without securing stockholder approval.

(3) To make loans to any person, firm, corporation, joint-stock company, association or trust, and to establish and regulate the terms and conditions with respect to any such loans and the charges for interest and service connected therewith.

(4) To purchase, receive, hold, lease, or otherwise acquire, and to sell, convey, transfer, lease or otherwise dispose of real and personal property, together with such rights and privileges as may be incidental and appurtenant thereto and the use thereof, if the real or personal property is for the corporation's use in operating its business, or if the real or personal property is acquired by the corporation from time to time in the satisfaction of debts or enforcement of obligations.

(5) To determine the form and the terms and conditions for financing assistance provided by the corporation to a business including, but not limited to forms such as loans; purchase of debt instruments; straight equity investments, such as purchase of common stock or preferred stock; debt with equity features such as warrants to purchase stock, convertible debentures, or receipt of a percent of net income or sales; royalty based financing; guaranteeing of debt; or leasing of property. A corporation may purchase securities of a business either directly or indirectly through an underwriter. A corporation may participate in the program of the small business administration pursuant to section 7(a) of the small business act, (Public Law 85-536, 15 U.S.C. Sec. 636(a)), or any other government program for which the corporation is eligible and which has as its function the provision or facilitation of financing or management assistance to businesses. If a corporation participates in a program referred to in this section, the corporation shall comply with the requirements of that program. Financing assistance provided by a corporation to a business shall be for the business purposes of that business.

(6) To provide management assistance to a business which may encompass both management or technical advice and management or technical services. Management assistance provided by a corporation to a business shall be for the business purposes of that business.

(7) To mortgage, pledge, or otherwise encumber any property, right or things of value, acquired pursuant to the powers contained in subsection (4) or (5) of this section, as security for the payment of any part of the purchase price thereof.

(8) To cooperate with and avail itself of the facilities of the United States department of commerce, the department of trade and economic development, the department of community development, and any other similar state or federal governmental agencies; and to cooperate with and assist, and otherwise encourage organizations in the various communities of the state in the promotion, assistance and development of the business prosperity and economic welfare of such communities or of this state or of any part thereof.

(9) To make donations for charitable educational, research, or similar purposes.

(10) To do all acts and things necessary or convenient to carry out the powers expressly granted in this chapter.

NEW SECTION, Sec. 9. RIGHTS REGARDING BIDCO SHARES. Notwithstanding any rule of common law or any provision of any general or special law or any provision in their respective charters, agreements of association, articles of organization or trust indentures:

Any person including all domestic corporations organized for the purpose of carrying on business within this state and further including without implied limitation public utility companies and insurance companies, and foreign corporations licensed to do business within this state, and all financial institutions as defined herein, and all trustees, are hereby authorized to acquire, purchase, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of any bonds, securities or other evidences of indebtedness created by, or the shares of the capital stock of, the corporation, and while owners of said stock to exercise all the rights, powers and privileges of ownership, including the right to vote thereon, all without the approval of any regulatory authority of the state except as otherwise provided in this chapter.

The amount of capital stock of the corporation which any financial institution is authorized to acquire pursuant to the authority granted herein is in addition to the amount of capital stock in corporations which such financial institution may otherwise be authorized to acquire.

NEW SECTION, Sec. 10. BIDCO SHAREHOLDER POWERS. The stockholders of the corporation shall have the following powers of the corporation:

- (1) To determine the number of and elect directors as provided in section 12 of this act;
- (2) To make, amend and repeal bylaws;
- (3) To amend this charter as provided in section 11 of this act;
- (4) To dissolve the corporation as provided in section 15 of this act;
- (5) To do all things necessary or desirable to secure aid, assistance, loans and other financing from any financial institutions, and from any agency established under the small business investment act of 1958, Public Law 85-699, 85th Congress, or other similar federal laws now or hereafter enacted.

(6) To exercise such other of the powers of the corporation consistent with this chapter as may be conferred on the stockholders by the bylaws.

As to all matters requiring action by the stockholders of the corporation, said stockholders shall vote separately thereon by classes, and, except as otherwise herein provided, such matters shall require the affirmative vote of a majority of the votes to which the stockholders present or represented at the meeting shall be entitled.

Stockholders shall have one vote, in person or by proxy, for each share of capital stock held.

NEW SECTION, Sec. 11. AMENDING ARTICLES OF INCORPORATION. The articles of incorporation may be amended by the votes of the stockholders, voting separately by classes, and such amendments shall require approval by the affirmative vote of two-thirds of the votes to which the stockholders shall be entitled: PROVIDED, That no amendment of the articles of incorporation which is inconsistent with the general purposes expressed herein or which authorizes any additional class of capital stock to be issued, or which eliminates or curtails the right of the state supervisor of banking to examine the corporation or the obligation of the corporation to make reports as provided in section 7 of this act, shall be made.

Within thirty days after any meeting at which an amendment of the articles of incorporation has been adopted, articles of amendment signed and sworn to by the president, treasurer, and a majority of the directors, setting forth such amendment and due adoption thereof, shall be submitted to the secretary of state, who shall examine them and if the secretary finds that they conform to the requirements of this chapter, shall so certify and endorse his or her approval thereon. Thereupon, the articles of amendment shall be filed in the office of the secretary of state and no such amendment shall take effect until such articles of amendment shall have been filed as aforesaid.

NEW SECTION, Sec. 12. BOARD OF DIRECTORS. The business and affairs of the corporation shall be managed and conducted by a board of directors, a president, a vice president, a secretary, a treasurer, and such other officers and such agents as the corporation by its bylaws shall authorize. The board of directors shall consist of such number, not less than seven nor more than twenty-one, as shall be determined in the first instance by the incorporators and thereafter annually by the stockholders of the corporation. The board of directors may exercise all the powers of the corporation except such as are conferred by law or by the bylaws of the corporation upon the stockholders and shall choose and appoint all the agents and officers of the corporation and fill all vacancies except vacancies in the office of director which shall be filled as hereinafter provided. The board of directors shall be elected in the first instance by the incorporators and thereafter at the annual meeting, the day and month of which shall be established by the bylaws of the corporations, or, if no annual meeting shall be held in the year of incorporation, then within ninety days after the approval of the articles of incorporation at a special meeting as hereinafter provided. The directors shall hold office until the next annual meeting of the corporation or special meeting held in lieu of the annual meeting after the election and until their successors are elected and qualified unless sooner removed in accordance with the provisions of the bylaws. Any vacancy in the office of a director shall be filled by the directors.

Directors and officers shall not be responsible for losses unless the same shall have been occasioned by the wilful misconduct of such directors and officers.

NEW SECTION, Sec. 13. FIRST CORPORATE MEETING. The first meeting of the corporation shall be called by a notice signed by three or more of the incorporators, stating the time, place and purpose of the meeting, a copy of which notice shall be mailed, or delivered, to each incorporator at least five days before the day appointed for the meeting. Said first meeting may be held without such notice upon agreement in writing to that effect signed by all the incorporators. There shall be recorded in the minutes of the meeting a copy of said notice or of such unanimous agreement of the incorporators.

At such first meeting, the incorporators shall organize by the choice, by ballot, of a temporary clerk; by the adoption of bylaws, by the election by ballot of directors; and by action upon such other matters within the powers of the corporation as the incorporators may see fit.

The temporary clerk shall be sworn and shall make and attest a record of the proceedings. Five of the incorporators shall be a quorum for the transaction of business.

NEW SECTION, Sec. 14. TERM OF BIDCO. Unless otherwise provided in the articles of incorporation, the period of duration of the corporation shall be perpetual, subject, however, to the right of the stockholders to dissolve the corporation prior to the expiration of that period as provided in section 15 of this act.

NEW SECTION, Sec. 15. DISSOLUTION OF CORPORATION. The corporation may upon the affirmative vote of two-thirds of the votes to which the stockholders shall be entitled dissolve the corporation as provided by Title 23A RCW, insofar as Title 23A RCW is not in conflict with the provisions of this chapter. Six months' advance notice of such dissolution must be provided to the supervisor of banking before dissolution takes effect. Upon any dissolution of the corporation, none of the corporation's assets shall be distributed to the stockholders until all sums due the creditors of the corporation have been paid in full.

NEW SECTION, Sec. 16. A new section is added to chapter 82.04 RCW to read as follows:

BUSINESS AND OCCUPATION TAX CREDITS. (1) A credit is allowed against the tax imposed under this chapter for each of the fiscal years beginning July 1, 1989, and ending June 30, 1992, for amounts invested in each such year in business and industrial development corporations organized under chapter 31.-- RCW (sections 1 through 15 and 22 through 25 of this act). The amount of allowable credit in each such year shall be as follows:

<u>FISCAL YEAR</u>	<u>AMOUNT INVESTED</u>
1990	24%
1991	19%
1992	14%
1993	0%

(2) Applications for credit under this section shall be submitted as prescribed by the department by rule. No credit may be taken under this section until it has been approved by the department.

(3) Credits allowed under this section to any taxpayer shall not exceed the tax otherwise payable under this chapter by the taxpayer for that fiscal year. Any excess credit shall not be carried over to succeeding years.

(4) No credit may be allowed under this section for an investment for which credit has been allowed under section 17, 18, 19, 20, or 21 of this act.

(5) Any taxpayer receiving a credit under this section who withdraws all or part of the investment on which the credit was based within three years shall repay the credit in proportion to the withdrawal as provided in section 22 of this act.

NEW SECTION, Sec. 17. A new section is added to chapter 82.16 RCW to read as follows:

PUBLIC UTILITY TAX CREDITS. (1) A credit is allowed against the tax imposed under this chapter for each of the fiscal years beginning July 1, 1989, and ending June 30, 1992, for amounts invested in each such year in business and industrial development corporations organized under chapter 31.-- RCW (sections 1 through 15 and 22 through 25 of this act). The amount of allowable credit in each such year shall be as follows:

<u>FISCAL YEAR</u>	<u>AMOUNT INVESTED</u>
1990	24%
1991	19%
1992	14%
1993	0%

(2) Applications for credit under this section shall be submitted as prescribed by the department by rule. No credit may be taken under this section until it has been approved by the department.

(3) Credits allowed under this section to any taxpayer shall not exceed the tax otherwise payable under this chapter by the taxpayer for that fiscal year. Any excess credit shall not be carried over to succeeding years.

(4) No credit may be allowed under this section for an investment for which credit has been allowed under section 16, 18, 19, 20, or 21 of this act.

(5) Any taxpayer receiving a credit under this section who withdraws all or part of the investment on which the credit was based within three years shall repay the credit in proportion to the withdrawal as provided in section 22 of this act.

NEW SECTION, Sec. 18. A new section is added to chapter 48.14 RCW to read as follows:

INSURANCE PREMIUM TAX CREDITS. (1) A credit is allowed against the tax imposed under this chapter for each of the fiscal years beginning July 1, 1989, and ending June 30, 1992, for amounts invested in each such year in business and industrial development corporations organized under chapter 31.-- RCW (sections 1 through 15 and 22 through 25 of this act). The amount of allowable credit in each such year shall be as follows:

<u>FISCAL YEAR</u>	<u>AMOUNT INVESTED</u>
1990	24%
1991	19%
1992	14%
1993	0%

(2) Applications for credit under this section shall be submitted as prescribed by the department by rule. No credit may be taken under this section until it has been approved by the department.

(3) Credits allowed under this section to any taxpayer shall not exceed the tax otherwise payable under this chapter by the taxpayer for that fiscal year. Any excess credit shall not be carried over to succeeding years.

(4) No credit may be allowed under this section for an investment for which credit has been allowed under section 16, 17, 19, 20, or 21 of this act.

(5) Any taxpayer receiving a credit under this section who withdraws all or part of the investment on which the credit was based within three years shall repay the credit in proportion to the withdrawal as provided in section 22 of this act.

NEW SECTION. Sec. 19. A new section is added to chapter 82.04 RCW to read as follows:

BUSINESS AND OCCUPATION TAX CREDITS. (1) A credit is allowed against the tax imposed under this chapter for each of the fiscal years beginning July 1, 1989, and ending June 30, 1992, for amounts invested in each such year in business and industrial development corporations organized under chapter 31.— RCW (sections 1 through 15 and 22 through 25 of this act) with at least one-half of the corporation's loans and investments made to businesses located in distressed areas as defined in RCW 82.60.020(3). The amount of allowable credit in each such year shall be as follows:

<u>FISCAL YEAR</u>	<u>AMOUNT INVESTED</u>
1990	34%
1991	29%
1992	24%
1993	0%

(2) Applications for credit under this section shall be submitted as prescribed by the department by rule. No credit may be taken under this section until it has been approved by the department.

(3) Credits allowed under this section to any taxpayer shall not exceed the tax otherwise payable under this chapter by the taxpayer for that fiscal year. Any excess credit shall not be carried over to succeeding years.

(4) No credit may be allowed under this section for an investment for which credit has been allowed under section 16, 17, 18, 20, or 21 of this act.

(5) Any taxpayer receiving a credit under this section who withdraws all or part of the investment on which the credit was based within three years shall repay the credit in proportion to the withdrawal as provided in section 22 of this act.

NEW SECTION. Sec. 20. A new section is added to chapter 82.16 RCW to read as follows:

PUBLIC UTILITY TAX CREDITS. (1) A credit is allowed against the tax imposed under this chapter for each of the fiscal years beginning July 1, 1989, and ending June 30, 1992, for amounts invested in each such year in business and industrial development corporations organized under chapter 31.— RCW (sections 1 through 15 and 22 through 25 of this act) with at least one-half of the corporation's loans and investments made to businesses located in distressed areas as defined in RCW 82.60.020(3). The amount of allowable credit in each such year shall be as follows:

<u>FISCAL YEAR</u>	<u>AMOUNT INVESTED</u>
1990	34%
1991	29%
1992	24%
1993	0%

(2) Applications for credit under this section shall be submitted as prescribed by the department by rule. No credit may be taken under this section until it has been approved by the department.

(3) Credits allowed under this section to any taxpayer shall not exceed the tax otherwise payable under this chapter by the taxpayer for that fiscal year. Any excess credit shall not be carried over to succeeding years.

(4) No credit may be allowed under this section for an investment for which credit has been allowed under section 16, 17, 18, 19, or 21 of this act.

(5) Any taxpayer receiving a credit under this section who withdraws all or part of the investment on which the credit was based within three years shall repay the credit in proportion to the withdrawal as provided in section 22 of this act.

NEW SECTION. Sec. 21. A new section is added to chapter 48.14 RCW to read as follows:

INSURANCE PREMIUM TAX CREDITS. (1) A credit is allowed against the tax imposed under this chapter for each of the fiscal years beginning July 1, 1989, and ending June 30, 1992, for amounts invested in each such year in business and industrial development corporations organized under chapter 31.— RCW (sections 1 through 15 and 22 through 25 of this act) with at least one-half of the corporation's loans and investments made to businesses located in distressed areas as defined in RCW 82.60.020(3). The amount of allowable credit in each such year shall be as follows:

<u>FISCAL YEAR</u>	<u>AMOUNT INVESTED</u>
1990	34%
1991	29%
1992	24%
1993	0%

(2) Applications for credit under this section shall be submitted as prescribed by the department by rule. No credit may be taken under this section until it has been approved by the department.

(3) Credits allowed under this section to any taxpayer shall not exceed the tax otherwise payable under this chapter by the taxpayer for that fiscal year. Any excess credit shall not be carried over to succeeding years.

(4) No credit may be allowed under this section for an investment for which credit has been allowed under section 16, 17, 18, 19, or 20 of this act.

(5) Any taxpayer receiving a credit under this section who withdraws all or part of the investment on which the credit was based within three years shall repay the credit in proportion to the withdrawal as provided in section 22 of this act.

NEW SECTION, Sec. 22. WITHDRAWAL OF INVESTMENTS. (1) Investors that take advantage of the tax credits allowed under sections 16 through 21 of this act, and that withdraw within the first three years of their investment any funds invested in a corporation governed by this chapter, shall be obligated to return to the state treasury a portion of the tax credit granted, with interest, which is equal in proportion to the amount the withdrawn funds represent relative to the total funds invested by the investor.

(2) Any corporation which loses its certification shall be obligated to pay to the state treasurer an amount equal to any tax credits taken by investors in such corporation within three years preceding the loss of certification. Such payment shall be made within eighteen months of the loss of certification unless the corporation is recertified within that time. The obligation to pay the state treasurer created by this section shall be a lien on the assets and capital of a corporation losing its certification and shall have priority over any other liens or security interests.

NEW SECTION, Sec. 23. The department of revenue shall keep a running total of all credits granted under sections 16 through 21 of this act during each fiscal biennium. The department of revenue shall not allow any credits which would cause the tabulation for the biennium beginning July 1, 1989, to exceed two and one-half million dollars, nor to exceed one million dollars for the period from July 1, 1991, through June 30, 1992.

NEW SECTION, Sec. 24. RESTRICTIONS ON BIDCO FINANCIAL ASSISTANCE. (1) A corporation shall not provide, directly or indirectly, financing assistance to:

(a) An associate of the corporation;

(b) Discharge, or to free other money for use in discharging, in whole or in part, an obligation to an associate of that corporation. This section does not apply to a transaction effected by an associate of a corporation in the normal course of that associate's business involving a line of credit or short-term financing assistance.

(c) A business to which an associate of that corporation provides financing assistance, either contemporaneously with, or within one year before or after, the providing of financing assistance by the corporation, if the terms on which the corporation provides financing assistance are less favorable to the corporation than the terms on which the associate provides financing assistance to the business. If the financing assistance provided by the associate of the corporation is of a different kind from the financing assistance provided by the corporation, the burden shall be on the corporation to prove that the terms on which the corporation provided financing assistance were at least as favorable to the corporation as the terms on which the associate provided financing assistance to the business.

This subsection (1)(c) does not apply to any of the following:

(i) If the associate is a controlling person of the corporation and is also the only shareholder of the corporation;

(ii) If the associate is a subsidiary of the corporation; or

(iii) A transaction effected by an associate of a corporation in the normal course of that associate's business involving a line of credit or short-term financing assistance.

(2) For the purposes of this section and section 25 of this act:

(a) 'Person' means an individual, proprietorship, joint venture, partnership, trust, business trust, syndicate, association, joint stock company, corporation, cooperative, government, agency of a government, or any other organization. If used with respect to acquiring control of or controlling a specified person, person includes a combination of two or more persons acting in concert;

(b) 'Control' means, if used with respect to a specified person, the power to direct or cause the direction of, directly or indirectly through one or more intermediaries, the management and policies of that specified person, whether through the ownership of voting securities; by contract, other than a commercial contract for goods or nonmanagement services; or otherwise. A natural person shall not be considered to control a person solely on account of being a director, officer, or employee of that person. A person who, directly or indirectly, owns or

record or beneficially holds with power to vote, or holds proxies with discretionary authority to vote, twenty percent or more of the then outstanding voting securities issued by a corporation shall be rebuttably presumed to control that corporation; and

(c) 'Controlling person' means, if used with respect to a specified person, a person who controls that specified person, directly or indirectly through one or more intermediaries.

NEW SECTION. Sec. 25. RESTRICTIONS ON BENEFITS. An associate of a corporation shall not receive, directly or indirectly, from a person to whom that corporation provides financing assistance, compensation in connection with the providing of that financing assistance or anything of value for procuring, influencing, or attempting to procure or influence the corporation's action with respect to the providing of the financing assistance. This section does not apply to the receipt of fees by an associate of a corporation for bona fide closing services performed by that associate if all of the following are true:

(1) The associate, with the consent and knowledge of the person to whom the financing assistance is provided, is designated by the corporation to perform the services;

(2) The services are appropriate and necessary in the circumstances;

(3) The fees for the services are approved as reasonable by the corporation; and

(4) The fees for the services are collected by the corporation on behalf of the associate.

NEW SECTION. Sec. 26. Captions as used in this act shall constitute no part of the law.

NEW SECTION. Sec. 27. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 28. Sections 1 through 17 of this act shall take effect on July 1, 1988.

NEW SECTION. Sec. 29. Sections 1 through 17 of this act shall constitute a new chapter in Title 31 RCW."

Remember the remaining sections consecutively and correct any internal references accordingly.

POINT OF ORDER

Mr. Locke: Thank you, Mr. Speaker. I ask the Speaker to rule on the propriety of this amendment based on the scope and object of this bill.

The Speaker: Representative Locke, the Speaker has examined House Bill No. 1760 and the amendment offered by Representative Vekich. The original House Bill No. 1760 deals with some adjustments to the chapter dealing with industrial loan companies. The amendment offered by Representative Vekich actually deals with the creation of a new form of financial institutions. I find your point to be well taken, Representative Locke. The amendment is outside the scope and object of the original bill.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Chandler and Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1760, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1760, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 1855 on second reading. The motion was carried.

HOUSE BILL NO. 1855, by Representatives Doty, Heavey, Patrick, Rasmussen, Walker, Wang, Brough, Cole, Ballard, Day, May, Leonard, Miller, Fuhrman, Hankins, Butterfield, Nealey, Silver, D. Sommers, Brooks, Moyer, Ferguson and Amondson

Regulating employment in house-to-house sales.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1855 was substituted for House Bill No. 1855, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1855 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Doty and Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1855, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1855, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1416, by Representatives McLean, Haugen, Rayburn, Ballard, Betzoff, D. Sommers, Sanders, Nealey and Ferguson

Revising provisions relating to private ways of necessity.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1416 was substituted for House Bill No. 1416, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1416 was read the second time and passed to Committee on Rules for third reading.

MOTION

Mr. Appelwick moved that the House defer consideration of House Bill No. 1819 and that the bill hold its place on the second reading calendar. The motion was carried.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 1384 on second reading. The motion was carried.

HOUSE BILL NO. 1384, by Representatives Leonard, Ebersole, P. King, May, Basich and Brekke

Approving juvenile detention standards.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 1384 was substituted for House Bill No. 1384, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1384 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard and Brekke spoke in favor of passage of the bill, and Representatives Winsley, Moyer and Padden opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1384, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 50.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Brekke, Bumgarner, Cantwell, Cole, Cooper, Crane, Dellwo, Ebersole, Fox, Gallagher, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, King P, King R, Leonard, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Spanel, Sprengle, Sutherland, Todd, Unsold, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 48.

Voting nay: Representatives Allen, Amondson, Armstrong, Ballard, Barnes, Baugher, Beck, Betzoff, Braddock, Bristow, Brooks, Brough, Butterfield, Chandler, Day, Dorn, Doty, Ferguson, Fisher, Fuhrman, Grant, Hankins, Hargrove, Holland, Jones, Kremen, Lewis, Locke, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Sommers H, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 50.

HOUSE BILL NO. 1585, by Representatives Leonard, Anderson, Crane, P. King, O'Brien and Rust

Revising provisions for juvenile dependency proceedings.

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

Representatives Leonard and Jones spoke in favor of passage of the bill, and Representatives Winsley and Padden opposed it.

Ms. Leonard again spoke in favor of the bill.

MOTION

Ms. Hine moved that the House defer further consideration of House Bill No. 1585 and that the bill hold its place on the third reading calendar. The motion was carried.

HOUSE BILL NO. 1586, by Representatives Jones, Brekke, Anderson, Crane, P. King and Rust

Revising rules for dependency proceedings.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 1586 was substituted for House Bill No. 1586, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1586 was read the second time.

Mr. Jones moved adoption of the following amendment by Representatives Jones, Padden, Hargrove and Brekke:

On page 4, line 16, after "unless" strike "good cause for a continuance is found." and insert "exceptional reasons for a continuance are found. The party requesting the continuance shall have the burden of proving by a preponderance of the evidence that exceptional circumstances do exist."

Representatives Jones and Padden spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Jones spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1586, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove,

Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1586, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Wang to preside.

HOUSE BILL NO. 1587, by Representatives Rayburn, Leonard, Moyer, Anderson, Crane, Dellwo, Rust and Lux

Providing for open adoptions.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 5, 1988.)

Ms. Brekke moved adoption of the committee amendment on page 2, after line 7. Ms. Brekke spoke in favor of the committee amendment, and it was adopted.

Ms. Brekke moved adoption of the committee amendments on page 2, line 19 and page 2, line 21. Ms. Brekke spoke in favor of the committee amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn, Moyer and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1587, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Brooks, Brough - 2.

Engrossed House Bill No. 1587, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1588, by Representatives Anderson, Winsley, Brekke, Leonard, Jacobsen, Cole, Crane and Rust

Revising certain procedures governing dependency proceedings.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 5, 1988.)

Mr. Anderson moved adoption of the committee amendment. Mr. Anderson spoke in favor of the committee amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson, Winsley and Brekke spoke in favor of passage of the bill, and Representatives Locke and Lewis opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1588, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1588, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1589, by Representatives K. Wilson, Ferguson, Walk, Winsley, Crane, Haugen, Cantwell, Scott, Wineberry and Armstrong

Establishing a category of dependency for high-risk youth.

The bill was read the second time. On motion of Mr. Locke, Second Substitute House Bill No. 1589 was substituted for House Bill No. 1589, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1589 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives K. Wilson and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1589, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Second Substitute House Bill No. 1589, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House defer consideration of House Bill No. 1588, House Bill No. 1696, House Bill No. 655 and House Bill No. 36 and that the bills hold their places on the second reading calendar. The motion was carried.

Representative B. Williams was excused.

MOTION

Mr. Appelwick moved that the House defer consideration of House Bill No. 1702 and that the bill hold its place on the second reading calendar. The motion was carried.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 1819 on second reading. The motion was carried.

HOUSE BILL NO. 1819, by Representatives Unsoeld, Belcher, Holm, Sayan, Brough, Haugen, Appelwick, Crane, Dellwo and Ebersole

Revising the property tax exemption for houses for the aged.

The bill was read the second time.

Mr. Padden moved adoption of the following amendment:

On page 1, line 23, strike subsection (a) and insert:

"(a) The property has been exempt from property taxes as a home for the aged prior to January 1, 1988."

Representatives Padden and Schoon spoke in favor of the amendment, and Representatives Appelwick, Unsoeld and Taylor opposed it.

Mr. Padden again spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Lux.

Mr. Lux: Thank you, Representative Padden. You tweaked my conscience there about all the other ninety-five and this being the only one. How many of the other ninety-five were profit operations prior to just recently changing over to a nonprofit status?

Mr. Padden: The one other one that I have some knowledge on, and I am not as knowledgeable as the Representatives from that area, is in the 9th Legislative District involving an action in the city of Pullman. My only point was that I thought this ought to apply equally across the board where it appears to be a special legislation aimed at just one entity. That was my concern. I think there is a good case, and a lot of the legislators have made a case for this legislation in general. I just think it ought to be applied equally as is the principle in most of our laws.

Mr. Lux opposed the amendment, and Mr. Appelwick again spoke against it.

The amendment was not adopted.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Unsoeld spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1819, and the bill passed the House by the following vote: Yeas, 77; nays, 20; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Amondson, Beck, Betzoff, Brooks, Bumgarner, Butterfield, Chandler, Ferguson, Fuhrman, Hankins, Holland, Miller, Moyer, Padden, Patrick, Sanders, Schoon, Silver, Smith C, Walker - 20.

Excused: Representative Williams B - 1.

House Bill No. 1819, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

MOTION

On motion of Mr. Appelwick, Engrossed Substitute Senate Bill No. 6200 was referred from Committee on Human Services to Committee on Energy & Utilities.

NOTICE OF RECONSIDERATION

Ms. H. Sommers served notice that, having voted on the prevailing side, she would on the next working day move for reconsideration of the vote by which Substitute House Bill No. 1384 failed to pass the House.

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:30 a.m., Thursday, February 11, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Thursday, February 11, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nikki Swisher and Ken Peters. Prayer was offered by Sister Lucy Wynkoop of St. Placid Priory of Olympia.

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

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4726, by Representatives Basich, Barnes, O'Brien, Locke, Vekich, Taylor, Prince, Valle, Crane, Jones, Wineberry, Grant, R. King, Hargrove, B. Williams, Pruitt, Holm, S. Wilson, Meyers, Rasmussen, Sayan, Bumgarner, Nealey, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Jacobsen, Jesernig, J. King, P. King, Kremen, Leonard, Lewis, Lux, May, McLean, Miller, Moyer, Nelson, Nutley, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Walk, Walker, Wang, J. Williams, K. Wilson, Winsley and Zellinsky

WHEREAS, The conflict between North Korea and South Korea in the early 1950s is often referred to as the "Forgotten War"; and

WHEREAS, This war resulted in the deaths of 54,000 Americans, with another 100,000 servicemen wounded; and

WHEREAS, Four hundred seventy-two servicemen from Washington State gave their lives for their country in this war; and

WHEREAS, The Washington Legislature has, in the past, supported the creation of veterans' memorials, such as the Winged Victory and the Vietnam Veteran's Memorial which was erected last year on the Capitol Campus; and

WHEREAS, The United States Congress also has supported the creation of veterans' memorials and last year appropriated one million dollars for the construction of a Korean Veterans' Memorial in Washington, D.C.; and

WHEREAS, It is appropriate that Washington State remember the veterans of the "Forgotten War" with a memorial on the Capitol Campus;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives strongly support the Washington State Korean Veterans' Memorial Fund Committee in its efforts to construct a fitting memorial on the Capital Campus to honor those fine patriots who served their country in Korea in the early 1950s; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to each member of the Washington State Korean Veterans' Memorial Fund Committee and to each member of the Washington State Legislature.

Mr. Basich moved adoption of the resolution and spoke in favor of it. The resolution was adopted.

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

INTRODUCTIONS AND FIRST READING

HJR 4234 by Representatives Grimm, H. Sommers, Schoon and Winsley
Requiring full funding of state retirement systems.

Referred to Committee on Ways & Means.

HCR 4443 by Representatives Prince, Schmidt, Walk, Gallagher, O'Brien and Nealey

Commemorating Elmer Huntley.

Referred to Committee on Rules.

The Speaker (Mr. O'Brien presiding) referred the resolutions listed on today's introduction sheet under the fourth order of business to the committees so designated.

MOTION

Mr. Lewis moved that House Joint Resolution No. 4234 take its place on the bottom of today's second reading calendar.

The Speaker (Mr. O'Brien presiding): I think now you would have to move to relieve the Committee on Ways & Means of House Joint Resolution No. 4234. According to the rules you would have to do that under the sixth order of business, second reading of bills, and you would need a suspension of the rules. Sooner or later today we are going to reach the order of business where you can properly make this motion, requiring a majority vote of the members.

POINT OF PARLIAMENTARY INQUIRY

Mr. Lewis: At which order is it appropriate to make the motion to have House Joint Resolution No. 4234 pulled from Committee on Ways & Means and placed on the bottom of today's second reading calendar?

The Speaker (Mr. O'Brien presiding): Under a precedent which was established last year it would be the eighth order of business, although the rules state that it should be the order of business on which the bill may be considered. When we come to the eighth order of business today, I shall take your motion.

POINT OF PARLIAMENTARY INQUIRY

Ms. Brough: Was there a motion on the floor on the fourth order of business to refer the bills to the committees so designated? Was there such a motion made?

The Speaker (Mr. O'Brien presiding): It was not a motion. I referred the bill to Committee on Ways & Means. We use the motion for a large number of bills to save time, but ordinarily we pass or refer bills.

MOTION

Ms. Brough moved that the House advance to the eighth order of business.

Representatives Brough and Ebersole spoke in favor of the motion, and it was carried.

MOTION

Mr. Lewis moved that Committee on Ways & Means be relieved of House Joint Resolution No. 4234 and that the bill be placed on the bottom of today's second reading calendar.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives Ebersole and Grimm spoke against the motion, and Representatives Lewis and Silver spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Lewis to relieve Committee on Ways & Means of House Joint Resolution No. 4234 and to place the bill on the bottom of today's second reading calendar, and the motion was lost by the following vote: Yeas, 37; nays, 61.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 37.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 61.

Representative Wang was excused.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1702 on second reading. The motion was carried.

HOUSE BILL NO. 1702, by Representatives Nutley, Ferguson, Doty, Haugen, Brough and Nelson; by request of Washington State Local Governance Commission Revising provisions for annexation for municipal purposes.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1702 was substituted for House Bill No. 1702, and the substitute bill was placed on the second reading calendar.

Substitute House Bill NO. 1702 was read the second time.

Ms. Hine moved adoption of the following amendment:

On page 15, after line 30, insert a new section as follows:

"NEW SECTION, Sec. 25. A new section is added to chapter 52.04 RCW to read as follows:

A joint service agreement may be established when a city or town has been annexed by a fire district and subsequently the city or town annexes an area served by a different fire district. This joint service agreement shall be by mutual consent of the city or town, the first district which had annexed that city or town, and the fire district which serves the area to be annexed. This joint service agreement may allow the fire district serving the area to be annexed to continue such service. The joint service agreement shall provide for terms of reimbursement to the fire district serving the area to be annexed."

Renumber the following sections accordingly.

Ms. Hine spoke in favor of the amendment, and it was adopted.

There being no objection, the following amendment to the title was adopted:

On page 1, line 5 of the title, after "35A.14 RCW;" insert "adding a new section to chapter 52.04 RCW;"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nutley, Ferguson, Haugen and Doty spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1702, and the bill passed the House by the following vote: Yeas, 90; nays, 7; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Amondson, Day, Dellwo, Padden, Silver, Sommers D, Taylor - 7.

Excused: Representative Wang - 1.

Engrossed Substitute House Bill No. 1702, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1631, by Representatives Haugen, Brough, Nutley, Doty, Nelson, Cooper, Rayburn, Zellinsky, Jacobsen, Hine, Ferguson, May and Unsoeld; by request of Washington State Local Governance Commission

Establishing requirements for local government service agreements.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass substitute. Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute by Committee on Local Government as amended by Committee on Ways & Means/Appropriations. (For committee amendments, see Journal, 29th Day, February 8, 1988.)

On motion of Ms. Haugen, Substitute House Bill No. 1631 was substituted for House Bill No. 1631, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1631 was read the second time.

On motion of Mr. Locke, the committee amendment by Committee on Ways & Means/Appropriations was adopted.

On motion of Mr. Locke, the committee amendment to the title by Committee on Ways & Means/Appropriations was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Brough spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Haugen yielded to question by Mr. Schoon.

Mr. Schoon: Representative Haugen, the original bill had an appropriation of \$1,500,000. It appears it was reduced to \$750,000 in committee, and it appears that Ways & Means eliminated all funding.

Ms. Haugen: That is correct.

Mr. Schoon: Can the bill still be a meaningful bill and accomplish a lot with that total appropriation gone?

Ms. Haugen: We are going to be back to talk to the Ways & Means Committee next biennium, I assure you. We are eager to get the bill on the books because the Department of Community Development needs to get staff up to speed and they are willing to do this without any additional revenue at this time. We urge your support. We will be back for money. We don't want to mandate. One of the things we feel very strongly about is that this is not going to be mandated without some source of revenue to help out the local districts. However, it was felt very strongly by some of the financial people who work with these local governments that this tool--and this is what it is, folks, a tool--will help them save money in the long run and actually probably pay for itself.

Representatives Nutley and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1631, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amundson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen,

Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Engrossed Substitute House Bill No. 1631, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 1632 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE JOINT RESOLUTION NO. 4227, by Representatives Haugen, Brough, Nutley, Doty, Nelson, Cooper, Rayburn, Zellinsky, Anderson, Hine, Ferguson, May and Unsoeld; by request of Washington State Local Governance Commission

Amending the state Constitution to allow restructuring of local governments.

The resolution was read the second time. Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 29th Day, February 8, 1988.)

Ms. Haugen moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The resolution was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Haugen and Brough spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 4227, and the resolution passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Padden - 1.

Excused: Representative Wang - 1.

Engrossed House Joint Resolution No. 4227, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representative Wang appeared at the bar of the House.

Representatives Lewis, McLean and Sayan were excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 974 on second reading. The motion was carried.

HOUSE BILL NO. 974, by Representative Fisch

Prohibiting the use of secret ballots at meetings required to be open to the public.

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

Representatives Fisher, Sanders and Jones spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 974, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Velich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Lewis, McLean, Sayan - 3.

House Bill No. 974, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that consideration of House Bill No. 1302 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1329, by Representatives Crane, Brough, Sutherland, Lewis, Heavey, Padden, Nutley, Peery and Hargrove

Changing provisions relating to the homestead exemption.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1329 was substituted for House Bill No. 1329, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1329 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1329, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Velich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Lewis, McLean, Sayan - 3.

Substitute House Bill No. 1329, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1353, by Representatives Locke, Patrick, Dellwo, Baugher, Bumgarner, Meyers, Lewis, Rayburn, Gallagher, Armstrong, Holland, P. King, Silver, Belcher, Schoon, Schmidt, Amondson, Ferguson, Kremen, Winsley, Basich, Taylor, May, Wineberry, Zellinsky, Betzoff, Pruitt, McLean, Ballard, Peery, Brough, O'Brien, Dorn, Doty, Hankins, Miller, Fuhrman, Holm, Cooper and Todd; by request of Association of Sheriffs and Police Chiefs

Changing provisions governing seizures related to drug trafficking.

The bill was read the second time. On motion of Mr. Locke, Second Substitute House Bill No. 1353 was substituted for House Bill No. 1353, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1353 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1353, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D. Sommers H. Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Lewis, McLean, Sayan - 3.

Second Substitute House Bill No. 1353, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1356, by Representatives Valle, Miller, Jacobsen, Wineberry, Silver, Belcher, Nelson, P. King and Hine

Establishing a college savings bond program.

The bill was read the second time. On motion of Mr. Locke, Second Substitute House Bill No. 1356 was substituted for House Bill No. 1356, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1356 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Valle, Miller, Locke, Prince, Appelwick, Jacobsen, Silver and May spoke in favor of passage of the bill, and Representatives Brough and Barnes opposed it. Mr. Barnes again spoke against passage of the bill.

Mr. Braddock demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1356, and the bill passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C,

Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Barnes, Brough - 2.

Excused: Representatives Lewis, McLean, Sayan - 3.

Second Substitute House Bill No. 1356, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House recess until 1:15 p.m. The motion was carried.

AFTERNOON SESSION

The Speaker (Mr. O'Brien presiding) called the House to order at 1:15 p.m. The Clerk called the roll and all members were present except Representatives Bristow, Gallagher, Grimm, Hankins, Lewis, Lux, Sayan, Schmidt, Vekich and Zellinsky. Representatives Lewis, Sayan, Schmidt and Zellinsky were excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1391 on second reading. The motion was carried.

HOUSE BILL NO. 1391, by Representatives Haugen, S. Wilson, Fox, Zellinsky, J. Williams, P. King, May, Sanders, Unsoeld, Spanel and Ferguson

Providing oil dump and holding tank pump stations information to boaters.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1391 was substituted for House Bill No. 1391, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1391 was read the second time.

Ms. Rust moved adoption of the following amendments by Representatives Haugen, Rust and Walker:

On page 2, line 8, after "to" insert "owners of"

On page 2, line 9, after "application" insert "to owners"

Ms. Rust spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust, Haugen and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1391, and the bill passed the House by the following vote: Yeas, 88; absent, 6; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 88.

Absent: Representatives Bristow, Gallagher, Grimm, Hankins, Lux, Vekich - 6.

Excused: Representatives Lewis, Sayan, Schmidt, Zellinsky - 4.

Engrossed Substitute House Bill No. 1391, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Gallagher, Grimm, Hankins and Vekich appeared at the bar of the House.

HOUSE BILL NO. 1392, by Representatives D. Sommers, Braddock, Beck, Day, Betzoff, Moyer, Sanders, Silver and Ferguson

Exempting type A continuing care retirement communities from certificate of need requirements.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1392 was substituted for House Bill No. 1392, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1392 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives D. Sommers and Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1392, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 92.

Absent: Representatives Bristow, Lux - 2.

Excused: Representatives Lewis, Sayan, Schmidt, Zellinsky - 4.

Substitute House Bill No. 1392, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 1445 and House Bill No. 1459 be deferred and that the bills hold their places on the second reading calendar. The motion was carried.

Representatives Bristow, Lux, Schmidt and Zellinsky appeared at the bar of the House.

HOUSE BILL NO. 1468, by Representatives Fisher, Winsley, Ferguson, Hine, Zellinsky, Moyer, Brooks, Baugher, Rayburn, Rasmussen, Doty, Sprengle, Jacobsen, Leonard, Walker, Locke and Brekke

Requiring helmets for all persons operating or riding on motorcycles.

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

Representatives Fisher, Winsley, Sprengle, Taylor, Valle and R. King spoke in favor of passage of the bill, and Representatives Vekich, Fuhrman, Betzoff, Hargrove, Chandler, Brough and K. Wilson opposed it.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1468, and the bill passed the House by the following vote: Yeas, 58; nays, 38; excused, 2.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Bumgarner, Cantwell, Cole, Cooper, Crane, Day, Doty, Ferguson, Fisher, Fox, Gallagher, Grimm, Haugen, Hine, Holm, Jacobsen, King R, Leonard, Locke, Lux, Meyers, Moyer, Nelson, Nutley, O'Brien, Peery, Rasmussen, Rayburn, Rust, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Valle, Walk, Walker, Wang, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Amondson, Basich, Beck, Betrozoff, Brough, Butterfield, Chandler, Dellwo, Dorn, Ebersole, Fuhrman, Grant, Hankins, Hargrove, Heavey, Holland, Jesernig, Jones, King P, Kremen, May, McLean, Miller, Nealey, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Smith C, Unsoeld, Vekich, Williams B, Williams J, Wilson K, Wilson S - 38.

Excused: Representatives Lewis, Sayan - 2.

House Bill No. 1468, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1518, by Representatives Bristow and Grant

Revising allocations for small school district capital construction.

The bill was read the second time. Committee on Education recommendation: Majority, do pass substitute. Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute by Committee on Education as amended by Committee on Ways & Means/Appropriations. (For committee amendments, see Journal, 26th Day, February 5, 1988.)

On motion of Mr. Grimm, Substitute House Bill No. 1518 was substituted for House Bill No. 1518, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1518 was read the second time.

MOTION

Mr. Ebersole moved that further consideration of Substitute House Bill No. 1518 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 1597 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1620, by Representatives Padden, Dellwo, Taylor, Day, Lux, Chandler, Crane, Miller and Winsley

Permitting persons to continue group health insurance after the group coverage is terminated, subject to certain conditions.

The bill was read the second time. On motion of Mr. Zellinsky, Substitute House Bill No. 1620 was substituted for House Bill No. 1620, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1620 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1620, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen,

Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Armstrong - 1.

Excused: Representatives Lewis, Sayan - 2.

Substitute House Bill No. 1620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1445 on second reading. The motion was carried.

HOUSE BILL NO. 1445, by Representatives Wineberry, Armstrong, Padden, O'Brien, Cole, Crane, Anderson, Heavey, Brough, Valle, P. King, Lewis, Jacobsen, Patrick, Unsoeld, Baugher, Leonard, Meyers, Scott, Haugen, Zellinsky, Lux, Ebersole, Brekke, Kremen, Betzoff, Pruitt, Ballard, May, Fuhrman, Doty, Sutherland, Sanders, Jesernig, Todd, Silver, Moyer, Locke, Rasmussen, Ferguson and Winsley

Prohibiting drug-related activities in rental dwellings.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1445 was substituted for House Bill No. 1445, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1445 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wineberry, Sanders, Patrick and Padden spoke in favor of passage of the bill, and Mr. Wang opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1445, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Belcher, Wang - 2.

Excused: Representatives Lewis, Sayan - 2.

Substitute House Bill No. 1445, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 1302 on second reading. The motion was carried.

HOUSE BILL NO. 1302, by Representatives Kremen, Patrick, Fisher, Rayburn, Lux, Cooper, Basich, K. Wilson, Lewis, Cole, Holm, Haugen, Brekke, Barnes, Holland, Nealey, Sutherland, Sprenkle, Cantwell, Walker, Betzoff, Meyers, Hargrove, Baugher, Rasmussen, Silver, Fuhrman, Spanel, Fox, Jones, Peery, Ebersole, Dellwo, Heavey, Leonard, Zellinsky, Day, Vekich, Crane, Moyer, Butterfield, D. Sommers, Braddock, Pruitt, Brough, Todd, Ballard, O'Brien, Winsley, Hine, May, Hankins, Miller, Schoon, Doty, Ferguson and P. King

Establishing penalties for sexual offenses against developmentally disabled persons.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1302 was substituted for House Bill No. 1302, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1302 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kremen and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1302, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsöld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Lewis, Sayan - 2.

Substitute House Bill No. 1302, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Lewis and Sayan appeared at the bar of the House.

Representative Allen was excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1629 on second reading. The motion was carried.

HOUSE BILL NO. 1629, by Representatives Schoon, Braddock, Brooks, Moyer, Kremen, D. Sommers, Sprenkle, May and Miller

Changing the definition of physician's assistant.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendment by Representative Schoon:

On page 1, after "18.71.011," on line 15, insert:

"NEW SECTION. Sec. 2. Section 1 of this 1988 Act shall not apply to foreign medical school or college graduates who began practicing as physician's assistants prior to the effective date of this 1988 Act."

Mr. Braddock spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1629, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Wang - 1.

Excused: Representative Allen - 1.

Engrossed House Bill No. 1629, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1660, by Representatives Meyers, Walk, Vekich, S. Wilson, Gallagher, Fisher, Hankins, Cantwell, Cooper, Day and Unsoeld

Establishing a motorcycle skills program.

The bill was read the second time. On motion of Mr. Baugher, Substitute House Bill No. 1660 was substituted for House Bill No. 1660, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1660 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Meyers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1660, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute House Bill No. 1660, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1690, by Representatives Ferguson, Cooper, Winsley, Miller, Nutley, Crane, Baugher, Sanders, Lux, Haugen, Beck, Day, Meyers, Betzoff, Nelson and Cantwell

Requiring cities and counties to review need for manufactured homes.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 1690 was substituted for House Bill No. 1690, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1690 was read the second time.

On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1690, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungamer, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute House Bill No. 1690, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1740, by Representatives Prince, Unsoeld, Silver, Hankins, Lewis, Patrick, Dellwo, Brough, Sanders, Doty, Rayburn and Ferguson

Providing for informational highway signs and traffic fatality markers.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1740 was substituted for House Bill No. 1740, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1740 was read the second time.

Mr. Vekich moved adoption of the following amendment by Representatives Vekich and Prince:

On page 1, line 9, after "Colfax" insert ", state route number 270 from the city of Pullman to the Washington and Idaho border."

Representatives Vekich and Prince spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Prince spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1740, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungamer, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 1740, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that consideration of House Bill No. 1862 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1990, by Representatives Braddock and Sprenkle

Revising provisions on assessments under the health insurance coverage access act.

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

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1990, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

House Bill No. 1990, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that the House immediately consider House Bill No. 1696 on second reading. The motion was carried.

HOUSE BILL NO. 1696, by Representatives Grant, Appelwick, Baugher, Nealey, Rayburn, Brooks and Kremen

Revising excise tax exemptions on agriculture.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 1696 was substituted for House Bill No. 1696, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1696 was read the second time.

On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grant and Schoon spoke in favor of passage of the bill, and Ms. Rust opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1696, and the bill passed the House by the following vote: Yeas, 79; nays, 18; excused, 1.

Voting yea: Representatives Amondson, Appelwick, Ballard, Barnes, Basich, Baugher, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Todd, Vekich, Walk, Walker, Wang, Williams B, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Anderson, Armstrong, Beck, Belcher, Brekke, Crane, Fisher, Jacobsen, Lux, Nelson, Pruitt, Rust, Sommers H, Unsoeld, Valle, Williams J, Wilson K, Winsley - 18.

Excused: Representative Allen - 1.

Substitute House Bill No. 1696, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Baugher and Rayburn were excused.

HOUSE BILL NO. 655, by Representatives R. King, Wang, Cole, Sayan and Unsoeld; by request of Employment Security Department

Extending coverage of unemployment insurance to agricultural employees.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 655 was substituted for House Bill No. 655, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 655 was read the second time.

Mr. R. King moved adoption of the following amendment by Representatives R. King, Wang and Patrick:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 16, chapter 35, Laws of 1945 as last amended by section 2, chapter 292, Laws of 1977 ex. sess. and RCW 50.04.150 are each amended to read as follows:

The term 'employment' shall not include service performed by individuals under eighteen years of age in agricultural labor except as otherwise provided in RCW 50.04.155.

Agricultural labor is defined as services performed:

(1) On a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wild life, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or

(2) In packing, packaging, grading, storing, or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations. The exclusions from the term 'employment' provided in this paragraph shall not be deemed to be applicable with respect to commercial packing houses, commercial storage establishments, commercial canning, commercial freezing, or any other commercial processing or with respect to services performed in connection with the cultivation, raising, harvesting and processing of oysters or raising and harvesting of mushrooms or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

Sec. 2. Section 5, chapter 205, Laws of 1984 as last amended by section 3, chapter 171, Laws of 1987 and RCW 50.29.025 are each amended to read as follows:

The contribution rate for each employer shall be determined under this section.

(1) A fund balance ratio shall be determined by dividing the balance in the unemployment compensation fund as of the June 30th immediately preceding the rate year by the total remuneration paid by all employers subject to contributions during the second calendar year preceding the rate year and reported to the department by the following March 31st. The division shall be carried to the fourth decimal place with the remaining fraction, if any, disregarded. The fund balance ratio shall be expressed as a percentage.

(2) The interval of the fund balance ratio, expressed as a percentage, shall determine which tax schedule in subsection (5) of this section shall be in effect for assigning tax rates for the rate year. The intervals for determining the effective tax schedule shall be:

Interval of the Fund Balance Ratio Expressed as a Percentage	Effective Tax Schedule
3.40 and above	A
2.90 to 3.39	B
2.40 to 2.89	C
1.90 to 2.39	D
1.40 to 1.89	E
Less than 1.40	F

(3) An array shall be prepared, listing all qualified employers in ascending order of their benefit ratios. The array shall show for each qualified employer: (a) Identification number; (b) benefit ratio; (c) taxable payrolls for the four calendar quarters immediately preceding the computation date and reported to the department by the cut-off date; (d) a cumulative total of taxable payrolls consisting of the employer's taxable payroll plus the taxable payrolls of all other employers preceding him or her in the array; and (e) the percentage equivalent of the cumulative total of taxable payrolls.

(4) Each employer in the array shall be assigned to one of twenty rate classes according to the percentage intervals of cumulative taxable payrolls set forth in subsection (5) of this section: PROVIDED, That if an employer's taxable payroll falls within two or more rate classes, the employer and any other employer with the same benefit ratio shall be assigned to the lowest rate class which includes any portion of the employer's taxable payroll.

(5) The contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect during the rate year:

Percent of Cumulative Taxable Payrolls		Rate Class	Schedule of Contribution Rates for Effective Tax Schedule						
From	To		A	B	C	D	E	F	
0.00	5.00	1	0.48	0.58	0.98	1.48	1.88	2.48	
5.01	10.00	2	0.48	0.78	1.18	1.68	2.08	2.68	
10.01	15.00	3	0.58	0.98	1.38	1.78	2.28	2.88	
15.01	20.00	4	0.78	1.18	1.58	1.98	2.48	3.08	
20.01	25.00	5	0.98	1.38	1.78	2.18	2.68	3.18	
25.01	30.00	6	1.18	1.58	1.98	2.38	2.78	3.28	
30.01	35.00	7	1.38	1.78	2.18	2.58	2.98	3.38	
35.01	40.00	8	1.58	1.98	2.38	2.78	3.18	3.58	
40.01	45.00	9	1.78	2.18	2.58	2.98	3.38	3.78	
45.01	50.00	10	1.98	2.38	2.78	3.18	3.58	3.98	
50.01	55.00	11	2.28	2.58	2.98	3.38	3.78	4.08	
55.01	60.00	12	2.48	2.78	3.18	3.58	3.98	4.28	
60.01	65.00	13	2.68	2.98	3.38	3.78	4.18	4.48	
65.01	70.00	14	2.88	3.18	3.58	3.98	4.38	4.68	
70.01	75.00	15	3.08	3.38	3.78	4.18	4.58	4.78	
75.01	80.00	16	3.28	3.58	3.98	4.38	4.68	4.88	
80.01	85.00	17	3.48	3.78	4.18	4.58	4.88	4.98	
85.01	90.00	18	3.88	4.18	4.58	4.88	4.98	5.18	
90.01	95.00	19	4.28	4.58	4.98	5.08	5.18	5.38	
95.01	100.00	20	5.40	5.40	5.40	5.40	5.40	5.40	

(6) The contribution rate for each employer not qualified to be in the array shall be (~~the rate equal to the average industry tax rate as determined by the commissioner; however, the rate may not be less than one percent; PROVIDED, That~~) as follows:

(a) Employers who do not meet the definition of 'qualified employer' by reason of failure to pay contributions when due shall be assigned the contribution rate of five and four-tenths percent;

(b) The tax rate for employers newly covered under section 1 of this 1988 act and not yet qualified to be in the array shall be one percent; and

(c) For all other employers not qualified to be in the array, the contribution rate shall be a rate equal to the average industry rate as determined by the commissioner; however, the rate may not be less than one percent. Assignment of employers by the commissioner to industrial classification, for purposes of this subsection, shall be in accordance with established classification practices found in the 'Standard Industrial Classification Manual' issued by the federal office of management and budget to the third digit provided in the Standard Industrial Classification code.

NEW SECTION. Sec. 3. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is hereby declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 4. This act shall take effect January 1, 1989."

Mr. R. King spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. R. King, the following amendment to the title by Representatives R. King, Wang and Patrick was adopted:

On page 1, line 2 of the title, after "employment;" strike the remainder of the title and insert "amending RCW 50.04.150 and 50.29.025; creating a new section; and providing an effective date."

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 655, and the bill passed the House by the following vote: Yeas, 62; nays, 33; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Beck, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Amondson, Ballard, Barnes, Betzoff, Brooks, Bumgarner, Butterfield, Chandler, Dorn, Doty, Ferguson, Fuhrman, Grant, Hankins, Holland, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rasmussen, Sanders, Silver, Smith C, Sommers D, Walker, Williams B, Williams J - 33.

Excused: Representatives Allen, Baugher, Rayburn - 3.

Engrossed Substitute House Bill No. 655, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 36, by Representatives Wang, Patrick, Sayan, Fisher, R. King, Lux and Belcher

Prohibiting employer retaliation for unemployment claims.

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

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 36, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, Baugher, Rayburn - 3.

House Bill No. 36, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Ebersole, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 332, by Committee on Environmental Affairs (originally sponsored by Representatives Valle, Allen, Crane, May, Rayburn, Rust, Sprenkle, Unsoeld and Lux)

Requiring the department of ecology to implement and operate a waste exchange.

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

Ms. Valle spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Valle yielded to question by Mr. Schoon.

Mr. Schoon: Were the savings that you quoted the result of a state waste exchange, or were these savings that companies affected on their own?

Ms. Valle: The companies did this as a result of information that was exchanged on the waste exchange between North Carolina and South Carolina. They happen to share an exchange and so they do that together.

Representatives Schoon and Walker spoke against passage of the bill, and Ms. Unsoeld spoke in favor of it. Representative Valle again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 332, and the bill passed the House by the following vote: Yeas, 62; nays, 33; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Beck, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Miller, Nelson, Nutley, O'Brien, Padden, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Amondson, Ballard, Basich, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Fuhrman, Hankins, Hargrove, Haugen, Holland, Lewis, May, McLean, Moyer, Nealey, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 33.

Excused: Representatives Allen, Baugher, Rayburn - 3.

Substitute House Bill No. 332, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Doty and Lewis were excused.

ENGROSSED HOUSE BILL NO. 1273, by Representatives R. King, Sayan, Winsley, Wang and Jones

Extending the effect of collective bargaining agreements.

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

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for the purpose of amendment.

Mr. Wang moved adoption of the following amendment by Committee on Commerce & Labor:

On page 1, beginning on line 10, after "RCW" strike all material through "54.04.180" on line 13

Mr. Wang spoke in favor of adoption of the committee amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King and Sayan spoke in favor of passage of the bill, and Mr. Patrick opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1273, and the bill passed the House by the following vote: Yeas, 58; nays, 35; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 58.

Voting nay: Representatives Amondson, Armstrong, Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Ferguson, Fuhrman, Hankins, Haugen, May,

McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Zellinsky - 35.

Excused: Representatives Allen, Baugher, Doty, Lewis, Rayburn - 5.

Engrossed House Bill No. 1273, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1309, by Representatives Lux and Wang

Authorizing collective bargaining for district and municipal court employees.

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

Representatives Lux and Patrick spoke in favor of passage of the bill, and Mr. Sanders opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 67; nays, 26; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Amondson, Baillard, Barnes, Beck, Betzozoff, Brooks, Bumgarner, Butterfield, Chandler, Ferguson, Fuhrman, McLean, Miller, Moyer, Nealey, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Williams J, Wilson S - 26.

Excused: Representatives Allen, Baugher, Doty, Lewis, Rayburn - 5.

Engrossed House Bill No. 1309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Ms. H. Sommers, having given notice on the preceding day, moved that the House do now reconsider the vote by which Substitute House Bill No. 1384 failed to pass the House.

Representatives H. Sommers and Brough spoke in favor of the motion, and it was carried.

SUBSTITUTE HOUSE BILL NO. 1384, by Committee on Human Services (originally sponsored by Representatives Leonard, Ebersole, P. King, May, Basich and Brekke)

Approving juvenile detention standards.

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Ms. H. Sommers moved adoption of the following amendment by Representatives H. Sommers, Winsley, Leonard and Padden:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. A new section is added to chapter 13.40 RCW to read as follows:

All units of local government that own or operate juvenile detention facilities shall, individually or collectively, adopt standards for operation of those facilities no later than January 1, 1989. The detention standards proposed by the juvenile disposition standards commission October 1, 1987, and submitted to the legislature pursuant to RCW 13.40.036 shall be considered by the units of local government for adoption. Alternative detention standards may also be considered and adopted, but in all cases the standards adopted by units of local governments shall be the minimum necessary to meet federal and state constitutional requirements relating to health, safety, and welfare of detained juveniles and staff, and specific state and federal statutory requirements, and to provide for the public's health, safety, and welfare."

Representatives H. Sommers, Winsley, Leonard and Padden spoke in favor of adoption of the amendment, and Mr. Nelson opposed it.

The amendment was adopted.

On motion of Ms. H. Sommers, the following amendment to the title was adopted:

On page 1, line ___ of the title, after "_____," strike the remainder of the title and insert "and adding a new section to chapter 13.40 RCW."

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Leonard spoke in favor of passage of the bill, and Mr. Basich opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1384, and the bill passed the House by the following vote: Yeas, 87; nays, 6; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Beck, Belcher, Betrozoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Basich, Brekke, Grant, Jesernig, Nelson, Unsoeld - 6.

Excused: Representatives Allen, Baugher, Doty, Lewis, Rayburn - 5.

Engrossed Substitute House Bill No. 1384, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Appelwick, the House reverted to the sixth order of business.

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1387 on second reading. The motion was carried.

HOUSE BILL NO. 1387, by Representatives Leonard, J. Williams, Nutley, Sanders, Wineberry, Anderson, Valle, May, Nelson, Basich, Todd, Lux, Unsoeld and Brekke

Providing for housing security deposits for qualified homeless persons.

The bill was read the second time. Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 29th Day, February 8, 1988.)

Mr. Locke moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

On motion of Mr. Locke, the committee amendment to the title of the bill was adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard, J. Williams and Nutley spoke in favor of passage of the bill, and Mr. Fuhrman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1387, and the bill passed the House by the following vote: Yeas, 86; nays, 7; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley,

O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Betrozoff, Bumgarner, Ferguson, Fuhrman, Nealey, Padden, Winsley - 7.

Excused: Representatives Allen, Baugher, Doty, Lewis, Rayburn - 5.

Engrossed House Bill No. 1387, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

February 10, 1988

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5516,
 SUBSTITUTE SENATE BILL NO. 5718,
 SENATE BILL NO. 6101,
 SUBSTITUTE SENATE BILL NO. 6115,
 ENGROSSED SENATE BILL NO. 6119,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6124,
 SUBSTITUTE SENATE BILL NO. 6128,
 SUBSTITUTE SENATE BILL NO. 6162,
 SUBSTITUTE SENATE BILL NO. 6172,
 SUBSTITUTE SENATE BILL NO. 6174,
 SUBSTITUTE SENATE BILL NO. 6179,
 SUBSTITUTE SENATE BILL NO. 6206,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6207,
 SUBSTITUTE SENATE BILL NO. 6212,
 SENATE BILL NO. 6234,
 SENATE BILL NO. 6245,
 SUBSTITUTE SENATE BILL NO. 6246,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6247,
 SENATE BILL NO. 6296,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6308,
 SUBSTITUTE SENATE BILL NO. 6309,
 SENATE BILL NO. 6310,
 SUBSTITUTE SENATE BILL NO. 6322,
 SUBSTITUTE SENATE BILL NO. 6332,
 SENATE BILL NO. 6338,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6346,
 SENATE BILL NO. 6362,
 SENATE BILL NO. 6369,
 SUBSTITUTE SENATE BILL NO. 6391,
 ENGROSSED SENATE BILL NO. 6440,
 SUBSTITUTE SENATE BILL NO. 6503,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6506,
 SENATE BILL NO. 6516,
 ENGROSSED SENATE BILL NO. 6600,
 SENATE BILL NO. 6613,
 SENATE BILL NO. 6650,
 SUBSTITUTE SENATE BILL NO. 6661,
 SENATE BILL NO. 6675,
 ENGROSSED SENATE BILL NO. 6705,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6711,
 SENATE BILL NO. 6712.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

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

INTRODUCTIONS AND FIRST READING

SSB 5516 by Committee on Transportation (originally sponsored by Senators Sellar and Vogtild)

Requiring motor vehicle liability insurance.

Referred to Committee on Financial Institutions & Insurance.

SSB 5718 by Committee on Transportation (originally sponsored by Senator Cantu)

Protecting drivers' license information.

Referred to Committee on Constitution, Elections & Ethics.

SB 6101 by Senators Saling, Smitherman, Gaspard, Rinehart, West and Stratton

Changing eligibility requirements for members of the state board for community college education.

Referred to Committee on Higher Education.

SSB 6115 by Committee on Children & Family Services (originally sponsored by Senators Kiskaddon and Saling)

Providing for programs to enhance parenting skills and strengthen families.

Referred to Committee on Human Services.

ESB 6119 by Senators Barr and Wojahn

Revising certain procedures for persons applying to be licensed practical nurses.

Referred to Committee on Health Care.

ESSB 6124 by Committee on Health Care & Corrections (originally sponsored by Senators Deccio, Johnson and Smith)

Providing technical and financial assistance to assist in the delivery of rural health care systems.

Referred to Committee on Health Care.

SSB 6128 by Committee on Environment & Natural Resources (originally sponsored by Senators Bluechel and Bender)

Revising provisions for park and recreation service areas.

Referred to Committee on Natural Resources.

SSB 6162 by Committee on Law & Justice (originally sponsored by Senators Pullen, Talmadge, Zimmerman, Newhouse and Niemi)

Changing provisions relating to homestead exemptions.

Referred to Committee on Judiciary.

SSB 6172 by Committee on Law & Justice (originally sponsored by Senators Kiskaddon, Talmadge, Bailey and Garrett)

Changing reporting requirements for witnesses of violent crimes and child abuse and assault.

Referred to Committee on Judiciary.

SSB 6174 by Committee on Children & Family Services (originally sponsored by Senators Kiskaddon, Stratton, Bailey, Pullen and Garrett)

Requiring abuse and neglect to be reported both to law enforcement agencies and to the department of social and health services.

Referred to Committee on Human Services.

- SSB 6179 by Committee on Children & Family Services (originally sponsored by Senators Kiskaddon, Talmadge, Bailey, Pullen, Stratton and Saling)
Limiting further the visitation rights of parents and persons believed to be abusive.
Referred to Committee on Human Services.
- SSB 6206 by Committee on Health Care & Corrections (originally sponsored by Senators Deccio, Johnson and West)
Requiring cardiopulmonary resuscitation instructions to be posted at multifamily swimming pools.
Referred to Committee on Health Care.
- ESSB 6207 by Committee on Children & Family Services (originally sponsored by Senators Craswell, Owen, Kiskaddon and Stratton)
Increasing out-of-home placement alternatives for victims of child abuse.
Referred to Committee on Human Services.
- SSB 6212 by Committee on Law & Justice (originally sponsored by Senators Pullen, Vognild, Conner, von Reichbauer and Garrett)
Revising membership eligibility of retirement boards for fire fighters and law enforcement officers.
Referred to Committee on Commerce & Labor.
- SB 6234 by Senators Bailey, Patterson, Gaspard, Lee, Smith, Zimmerman, Saling, Anderson, Cantu, Newhouse, Metcalf, Deccio, von Reichbauer, Barr, Vognild and Benitz
Approving projects recommended by the public works board.
Referred to Committee on Local Government.
- SB 6245 by Senators McDonald, Gaspard, Zimmerman, Lee and Rasmussen; by request of State Treasurer
Revising provisions relating to investment of bond proceeds.
Referred to Committee on Ways & Means.
- SSB 6246 by Committee on Ways & Means (originally sponsored by Senators McDonald and Gaspard; by request of Board of Tax Appeals)
Revising provisions on the board of tax appeals.
Referred to Committee on Ways & Means.
- ESSB 6247 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Owen and Rasmussen)
Prohibiting the taking of herring spawn in any commercial fishery.
Referred to Committee on Natural Resources.
- SB 6296 by Senators Nelson, Hansen, Owen, McMullen, McCaslin, Sellar, Conner and Johnson
Authorizing the state patrol to operate ports of entry jointly with other states.
Referred to Committee on Transportation.
- ESSB 6308 by Committee on Children & Family Services (originally sponsored by Senators Bailey and Kiskaddon)
Requiring the development of a juvenile court training curriculum.
Referred to Committee on Human Services.

SSB 6309 by Committee on Children & Family Services (originally sponsored by Senators Kiskaddon, Bailey and West)

Revising rules for dependency proceedings.

Referred to Committee on Human Services.

SB 6310 by Senators Kiskaddon and Bailey

Revising certain procedures governing dependency proceedings.

Referred to Committee on Human Services.

SSB 6322 by Committee on Law & Justice (originally sponsored by Senators Zimmerman, Bailey, Metcalf, Saling and Kiskaddon)

Providing time for trial of defendant in cases involving child abuse.

Referred to Committee on Judiciary.

SSB 6332 by Committee on Governmental Operations (originally sponsored by Senators Newhouse and Rasmussen)

Providing for unclaimed property in museums and historical societies.

Referred to Committee on State Government.

SB 6338 by Senators Kiskaddon, Stratton, Craswell, Wojahn, Garrett, Kreidler, Bailey and McDonald; by request of Department of Social and Health Services

Revising provisions governing consultation by department of social and health services on reports of abuse.

Referred to Committee on Human Services.

ESSB 6346 by Committee on Economic Development & Labor (originally sponsored by Senators West, Anderson and Saling)

Requiring a study of the methods used by the department of labor and industries to determine prevailing wage rates and the adequacy of enforcement procedures.

Referred to Committee on Commerce & Labor.

SB 6362 by Senators Nelson, von Reichbauer, Barr and Patterson

Regulating license plates and fenders on antique vehicles.

Referred to Committee on Transportation.

SB 6369 by Senators Nelson, Pullen, Vognild and Talmadge

Requiring quarterly reports on public office funds.

Referred to Committee on Constitution, Elections & Ethics.

SSB 6391 by Committee on Ways & Means (originally sponsored by Senator McDonald)

Revising the taxation of medical and dental coverage.

Referred to Committee on Ways & Means.

ESB 6440 by Senators Kreidler, Newhouse, Gaspard, Owen, Hayner, Vognild and Bauer

Providing for the clean-up of hazardous wastes.

Referred to Committee on Environmental Affairs.

SSB 6503 by Committee on Education (originally sponsored by Senators Bailey, Bauer, Lee, Gaspard, Vognild, Saling, Rasmussen, Metcalf, Smith, Hayner and Johnson)

Prohibiting persons convicted of sex crimes or other crimes affecting children from working in the public schools.

Referred to Committee on Education.

ESSB 6506 by Committee on Children & Family Services (originally sponsored by Senators Metcalf, Pullen, McCaslin, Bailey, Kiskaddon, Owen, Lee, Zimmerman, Stratton, Saling and Johnson)

Adopting policies for sexually abused children.

Referred to Committee on Human Services.

SB 6516 by Senators Patterson, Kreidler, Zimmerman, Benitz and Conner

Funding bridge replacement on rural arterials.

Referred to Committee on Transportation.

ESB 6600 by Senators Pullen, Talmadge, Rinehart and Saling

Revising provisions relating to child abuse reporting by public employees.

Referred to Committee on Education.

SB 6613 by Senators Nelson, Vognild, Metcalf, Bender, Patterson, Kiskaddon, Bailey and Garrett

Recognizing the official Washington state air fair.

Referred to Committee on Transportation.

SB 6650 by Senators Metcalf, Patterson, Kreidler and Hansen

Increasing the gasohol tax credit to encourage use of recyclable materials.

Referred to Committee on Transportation.

SSB 6661 by Committee on Transportation (originally sponsored by Senators Smith, Zimmerman and Kiskaddon)

Changing provisions relating to disclosure of information in motor vehicle records.

Referred to Committee on Constitution, Elections & Ethics.

SB 6675 by Senators Kiskaddon, Stratton, Bailey and Wojahn; by request of Governor

Modifying provisions relating to the family independence program.

Referred to Committee on Human Services.

ESB 6705 by Senators Craswell, Rasmussen, Nelson and Johnson

Protecting children in the home.

Referred to Committee on Human Services.

ESSB 6711 by Committee on Law & Justice (originally sponsored by Senators McCaslin, Owen, Smith, Stratton, Lee, Craswell, Cantu and Nelson)

Prohibiting the public display and distribution to minors of material that is harmful to minors.

Referred to Committee on Judiciary.

SB 6712 by Senators McCaslin, Owen, Smith, Stratton, Lee, Craswell, Cantu and Nelson

Revising provisions on sexual exploitation of minors.

Referred to Committee on Judiciary.

MOTION

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

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:30 a.m., Friday, February 12, 1988.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

THIRTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Friday, February 12, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Locke, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Knight and Corey Stevenson. Prayer was offered by The Reverend Cecil Thompson, Minister of the Shelton Nazarene Church.

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

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

SECOND READING**MOTION**

Mr. Ebersole moved that the House immediately resume consideration of Substitute House Bill No. 1518 from Thursday, February 12, 1988. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1518, by Committee on Education (originally sponsored by Representatives Bristow and Grant)

Revising allocations for small school district capital construction.

Mr. Bristow moved adoption of the amendments by Committee on Ways & Means/Appropriations on page 1, line 26, and on page 2, line 1. Mr. Bristow spoke in favor of adoption of the amendments, and they were adopted.

Mr. Bristow moved adoption of the amendment by Committee on Ways & Means/Appropriations on page 2, line 19. Mr. Bristow spoke in favor of adoption of the amendment, and it was adopted.

Mr. Bristow moved adoption of the amendment by Committee on Ways & Means/Appropriations on page 3, line 21. Mr. Bristow spoke in favor of adoption of the amendment, and it was adopted.

Mr. Bristow moved adoption of the amendment by Committee on Ways & Means/Appropriations on page 4, after line 32. Mr. Bristow spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Bristow, the amendments to the title by Committee on Ways & Means/Appropriations were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow, Taylor and Fuhrman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1518, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove,

Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Locke - 1.

Engrossed Substitute House Bill No. 1518, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Concurrent Resolution No. 4430 on second reading. The motion was carried.

HOUSE CONCURRENT RESOLUTION NO. 4430, by Representatives Nelson, Barnes, P. King, Sutherland and Spanel

Creating a joint select committee on nuclear affairs.

The resolution was read the second time. On motion of Mr. Nelson, Substitute House Concurrent Resolution No. 4430 was substituted for House Concurrent Resolution No. 4430, and the substitute resolution was placed on the second reading calendar.

Substitute House Concurrent Resolution No. 4430 was read the second time.

Mr. Nelson moved adoption of the following amendments by Representatives Nelson, Hankins and Jesernig:

On page 1, line 14, after "of" strike all material down to and including "house" on line 15 and insert "eight members, two members from the majority caucus and two members from the minority caucus of each house"

On page 1, line 17, after "by the" strike "leadership of each major political caucus" and insert "Speaker of the House and the President of the Senate"

On page 1, line 18, after "of" strike "major political party" and insert "majority caucus"

On page 1, line 22, strike "as mutually agreed upon by the chairs" and insert "subject to approval of the Senate Facilities and Operations Committee and the House Executive Rules Committee as provided in Joint Rules 26"

Representatives Nelson and Hankins spoke in favor of adoption of the amendments, and they were adopted.

The resolution was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Nelson, Barnes, Hankins and Jesernig spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the adoption of Engrossed Substitute House Concurrent Resolution No. 4430, and the resolution was adopted by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Locke - 1.

Engrossed Substitute House Concurrent Resolution No. 4430, having received the constitutional majority, was declared adopted.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 725 on second reading. The motion was carried.

HOUSE BILL NO. 725, by Representatives Cantwell, Rasmussen, Cole, Pruitt, Wang, Peery, Holland, Ebersole, Leonard, P. King, Unsoeld and Todd; by request of Superintendent of Public Instruction and State Board of Education

Providing a pilot program to provide health and assessment services before school begins.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 725 was substituted for House Bill No. 725, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 725 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cantwell, Taylor, Peery and Jacobsen spoke in favor of passage of the bill, and Representatives Lewis, Betrozoff and Chandler spoke against passage.

Representatives Taylor and Cantwell again spoke in favor of passage of the bill, and Mr. Lewis again opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 725, and the bill passed the House by the following vote: Yeas, 71; nays, 26; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lux, May, Meyers, Miller, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rust, Sanders, Sayan, Schoon, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Amondson, Bailard, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Lewis, McLean, Moyer, Nealey, Padden, Prince, Rayburn, Schmidt, Silver, Smith C, Sommers D, Williams B - 26.

Excused: Representative Locke - 1.

Substitute House Bill No. 725, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House be at ease until 10:45 a.m.

The Speaker called the House to order at 10:55 a.m.

JOINT SESSION

WASHINGTON STATE MEDAL OF MERIT AWARD CEREMONY

The Sergeant at Arms announced the arrival of the Senate at the bar of the House. The Speaker instructed the Sergeant at Arms of the House and the Sergeant at Arms of the Senate to escort President of the Senate John A. Cherberg, President Pro Tempore Alan Bluechel, Vice President Pro Tempore Ellen Craswell, Majority Leader Jeannette Hayner and Democratic Leader Larry Vognilid to seats on the rostrum.

The Speaker invited the Senators to seats within the House Chamber.

The Speaker: Welcome. It is a pleasure for me to give you, Governor Cherberg, the gavel to preside over this Joint Session. It is indeed our pleasure again to host the award ceremony for the winners of the Washington State Medal of Merit. We welcome you, Governor Cherberg, our colleagues from the Senate, state elected officials, members of the Supreme Court, medal recipients and all

other guests who are with us today. At this point, again, it gives me a great deal of pleasure to turn the gavel over to Lieutenant Governor John A. Cherberg.

The Speaker presented the gavel to President Cherberg.

The Clerk of the Senate called the roll of the Senate.

The Clerk of the House called the roll of the House.

The President appointed Senators McCaslin, Stratton, Cantu and DeJarnatt and Representatives Anderson, Fisher, Bumgarner and Fuhrman as a special committee to advise His Excellency, Governor Booth Gardner, that the Joint Session had assembled and to escort him from his Chambers to a seat on the rostrum of the House.

The President appointed Senators Metcalf, Bender, Lee, Bauer and von Reichbauer and Representatives Heavey, Leonard, Lewis and Moyer as a special committee to escort the Supreme Court Justices from the State Reception Room to seats within the House Chamber.

The President appointed Senators Benitz, Garrett and Barr and Representatives Locke, Holm, Doty and Wineberry as a special committee to escort the State Elected Officials from the State Reception Room to seats within the House Chamber.

The President of the Senate introduced the Supreme Court Justices and the State Elected Officials.

The President introduced distinguished guests seated in the gallery including Mrs. Nell H. Carlson, wife of Mr. Edward E. Carlson; Ms. Lynn Himmelman, friend of Mr. Edward E. Carlson and former United Airlines board member; Ms. Barbara Himmelman; Mrs. Charlotte Hutchinson, wife of Dr. William B. Hutchinson; Ms. Mary Duphorne, Pacific Northwest Research Foundation associate; Ms. Virginia Iverson, Pacific Northwest Research Foundation associate; Mr. Peter Jackson, son of Senator Henry M. Jackson; Mr. Brian Corcoran, former Press Secretary to Senator Henry M. Jackson; and Mrs. Melvia Corcoran.

The President introduced Governor Booth Gardner.

President Cherberg: The purpose of the Joint Session is to present the Medal of Merit Awards for the second time to three deserving Washington State citizens who have been distinguished by exceptionally meritorious conduct in performing outstanding services to the people and the state of Washington.

The President introduced Joseph E. King, Speaker of the House of Representatives.

The Speaker: Thank you, Governor Cherberg. Ladies and gentlemen and distinguished guests, members of the House and Senate: Before I introduce the first Medal of Merit award winner today, I would like to say a special word of thanks to Speaker John O'Brien, who had the vision to pass the original legislation that called for the establishment of this Medal of Merit. The Legislature was originally skeptical about the effort, but as I remember last year when we had the first Medal of Merit Award Ceremony, it was one of the most proud moments, one of the nicest moments, in the hectic sessions we sometimes face. Let's all give thanks to Speaker John O'Brien.

Today's first recipient of the Medal of Merit Award is a living example of America's spirit, ambition and tireless commitment to the public good. Most of us in this Chamber are trying to make a contribution to society through elective office. Ed Carlson has demonstrated that a private citizen can do more for his fellow man than many of us would ever dream of. For most of his life Ed Carlson has given his time and vision to helping make Washington a better, more liveable state. Through his considerable accomplishments in the business world and in the effort he has given to many civic activities, Mr. Carlson has established himself as one of the true leaders, in every sense of the word, of this state.

Upon graduating from the University of Washington, Mr. Carlson worked his way up in the hotel business to become the President and Board Chairman of what is now the Westin Hotel chain. He later became President and Chief Executive Officer of United Airlines. His business and civic accomplishments have earned him

many honors and awards over the years. Putting Seattle on the map as Chairman of the 1962 Seattle World's Fair helped earn him the city's First Citizen Award in 1966. He is also the past recipient of the Horatio Alger Award, the Legion of Honor Award, the American Tourism Award and many others, too numerous to mention here. He has now supposedly retired, and I'm not sure how many retirements Ed Carlson has been through. He remains an active participant in public affairs. He continues to serve on various advisory boards and panels, including the University of Washington Board of Regents. Ladies and gentlemen, will you join me in welcoming and honoring one of Washington's foremost citizens, Edward E. Carlson.

The Speaker presented the Medal of Merit to Mr. Edward E. Carlson.

Mr. Carlson: Thank you, Mr. Speaker. Governor Gardner, Lieutenant Governor Cherberg, Mr. Speaker, distinguished members of the Legislature, ladies and gentlemen: At a time like this Mrs. Carlson and I have much to be thankful for--a host of friends across the country, good health, with my many commitments and opportunities extensive travel across the world, and always the fascinating and sometimes frustrating challenges of an active life in the corporate world. Now, in what I call the harvest years of my life, I am honored to share this podium with Dr. William Hutchinson, Mrs. Henry Jackson and Governor Gardner before a joint meeting of the State Legislature as one of the recipients of the Medal of Merit.

Forgive me now for a few moments of reflection. I have often thought how fortunate I am to have been born in this country where there is no limit on opportunities, where--with a little luck and the willingness to work--men and women can enjoy the mental stimulation and the satisfaction of successes in the business world and civic affairs, where people can dream and make things happen, where the doers and the doubters can be separated. I have often said the doers make things happen; the doubters sit on the sidelines and carp with seldom any positive thoughts, yet always ready to say, "I told you so."

Opportunities and challenges come in different ways. Although I have never been elected to a public office, I have been privileged to respond to the invitations of Governors of this state and to Presidents of the United States to serve as a member of a number of commissions. Those experiences give me the greatest admiration for those of you in public life who commit your skills, your energy and your intellect to matters essential to the public good. In my judgment these commitments and your debates are essential to continued emphasis on a number of things, but may I mention particularly education and a sense of compassion to the disadvantaged of our society. I wish you well in that continued effort.

Governor Gardner, on behalf of my family, let me express my sincerest appreciation for this recognition today. I am deeply humbled and forever grateful to you. Thank you.

President Cherberg: Honorable ladies and gentlemen: It is indeed a rare and wonderful honor at this point to present the Medal of Merit to Dr. William B. Hutchinson as a pioneer in the field of medical research. As President and Founding Director of the Pacific Northwest Research Foundation, Dr. Hutchinson has earned international recognition in research on bio-medical problems not currently understood which relate to human disease. As the builder, the organizer and the President of the Fred Hutchinson Cancer Center--which honors his brother Fred, the great baseball player--Dr. Hutchinson established a facility which has further widened medical research programs in our region. I happen to know that Dr. Hutchinson was also a terrific baseball player in his own right and one who could have been a great success in major league baseball had he chosen to do so. Dr. Bill is a true son of Washington State and a remarkable organizer and research genius and well deserving of this honor, the Medal of Merit. It is my great honor and high pleasure to present to this distinguished audience, Dr. William Hutchinson.

President Cherberg presented the Medal of Merit to Dr. William B. Hutchinson.

Dr. Hutchinson: Lieutenant Governor Cherberg, distinguished members of the Supreme Court, the Senate and House of Representatives, members of the selection committee, and ladies and gentlemen: As I receive the Medal of Merit, I feel most humble, as I represent that wonderful group of people from all strata of our society

who have given so liberally of their precious time, effort and financial substance to what I consider an important reality.

In my opinion it has been my duty, as a knowledgeable person in surgery and in the bio-medical sciences, to see that their trust in me has not been misplaced. We have put together two private bio-medical research institutions, the Pacific Northwest Research Foundation in 1955, which is the parent organization of the Fred Hutchinson Cancer Research Center founded in 1972, from which I resigned in January 1, 1985. Senator Magnuson, the champion for cancer research, obtained five million dollars from the U.S. Senate, which was to be matched by two million dollars from the Pacific Northwest Research Foundation, to construct that facility. We also hosted the Thirteenth International Cancer Congress at Pacific Auditorium in Seattle in 1982 where ninety-one hundred delegates from eighty-nine countries assembled for one week of study. Over two thousand Washington State citizen volunteers helped make this a memorial event, illustrating the cooperative nature of our citizens. The state gift from Governor Ray made this event the success for which it is remembered. At present we, the citizens of this state, can for a variety of reasons take our rightful place with Massachusetts, New York, Texas and Washington, D.C. as leaders in medical advancements.

We must work diligently and intelligently to maintain this posture. I shall attempt to do this, God willing, in my small niche at the Pacific Northwest Research Foundation. As we mature in life, we recognize how fortunate we have been to be the recipients of the tremendous sacrifices our not-too-distant forebears made on our behalf. Thus recognized, it must create an inner desire in most of us to want to leave our successors a more decent and healthy society. This body of dedicated people is a living example of this truth. Often unappreciated, maligned and ridiculed, you push forward attempting to make our democratic system work. You are the leaders, and we must all hold you in the highest esteem, for you often put personal considerations and gain--both financial and political--aside if the system and you are to succeed. It is self-evident that no one wants an increase in taxes. But if we are to enjoy improvements, they must be paid for. Morally our duty in the research field is to be certain that such tax money is well directed and prudently used when the research programs are fortunate enough to be the recipients. Washington State has produced some outstanding legislators.

Again, I wish to thank you all for honoring me. I will humbly accept this honor on behalf of all those who made it happen to me. Thank you.

The President of the Senate introduced Governor Booth Gardner.

Governor Gardner: To the rest of the country, he was Senator Henry Jackson, one of the most powerful men ever to walk the floor of the U.S. Senate. But here in Washington he was always "Scoop." His well-earned reputation as one of this nation's greatest foreign policy experts, his chairmanship of the Senate Interiors Committee and almost forty-three years in the U.S. Congress gave Senator Jackson political power that we will likely never see again. Despite the fact that he was a valued advisor to eight different Presidents, Scoop never lost his down-home charm, a charm that won the hearts of citizens throughout this state. It didn't matter whether you were a Democrat or a Republican, conservative or liberal, white collar or blue collar, woman or man, you were attracted to Scoop for his combination of fairness and sensibility. Senator Jackson left us more than four years ago, but his legacy will live in Washington State for centuries--in the forests he saved, in the students he enabled to obtain a college education, to thousands upon thousands of jobs that he brought to the State of Washington. He was a man both bigger than life and down to earth, a rare combination, but a combination that worked to make this state a tremendous place to live. To you, Helen, Peter and Ann Marie, who couldn't be with us today, thank you for sharing Scoop with all of us in the State of Washington.

Governor Gardner presented the Medal of Merit to Mrs. Henry Jackson for the late U.S. Senator Henry M. Jackson.

Mrs. Jackson: Governor Gardner, Lieutenant Governor Cherberg, Mr. Speaker, members of the Senate and the House: I am very pleased to accept this award on

behalf of my husband. Scoop loved the Northwest, and he would be proud that the State of Washington honors him with its highest award, the Medal of Merit.

Born in Everett, Scoop—as many of you know—was the son of Norwegian immigrants. His parents were drawn to this state by its promise of a better life, its natural beauty so reminiscent of their homeland, and by its resourceful and strong-minded people who shared a sense of caring and community responsibility. Growing up in Everett, Scoop learned the values of hard work, frugality and self-reliance. He witnessed firsthand the toil of working men and women, the pain of economic hard times, and the courage and strength of his fellow citizens. His greatest joys in those days were to explore the back roads of Snohomish County and to camp in the wilderness around Monte Cristo.

So deep were his roots in Washington State that many of Scoop's legislative achievements can be traced to his experiences as a young man coming of age in the Pacific Northwest. For example, his championship of the major economic and social legislation of the post-war period grew out of his early career as a social worker during the Depression when, as he used to tell me, he saw women with good faces rummaging in garbage cans to feed their families. His unwavering support for the cause of labor can be traced to his father's strong union loyalty as a mason and cement worker in Snohomish County. Scoop's leadership in advancing social justice and human rights at home and abroad reflect his Scandinavian heritage of equality and independence. His pioneering role in the major environmental legislation of this century was influenced by the memory of those halcyon days spent climbing Mount Pilchuck and fishing in Puget Sound. Thus he was determined to preserve our state's national parks and wilderness areas for future generations to enjoy and explore.

Over the years Scoop assumed an increasingly important role as an international statesman, as a defender of freedom and democracy throughout the world, as the national chairman of his party and as a candidate for the Presidency. Yet never did he forget his paramount duty as representative of the people of Washington State. How well I remember the many evenings Scoop would come home with a stack of telephone messages and sit up until late in the evening returning calls to people back home. Or the long weekends in Everett he would spend helping widows solve problems they had with Social Security, advising young people on their future careers, raising funds for scholarships in memory of his sister Gertrude, or visiting old friends in nursing homes. At the time of Scoop's death, I received more than seven thousand letters of condolence from people all over Washington, from places like Chimacum, Republic, Walla Walla, Tenino and Aberdeen, each relating to me some special kindness that Scoop had done for them. Even now I am often approached by individuals who have a story to share about how Scoop had taken the time to help them with a personal problem. But then Scoop considered that to be his principle responsibility. His love for this state and its people was unending.

The award of merit would have made Scoop very proud, and I thank you sincerely on his behalf.

President Cherberg: Governor Gardner, you are certainly entitled to all the praise in the world for participating in the Medal of Merit Award Ceremony. We have such a wonderful group to receive the awards. Thank you so very much. Also, on behalf of the Legislature, thank you Eddie, Bill and Helen for being here today and for all of the wonderful things that you have done for the people, not only of this state, but internationally. Mr. Speaker, thank you and your group for the proceedings and the wonderful manner in which you have greeted us.

The President of the Senate instructed the special committee to escort Governor Gardner to his Chambers.

The President instructed the special committee to escort the State Elected Officials from the House Chamber.

The President instructed the special committee to escort the Supreme Court Justices from the House Chamber.

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

MOTION

On motion of Mr. Ebersole, the Joint Session was dissolved.

The Speaker instructed the Sergeant at Arms of the House and the Sergeant at Arms of the Senate to escort President of the Senate John Cherberg, President Pro Tempore Alan Bluechel, Vice President Pro Tempore Ellen Craswell, Majority Leader Jeannette Hayner, Democratic Leader Larry Vognild and the members of the Washington State Senate from the House Chamber.

SPEAKER'S PRIVILEGE

The Speaker: The Speaker wishes to present this bouquet of red roses to Eljo Sutherland, who is retiring as of today. Eljo started her legislative career in the Office of the Code Revisor as a proof reader. She spent a bit of time in the Office of the Secretary of State and came to the House in 1969 as a proof reader in the House Workroom. She worked sessions until 1973, when she came to work on an almost full-time basis as the Journal Clerk. She worked in this capacity until December of 1987 when she transferred to the Accounting Office. Eljo and her husband Howard, who preceded her in retirement a year or two ago, are planning to take their motor home south for the next few months and, from there, wherever their dreams take them. We wish them a long and happy retirement and thank Eljo for her fourteen years on this rostrum as the Journal Clerk and some twenty years overall of faithful and effective service in the House of Representatives. Eljo, we all thank you and wish you every happiness.

MOTION

On motion of Mr. Ebersole, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m. The Clerk called the roll and all members were present except Representatives Allen and Sutherland. Representative Allen was excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1442 on second reading. The motion was carried.

HOUSE BILL NO. 1442, by Representatives Rust, Unsoeld, H. Sommers, Hine, Jacobsen and Brekke

Transferring the state radiation control agency to the department of ecology.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1442 was substituted for House Bill No. 1442 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1442 was read the second time.

Ms. Hankins moved adoption of the following amendment by Representatives Hankins, Miller, Ballard, Prince, Rayburn, Jesernig, Chandler, Grant, Brooks, May, Baugher and Nealey:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. As used in this chapter, unless the context indicates otherwise:

- (1) 'Department' means the department of radiation control; and
- (2) 'Director' means the director of radiation control.

NEW SECTION. Sec. 2. There is hereby created a department of state government to be known as the department of radiation control. The department shall be vested with all powers and duties transferred to it under this chapter and such other powers and duties as may be authorized by law.

NEW SECTION. Sec. 3. The executive head and appointing authority of the department shall be the director. The director shall be appointed by the governor, with the consent of the senate, and shall serve at the pleasure of the governor. The director shall be paid a salary to be fixed by the governor in accordance with RCW 43.03.040. If a vacancy occurs in the position while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate.

NEW SECTION. Sec. 4. All powers, duties, and functions of the department of social and health services pertaining to the state radiation control agency are transferred to the department of radiation control. All references to the secretary or the department of social and health services in the Revised Code of Washington shall be construed to mean the director or the department of radiation control when referring to the functions transferred in this section.

NEW SECTION. Sec. 5. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of social and health services pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the department of radiation control. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of social and health services in carrying out the powers, functions, and duties transferred shall be made available to the department of radiation control. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the department of radiation control.

Any appropriations made to the department of social and health services for carrying out the powers, functions, and duties transferred shall, on the effective date of this section, be transferred and credited to the department of radiation control.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 6. All employees of the department of social and health services engaged in performing the powers, functions, and duties transferred under this act are transferred to the jurisdiction of the department of radiation control. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department of radiation control to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

NEW SECTION. Sec. 7. All rules and all pending business before the department of social and health services pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the department of radiation control. All existing contracts and obligations shall remain in full force and shall be performed by the department of radiation control.

NEW SECTION. Sec. 8. The transfer of the powers, duties, functions, and personnel of the department of social and health services shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 9. If apportionments of budgeted funds are required because of the transfers directed by sections 5 through 8 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION. Sec. 10. Nothing contained in sections 4 through 9 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

Sec. 11. Section 5, chapter 207, Laws of 1961 as last amended by section 1, chapter 383, Laws of 1985 and RCW 70.98.050 are each amended to read as follows:

(1) The department of ~~((social and health services))~~ radiation control is designated as the state radiation control agency, hereinafter referred to as the agency or the department, and shall be the state agency having sole responsibility for administration of the regulatory, licensing and radiation control provisions of this chapter.

(2) The ~~((secretary of social and health services shall be director of the agency, hereinafter referred to as the secretary, who))~~ director of radiation control shall perform the functions vested in the agency pursuant to the provisions of this chapter.

(3) ~~((The agency shall appoint a state radiological control officer, and in accordance with the laws of the state, fix his compensation and prescribe his powers and duties:))~~

(4) The ~~((agency))~~ department shall for the protection of the occupational and public health and safety:

(a) Develop programs for evaluation of hazards associated with use of ionizing radiation;

(b) Develop a state-wide radiological baseline beginning with the establishment of a baseline for the Hanford reservation;

(c) Implement an independent state-wide program to monitor ionizing radiation emissions from radiation sources within the state;

(d) Develop programs with due regard for compatibility with federal programs for regulation of byproduct, source, and special nuclear materials;

~~((e))~~ (e) Conduct environmental radiation monitoring programs which will determine the presence and significance of radiation in the environment and which will verify the adequacy and accuracy of environmental radiation monitoring programs conducted by the federal government at its installations in Washington and by radioactive materials licensees at their installations:

(f) Formulate, adopt, promulgate, and repeal codes, rules and regulations relating to control of sources of ionizing radiation;

(g) Advise, consult, and cooperate with other agencies of the state, the federal government, other states and interstate agencies, political subdivisions, and with groups concerned with control of sources of ionizing radiation;

(h) Have the authority to accept and administer loans, grants, or other funds or gifts, conditional or otherwise, in furtherance of its functions, from the federal government and from other sources, public or private;

(i) Encourage, participate in, or conduct studies, investigations, training, research, and demonstrations relating to control of sources of ionizing radiation, including the collection of statistical data and epidemiological research, where available, on diseases that result from exposure to sources of ionizing radiation;

(j) Collect and disseminate information relating to control of sources of ionizing radiation; including:

(i) Maintenance of a file of all license applications, issuances, denials, amendments, transfers, renewals, modifications, suspensions, and revocations;

(ii) Maintenance of a file of registrants possessing sources of ionizing radiation requiring registration under the provisions of this chapter and any administrative or judicial action pertaining thereto; and

(iii) Maintenance of a file of all rules and regulations relating to regulation of sources of ionizing radiation, pending or promulgated, and proceedings thereon;

(k) In connection with any contested case as defined by RCW 34.04.010 or any other administrative proceedings as provided for in this chapter, have the power to issue subpoenas in order to compel the attendance of necessary witnesses and/or the production of records or documents.

~~((5))~~ (4) In order to avoid duplication of efforts, the ~~((agency))~~ department may acquire the data requested under this section from public and private entities that possess this information.

Sec. 12, Section 3, chapter 383, Laws of 1985 as amended by section 2, chapter 2, Laws of 1986 RCW 70.98.085 are each amended to read as follows:

(1) The ~~((agency))~~ department is empowered to suspend and reinstate site use permits consistent with current regulatory practices and in coordination with the department of ecology, for generators, packagers, or brokers using the Hanford low-level radioactive waste disposal facility.

(2) The ~~((agency))~~ department shall collect a surveillance fee as an added charge on each cubic foot of low level radioactive waste disposed of at the disposal site in this state which shall be set at a level that is sufficient to fund completely the radiation control activities of the ~~((agency))~~ department which are not otherwise covered by cost recovery programs including, but not limited to, any funds from federal sources: PROVIDED, That the surveillance fee shall not exceed four percent of the basic minimum fee charged by an operator of a low-level radioactive waste disposal site in this state. The basic minimum fee consists of the disposal fee for the site operator, the fee for the perpetual care and maintenance fund administered by the state, the fee for the state closure fund, and the tax collected pursuant to chapter 82.04 RCW. Site use permit fees and surcharges collected under chapter 43.200 RCW are not part of the basic minimum fee. The fee shall also provide funds for other state agencies that incur expenses as a result of the control and management of the disposal of low-level radioactive waste in the state of Washington. Disbursements for these purposes to other state agencies shall be by authorization of the ~~((secretary of the department of social and health services))~~ director or the ~~((secretary's))~~ director's designee.

The ~~((agency))~~ department may adopt such rules as are necessary to carry out its responsibilities under this section.

Sec. 13, Section 3, chapter 191, Laws of 1986 and RCW 70.98.095 are each amended to read as follows:

(1) The department of radiation control ~~((agency))~~ shall require that any person who holds or applies for a license or permit under this chapter (a) indemnify and hold harmless the state from claims, suits, damages, or expenses on account of injuries to or death of persons and property, arising or growing out of any operations or activities for which the person holds the license or permit, and any necessary or incidental operations, and (b) demonstrate that the person has and maintains liability coverage for the operations for which the state has been indemnified and held harmless pursuant to this section. The ~~((agency))~~ department shall require coverage in an amount determined by the director of the department of ecology pursuant to RCW 43.200.200.

(2) The department of radiation control (~~(agency)~~) shall suspend the license or permit of any person required by this section to hold and maintain liability coverage who fails to demonstrate compliance with this section. The license or permit shall not be reinstated until the person demonstrates compliance with this section.

(3) The department of radiation control (~~(agency)~~) shall require (a) that any person required to maintain liability coverage maintain with the (~~(agency)~~) department current copies of any insurance policies, certificates of insurance, or any other documents used to comply with this section, (b) that the (~~(agency)~~) department be notified of any changes in the insurance coverage or financial condition of the person, and (c) that the state be named as an insured party on any insurance policy used to comply with this section.

Sec. 14. Section 4, chapter 19, Laws of 1983 1st ex. sess. as amended by section 5, chapter 161, Laws of 1984 and by section 91, chapter 287, Laws of 1984 and RCW 43.200.040 are each reenacted and amended to read as follows:

(1) There is hereby created a nuclear waste board. The board shall consist of the following members: The chairman of the advisory council who shall also serve as chairman of the review board, the director of ecology or the director's designee, the director of radiation control or the director's designee, the director of the energy office or the director's designee, the commissioner of public lands or the commissioner's designee, the secretary of social and health services or the secretary's designee, the chairman of the energy facility site evaluation council or the chairman's designee, the director of the Washington state water research center or the director's designee, four members of the state senate, appointed by the president of the senate, and four members of the house of representatives, appointed by the speaker, who shall be selected from each of the caucuses in each house, but no more than two members of each house shall be of the same political party. Legislative members shall be ex officio nonvoting members of the board and shall serve while members of the legislature, at the pleasure of the appointing officer.

(2) Nonlegislative members shall be compensated in accordance with RCW 43.03.240 and shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120. The legislature shall seek reimbursement from available sources, including the federal government, for legislative expenditures incurred pursuant to the provisions of this chapter.

Sec. 15. Section 2, chapter 110, Laws of 1979 ex. sess. as last amended by section 1, chapter 184, Laws of 1987 and RCW 70.121.020 are each amended to read as follows:

Unless the context clearly requires a different meaning, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of (~~(social and health services)~~) radiation control.

(2) (~~(Secretary)~~) Director means the (~~(secretary of social and health services)~~) director of the department.

(3) 'Site' means the restricted area as defined by the United States nuclear regulatory commission.

(4) 'Tailings' means the residue remaining after extraction of uranium or thorium from the ore whether or not the residue is left in piles, but shall not include ore bodies nor ore stock piles.

(5) 'License' means a radioactive materials license issued under chapter 70.98 RCW and the rules adopted under chapter 70.98 RCW.

(6) 'Termination of license' means the cancellation of the license after permanent cessation of operations. Temporary interruptions or suspensions of production due to economic or other conditions are not a permanent cessation of operations.

(7) 'Milling' means grinding, cutting, working, or concentrating ore which has been extracted from the earth by mechanical (conventional) or chemical (in situ) processes.

(8) 'Obligor-licensee' means any person who obtains a license to operate a uranium or thorium mill in the state of Washington or any person who owns the property on which the mill operates and who owes money to the state for the licensing fee, for reclamation of the site, for perpetual surveillance and maintenance of the site, or for any other obligation owed the state under this chapter.

(9) 'Statement of claim' means the document recorded or filed pursuant to this chapter, which names an obligor-licensee, names the state as obligee, describes the obligation owed to the state, and describes property owned by the obligor-licensee on which a lien will attach for the benefit of the state, and which creates the lien when filed.

Sec. 16. Section 3, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.030 are each amended to read as follows:

(1) Any person who proposes to operate a uranium or thorium mill within the state of Washington after January 1, 1980, shall obtain a license from the department to mill thorium and uranium. The period of the license shall be determined by the (~~(secretary)~~) director and shall be initially valid for not more than two years and renewable thereafter for periods of not more than five years. No license may be granted unless:

(a) The owner or operator of the mill submits to the department a plan for reclamation and disposal of tailings and for decommissioning the site that conforms to the criteria and standards then in effect for the protection of the public safety and health; and

(b) The owner of the mill agrees to transfer or revert to the appropriate state or federal agency upon termination of the license all lands, buildings, and grounds, and any interests therein, necessary to fulfill the purposes of this chapter except where the lands are held in trust for or are owned by any Indian tribe.

(2) Any person operating a uranium or thorium mill on January 1, 1980, shall, at the time of application for renewal of his or her license to mill thorium or uranium, comply with the following conditions for continued operation of the mill:

(a) The owner or operator of the mill shall submit to the department a plan for reclamation and disposal of tailings and for decommissioning the site that conforms to the criteria and standards then in effect for the protection of the public safety and health; and

(b) The owner of the mill shall agree to transfer or revert to the appropriate state or federal agency upon termination of the license all lands, buildings, and grounds, and any interests therein, necessary to fulfill the purposes of this chapter except where the lands are held in trust for or are owned by any Indian tribe.

(3) The department shall, after public notice and opportunity for written comment, hold a public hearing to consider the adequacy of the proposed plan to protect the safety and health of the public required by subsections (1) and (2) of this section. The proceedings shall be recorded and transcribed. The public hearing shall provide the opportunity for cross-examination by both the department and the person proposing the plan required under this section. The department shall make a written determination as to the licensing of the mill which is based upon the findings included in the determination and upon the evidence presented during the public comment period. The determination is subject to judicial review. If a declaration of nonsignificance is issued for a license renewal application under rules adopted under chapter 43.21C RCW, the public hearing is not required.

(4) The department shall set a schedule of license and amendment fees predicated on the cost of reviewing the license application and of monitoring for compliance with the conditions of the license. A permit for construction of a uranium or thorium mill may be granted by the ~~(secretary)~~ director prior to licensing.

Sec. 17. Section 4, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.040 are each amended to read as follows:

The ~~(secretary or his)~~ director or the director's representative shall monitor the operations of the mill for compliance with the conditions of the license by the owner or operator. The mill owner or operator shall be responsible for compliance, both during the lifetime of the facility and at shutdown, including but not limited to such requirements as fencing and posting the site; contouring, covering, and stabilizing the pile; and for decommissioning the facility.

Sec. 18. Section 10, chapter 110, Laws of 1979 ex. sess. as amended by section 5, chapter 184, Laws of 1987 and RCW 70.121.100 are each amended to read as follows:

The ~~(secretary or the secretary's duly authorized)~~ director or the director's representative shall require the posting of a bond by licensees to be used exclusively to provide funds in the event of abandonment, default, or other inability of the licensee to meet the requirements of the department. The ~~(secretary)~~ director may establish bonding requirements by classes of licensees and by range of monetary amounts. In establishing these requirements, the ~~(secretary)~~ director shall consider the potential for contamination, injury, cost of disposal, and reclamation of the property. The amount of the bond shall be sufficient to pay the costs of reclamation and perpetual maintenance.

Sec. 19. Section 11, chapter 110, Laws of 1979 ex. sess. as amended by section 6, chapter 184, Laws of 1987 and RCW 70.121.110 are each amended to read as follows:

A bond shall be accepted by the department if it is a bond issued by a fidelity or surety company admitted to do business in the state of Washington and the fidelity or surety company is found by the state finance commission to be financially secure at licensing and licensing renewals, if it is a personal bond secured by such collateral as the ~~(secretary)~~ director deems satisfactory and in accordance with RCW 70.121.100, or if it is a cash bond.

Sec. 20. Section 3, chapter 184, Laws of 1987 and RCW 70.121.140 are each amended to read as follows:

If a licensee fails to pay the department within a reasonable time money owed to the state under this chapter, the obligation owed to the state shall constitute a lien on all property, both real and personal, owned by the obligor-licensee when the department records or files, pursuant to this section, a statement of claim against the obligor-licensee. The statement of claim against the obligor-licensee shall name the obligor-licensee, name the state as obligee, describe the obligation, and describe the property to be held in security for the obligation.

Statements of claim creating a lien on real property, fixtures, timber, agricultural products, oil, gas, or minerals shall be recorded with the county auditor in each county where the property is located. Statements of claim creating a lien in personal property, whether tangible or intangible, shall be filed with the department of licensing.

A lien recorded or filed pursuant to this section has priority over any lien, interest, or other encumbrance previously or thereafter recorded or filed concerning any property described in the statement of claim, to the extent allowed by federal law.

A lien created pursuant to this section shall continue in force until extinguished by foreclosure or bankruptcy proceedings or until a release of the lien signed by the ~~((secretary))~~ director is recorded or filed in the place where the statement of claim was recorded or filed. The ~~((secretary))~~ director shall sign and record or file a release only after the obligation owed to the state under this chapter, together with accrued interest and costs of collection has been paid.

Sec. 21. Section 1, chapter 10, Laws of 1979 as last amended by section 2, chapter 506, Laws of 1987 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of social and health services, (2) the department of ecology, (3) the department of labor and industries, (4) the department of agriculture, (5) the department of fisheries, (6) the department of wildlife, (7) the department of transportation, (8) the department of licensing, (9) the department of general administration, (10) the department of trade and economic development, (11) the department of veterans affairs, (12) the department of revenue, (13) the department of retirement systems, (14) the department of corrections, ~~((and))~~ (15) the department of community development, and (16) the department of radiation control, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 22. Section 2, chapter 10, Laws of 1979 as last amended by section 3, chapter 506, Laws of 1987 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The secretary of social and health services, (2) the director of ecology, (3) the director of labor and industries, (4) the director of agriculture, (5) the director of fisheries, (6) the director of wildlife, (7) the secretary of transportation, (8) the director of licensing, (9) the director of general administration, (10) the director of trade and economic development, (11) the director of veterans affairs, (12) the director of revenue, (13) the director of retirement systems, (14) the secretary of corrections, ~~((and))~~ (15) the director of community development, and (16) the director of radiation control.

Such officers, except the secretary of transportation, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor: PROVIDED, That the director of wildlife shall be appointed according to the provisions of RCW 77.04.080. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate. A temporary director of wildlife shall not serve more than one year. The secretary of transportation shall be appointed by the transportation commission as prescribed by RCW 47.01.041. There is appropriated from the general fund to the department of wildlife for the biennium ending June 30, 1989, the sum of eight million dollars: PROVIDED, That four million five hundred thousand dollars of this appropriation shall revert to the general fund if the comprehensive spending plan submitted to the legislature under RCW 77.04.055(2) is rejected by the legislature in the 1988 session: PROVIDED FURTHER, That three million five hundred thousand dollars of this appropriation may be expended by the department of wildlife without regard to approval of the comprehensive spending plan.

Sec. 23. Section 2, chapter 189, Laws of 1971 ex. sess. as last amended by section 1, chapter 259, Laws of 1984 and RCW 43.20A.360 are each amended to read as follows:

(1) The secretary is hereby authorized to appoint such advisory committees or councils as may be required by any federal legislation as a condition to the receipt of federal funds by the department. The secretary may appoint state-wide committees or councils in the following subject areas: (a) Health facilities; (b) ~~((radiation control- (c)))~~ children and youth services; ~~((d))~~ (c) blind services; ~~((e))~~ (d) medical and health care; ~~((f))~~ (e) drug abuse and alcoholism; ~~((g))~~ (f) social services; ~~((h))~~ (g) economic services; ~~((i))~~ (h) vocational services; ~~((j))~~; and (i) rehabilitative services; ~~((k) public health services;)~~ and on such other subject matters as are or come within the department's responsibilities. The secretary shall appoint committees or councils advisory to the department in each service delivery region to be designated by the secretary. The state-wide and the regional councils shall have representation from both major political parties and shall have substantial consumer representation. Such committees or councils shall be constituted as required by federal law or as the secretary in his or her discretion may determine. The members of the committees or councils shall hold office for three years except in the case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term for which the vacancy occurs. No member shall serve more than two consecutive terms.

~~((j))~~ (2) Members of such state advisory committees or councils may be paid their travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. Members of regional advisory committees may, in the discretion of the secretary, be paid the same travel expenses as set forth above.

NEW SECTION. Sec. 24. A new section is added to chapter 43.131 RCW to read as follows:

The powers and duties of the department of public health and safety shall be terminated on June 30, 1997, as provided in section 25 of this act.

NEW SECTION. Sec. 25. A new section is added to chapter 43.131 RCW to read as follows:
Chapter 43.— RCW (sections 1 through 3 of this act) shall expire June 30, 1998.

NEW SECTION. Sec. 26. Sections 1 through 3 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 27. (1) Except as provided in subsection (2) of this section, this act shall take effect on June 30, 1988.

(2) The legislature recognizes that the transfer of employees, reports, documents, surveys, books, records, files, papers, written material, cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of social and health services in carrying out radiation laboratory activities in the laboratory of the office of public health is problematic due to the fact that this laboratory has a multitude of responsibilities, many of which are unrelated to the duties of the office of radiation control. Therefore, in order to provide for the orderly transfer of laboratory personnel and tangible property all such transfers associated with the laboratory of the office of public health shall be completed no later than June 30, 1989. The transfer of funds, credits, and other assets associated with the laboratory shall take effect no later than June 30, 1988. Upon the effective date of subsection (1) of this act and until such time as all transfers associated with the laboratory are complete, the department of social and health services and the department of radiation control shall enter into an interagency agreement providing for the efficient and cooperative completion of all laboratory work necessary for the department of radiation control to carry out its responsibilities related to the transfers carried out under this act."

Representatives Hankins, Barnes, D. Sommers, Moyer and Schoon spoke in favor of the amendment, and Representatives H. Sommers, J. Williams and Brooks spoke against it.

The amendment was not adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust, H. Sommers and Jesernig spoke in favor of passage of the bill, and Representatives Walker, Miller, Hankins and Baugher opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1442, and the bill passed the House by the following vote: Yeas, 64; nays, 32; absent, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P., King R., Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H., Spanel, Sprenkle, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Belcher, Betzozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith C., Sommers D., Walker, Williams B - 32.

Absent: Representative Sutherland - 1.

Excused: Representative Allen - 1.

Substitute House Bill No. 1442, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Sutherland appeared at the bar of the House.

HOUSE BILL NO. 1835, by Representatives Grant, Hankins, Jesernig, Brooks, Meyers, Ballard, Hine, Rayburn, Sayan, Silver, Appelwick, Moyer, Ebersole, Nealey, Dellwo, Miller, Jacobsen, S. Wilson, Grimm, Chandler, Fuhrman, Schoon, B. Williams, Ferguson, Doty, Day, Basich, P. King, Anderson, Pruitt and Todd

Providing for economic diversification in the Tri-Cities.

The bill was read the second time. On motion of Mr. Locke, Second Substitute House Bill No. 1835 was substituted for House Bill No. 1835 and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1835 was read the second time.

Mr. Jesernig moved adoption of the following amendment by Representatives Jesernig, Brooks, Hankins, Baugher, Rayburn and Grant:

On page 3, line 21, after "funds." strike "The department may require that money be matched dollar for dollar with private, local or federal funds."

Mr. Jesernig spoke in favor of adoption of the amendment, and it was adopted.

Mr. Grant moved adoption of the following amendments:

On page 4, line 36, after "study" insert "through the Tri-Cities University Center"

On page 5, line 4, after "dollars." strike all material through "made." on line 7

Mr. Grant spoke in favor of adoption of the amendments, and they were adopted.

Mr. Nelson moved adoption of the following amendment:

On page 5, line 1, after "applications" insert ", taking into consideration, and drawing from as appropriate, existing studies on district heating and on other warm water uses"

Representatives Nelson and Jesernig spoke in favor of adoption of the amendment, and it was adopted.

Mr. Grimm moved adoption of the following amendment:

On page 5, after line 25, insert:

NEW SECTION, Sec. 5. The sum of two hundred thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund for the biennium ending June 30, 1989, to the department of trade and economic development to promote the economic development and industrial diversification of the Tri-Cities area. The department shall contract with the Tri-Cities industrial development corporation (TRIDEC) for this work. The contract may include, but is not limited to, provisions requiring TRIDEC to: (a) work to attract new businesses to the area, (b) work to promote the development of new businesses in the area, (c) survey area businesses to gather information about business needs and to identify firms at risk of mass layoffs, shut down, or relocation, (d) coordinate the provision of state, local and federal to firms at risk of mass layoff, shut down or relocation, (e) coordinate the provision of marketing assistance to area businesses and (f) promote local purchase of goods and services now purchased outside the area."

Renumber remaining sections consecutively and correct internal references accordingly.

Representatives Grimm, B. Williams and Brooks spoke in favor of adoption of the amendment, and Mr. Braddock opposed it.

The amendment was adopted.

Mr. Jesernig moved adoption of the following amendment by Representatives Jesernig, Brooks, Hankins, Grant, Rayburn and Baugher:

On page 8, line 22, after "research" strike "at the agriculture research and extension center at Prosser" and insert "at the Tri-Cities university center"

Mr. Jesernig spoke in favor of adoption of the amendment, and it was adopted.

The Clerk read the following amendments by Representatives Locke, Grant, Hankins, Jesernig, Sayan and Meyers:

On page 9, lines 28 and 29, after "economy" strike "away from military dependence"

On page 10, line 8, after "economy" strike "away from the military"

With consent of the House, Mr. Locke withdrew the amendments.

Mr. Locke moved adoption of the following amendments by Representatives Locke, Hankins, Grant, Jesernig, Sayan and Meyers:

On page 9, lines 10 and 11, after "economy" strike "away from military dependence"

On page 9, lines 14 and 15, after "companies" strike "and workers away from military dependence"

On page 9, line 25, after "economy" strike "away from the military"

Mr. Locke spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

The Speaker called on Representative Braddock to preside.

Representatives Grant, Hankins, Wineberry, Jesernig, Cantwell, Sprengle and Unsoeld spoke in favor of passage of the bill.

Mr. Kremen demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1835, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Belcher, Brekke - 2.

Excused: Representative Allen - 1.

Engrossed Second Substitute House Bill No. 1835, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1388, by Representatives Nutley, J. Williams, Leonard, Sanders, Barnes, Wineberry, Padden, Heavey, Anderson, Jacobsen, Valle, May, Ballard, Nelson, Jesernig, Todd, Moyer, Lux, Unsoeld, Ferguson and Day

Exempting temporary lodging for homeless persons from state and local excise taxation.

The bill was read the second time. Committee on Housing recommendation: Majority, do pass substitute. Committee on Ways & Means/Revenue recommendation: Majority, do pass substitute by Committee on Housing as amended by Committee on Ways & Means/Revenue. (For committee amendment, see Journal, 19th Day, January 29, 1988.)

On motion of Ms. Nutley, Substitute House Bill No. 1388 was substituted for House Bill No. 1388 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1388 was read the second time.

On motion of Mr. Locke, the amendment by Committee on Ways & Means/Revenue was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nutley and J. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1388, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 1388, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1389, by Representatives Nutley, J. Williams, Leonard, Sanders, Wineberry, Heavey, Anderson, Jacobsen, Valle, Nelson, Todd, Lux, Unsoeld and Ferguson

Creating the emergency food and shelter program revolving account.

The bill was read the second time. Committee on Housing recommendation: Majority, do pass. Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute.

On motion of Mr. Locke, Substitute House Bill No. 1389 was substituted for House Bill No. 1389 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1389 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nutley and J. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1389, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spaniel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute House Bill No. 1389, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Braddock presiding) called on Mr. O'Brien to preside.

ENGROSSED HOUSE BILL NO. 1553, by Representatives Nutley, J. Williams, Leonard, Sanders and Padden

Limiting grants and loans from the housing trust fund.

The bill was read the second time. Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 29th Day, February 8, 1988.)

On motion of Mr. Locke, the amendment by Committee on Ways & Means/Appropriations was adopted.

The bill was ordered engrossed. On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1553, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed House Bill No. 1553, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1564, by Representatives Wineberry, Nutley, Locke, B. Williams, Ebersole, Schoon, Scott, Grimm, Cantwell, Brekke, Heavey, Leonard, Barnes, Hargrove, Todd, Wang, Anderson, Kremen, Lux, K. Wilson, Unsoeld and Butterfield

Providing employment and self-sufficiency services for the homeless.

The bill was read the second time. On motion of Mr. Locke, Second Substitute House Bill No. 1564 was substituted for House Bill No. 1564 and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1564 was read the second time.

MOTION

Mr. Appelwick moved that the House defer further consideration of Second Substitute House Bill No. 1564 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1601, by Representatives Wineberry, Locke, Armstrong, Anderson, Hine, Ferguson, Nutley, Ebersole, Valle and Nelson.

Authorizing local governments to require relocation assistance payments from low-income housing owners.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 1601 was substituted for House Bill No. 1601 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1601 was read the second time.

Ms. Nutley moved adoption of the following amendments:

On page 2, line 9, strike "eighteen" and insert "nineteen"

On page 2, line 19, strike "(f)" and insert "(g)"

Reletter the succeeding subsections consecutively and correct internal references accordingly.

On page 2, after line 20, insert the following:

"(h) One representative of the Washington state housing finance commission, as a nonvoting member;"

Reletter the succeeding subsections consecutively and correct internal references accordingly.

Ms. Nutley spoke in favor of adoption of the amendments, and they were adopted.

Ms. Nutley moved adoption of the following amendments:

On page 3, line 11, after "written" insert "preliminary"

On page 3, line 13, after "1988," insert "and a written final report by December 1, 1988."

Ms. Nutley spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wineberry and J. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1601 and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 1601, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House resume consideration of Second Substitute House Bill No. 1564 on second reading. The motion was carried.

SECOND SUBSTITUTE HOUSE BILL NO. 1564, by Committee on Ways & Means/Appropriations (originally sponsored by Representatives Wineberry, Nutley, Locke, B. Williams, Ebersole, Schoon, Scott, Grimm, Cantwell, Brekke, Heavey, Leonard, Barnes, Hargrove, Todd, Wang, Anderson, Kremen, Lux, K. Wilson, Unsoeld and Butterfield)

Providing employment and self-sufficiency services for the homeless.

Ms. H. Sommers moved adoption of the following amendment by Representatives H. Sommers, Wineberry, Schoon, Nutley, Sanders, Barnes and Belcher:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the homeless population in the state is increasing; that homelessness has become a state-wide problem affecting citizens living in urban and rural communities; that a growing segment of the homeless population is homeless due to job loss and economic, social and other reasons; that existing federal, state, and local programs and activities should be provided in a coordinated manner.

The legislature further finds that coordination would enhance the provision of employment services to homeless persons; that job training and placement programs are needed to assist homeless persons who are employable; and that by providing transitional housing and job skills training in a coordinated manner this segment of the homeless population could become self-sustaining members of society. The legislature declares that it is state policy to encourage employment and self-sufficiency among the homeless.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of community development.

(2) 'Director' means the director of community development.

(3) 'Task force' means the governor's task force on homelessness.

(4) 'Nonprofit organization' means a public housing authority created under RCW 35.82.030 or a not-for-profit corporation as defined in RCW 24.03.005.

NEW SECTION. Sec. 3. (1) The governor's task force on homelessness is hereby created to consist of twenty members as follows:

(a) Two members of each house of the legislature, one from each of the respective caucuses to be appointed by the speaker of the house of representatives and the president of the senate.

(b) The director of community development, the secretary of social and health services, the director of employment security, the director of veterans affairs, the director of general administration, the executive director of the state board for community colleges, the director of the office of financial management, and the superintendent of public instruction, or their designees; and

(c) Eight representatives appointed by the governor from the public, private, and nonprofit sectors with experience in providing employment services, and shelter, transitional housing, and support services for the homeless.

(2) The governor shall, within thirty days of the effective date of this section, appoint members of the task force under subsection (1) (b) and (c) of this section. In making appointments, the governor shall consider obtaining a geographic distribution and balance throughout the state. The first meeting of the task force shall occur within forty-five days of the effective date of this section.

(3) The director of community development shall serve as chair of the task force.

(4) The department shall provide the necessary administrative and clerical assistance to the task force for the purposes of carrying out its powers and duties.

(5) Members of the task force shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060. Legislative members shall be reimbursed for travel expenses under RCW 44.04.120.

NEW SECTION. Sec. 4. The task force, working with the department, shall conduct a review of federal, state, and local employment and housing services for homeless individuals. The department in consultation with the department of employment security and other appropriate state agencies shall assist the task force to:

(1) Review existing federal, state, and local activities and programs to assist homeless individuals;

(2) Recommend a coordinated approach for self-sufficiency services to assist homeless individuals to become employable;

(3) Review available information on the extent of and the reasons for homelessness within the state and identify methods to estimate unduplicated caseload levels; and

(4) Identify funding sources and programs of federal, state, and local agencies to assist homeless individuals in becoming self-sufficient members of our society.

NEW SECTION. Sec. 5. The department, based on information from the review required in section 4 of this act and in consultation with the task force, shall produce a report by December 1, 1988, for the governor and appropriate legislative committees on the extent and nature of homelessness in Washington state which shall include:

(1) Advice on critical issues relating to the homeless;

(2) The extent and estimates of caseloads;

(3) Characteristics and reasons for homelessness;

(4) Recommendations for specific actions to address housing problems;

(5) Recommendations for proposals to encourage self-sufficiency and employment;

(6) Recommendations for an ongoing reporting system to provide unduplicated caseload estimates, reasons for the homelessness, and effectiveness of self-sufficiency programs;

(7) Recommendations for prioritization of state funds, and availability of, and coordination with, other fund sources; and

(8) Recommendations on any necessary action to reduce duplication of programs.

NEW SECTION. Sec. 6. The task force on homelessness shall cease to exist on June 30, 1991, unless extended by law for an additional fixed period of time.

NEW SECTION. Sec. 7. The department may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of this chapter and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

NEW SECTION. Sec. 8. This act may be known and cited as the homeless self-sufficiency act.

NEW SECTION. Sec. 9. The sum of fifty thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the department of community development for the biennium ending June 30, 1989, to carry out the purposes of this act.

NEW SECTION. Sec. 10. Sections 1 through 8 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 11. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representatives H. Sommers and Schoon spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wineberry and Schoon spoke in favor of passage of the bill, and Mr. J. Williams opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1564, and the bill passed the House. (Due to mechanical failure of electric roll call machine, vote on final passage of Engrossed Second Substitute House Bill No. 1564 failed to record. See Journal, 34th Day, February 13, 1988 for reconsideration of vote on final passage.)

MOTION

Mr. Meyers moved that the House immediately consider House Bill No. 1879 on second reading. The motion was carried.

HOUSE BILL NO. 1879, by Representatives Locke, Wineberry, Armstrong, Anderson, Hine, Nutley, Leonard and R. King

Establishing procedures for prepayment of federal subsidies on multifamily rental housing developments.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 1879 was substituted for House Bill No. 1879 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1879 was read the second time.

On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Locke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1879, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute House Bill No. 1879, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House immediately consider House Bill No. 1858 on second reading. The motion was carried.

HOUSE BILL NO. 1858, by Representatives Sprenkle, Ferguson, Brekke, P. King, Winsley, Leonard, Sutherland, Locke and Anderson

Requiring consideration of minority race or minority ethnic heritage in adoptions and foster care placements.

The bill was read the second time. On motion of Mr. Meyers, Substitute House Bill No. 1858 was substituted for House Bill No. 1858 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1858 was read the second time.

Mr. Wineberry moved adoption of the following amendments by Representatives Wineberry, Sprenkle, Ferguson and Brekke:

On page 1, line 13, after "ethnic" insert "and cultural"

On page 1, line 18, after "(2)" strike "Child-placing" and insert "To ensure the child's race or ethnic and cultural identity shall be maintained and enhanced, child-placing"

On page 1, line 27, after "ethnic" strike "heritage." and insert "and cultural heritage. Such a family should be willing and capable of educating and exposing the child to his or her race or ethnic and cultural heritage and enabling the child to continue such education and exposure throughout the length of time the family has custody of the child."

On page 2, line 8, after "ethnic" insert "and cultural"

On page 3, line 20, after "ethnic" insert "and cultural"

On page 3, line 22, after "(2)" strike "Child-placing" and insert "To ensure the child's race or ethnic and cultural identity shall be maintained and enhanced, child-placing"

On page 3, line 30, after "ethnic" strike "heritage." and insert "and cultural heritage. Such a family should be willing and capable of educating and exposing the child to his or her race or ethnic and cultural heritage and enabling the child to continue such education and exposure throughout the length of time the family has custody of the child."

On page 4, line 4, after "ethnic" insert "and cultural"

On page 4, line 12, after "ethnic" insert "and cultural"

On page 4, line 14, after "(2)" strike "Child-placing" and insert "To ensure the child's race or ethnic and cultural identity shall be maintained and enhanced, child-placing"

On page 4, line 22, after "ethnic" strike "heritage," and insert "and cultural heritage. Such a family should be willing and capable of educating and exposing the child to his or her race or ethnic and cultural heritage and enabling the child to continue such education and exposure throughout the length of time the family has custody of the child."

On page 4, line 32, after "ethnic" insert "and cultural"

Mr. Wineberry spoke in favor of adoption of the amendments, and they were adopted.

Mr. Wineberry moved adoption of the following amendment by Representatives Wineberry, Sprengle, Ferguson and Brekke:

On page 13, line 29, strike "NEW SECTION," through "July 1, 1988" and insert:

Sec. 10. Section 2, chapter 155, Laws of 1984 and RCW 26.33.020 are each amended to read as follows:

"(12) 'Intercountry adoption' means an adoption in which the child is adopted by order of a Washington court, and where the child is adopted with authorization from a sovereign nation other than the United State; PROVIDED, That this definition shall not include adoptions related to Indian nations."

Mr. Wineberry spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sprengle, Leonard, Miller, Wineberry, Hargrove and Brekke spoke in favor of passage of the bill, and Representatives Padden, H. Sommers, Bristow, Locke and Winsley opposed it.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1858, and the bill passed the House by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Cantwell, Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fox, Gallagher, Grant, Grimm, Hargrove, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Sayan, Scott, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Amondson, Ballard, Basich, Baugher, Beck, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Cole, Crane, Doty, Fisher, Fuhrman, Hankins, Haugen, Heavey, Jacobsen, Lewis, Locke, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Sommers H, Taylor, Vekich, Walker, Williams B, Williams J, Wilson S, Winsley - 47.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 1858, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

POINT OF PERSONAL PRIVILEGE

Mr. B. Williams: Mr. Speaker: Eight score and nineteen years ago a great American was born. Today as we pause to celebrate the Medal of Merit, we really reflect a great deal upon Abraham Lincoln. Virtually all Americans and American historians regard Abraham Lincoln as one of our greatest presidents. American author and editor, Bernard Devoto, captured the essence of Lincoln's legend when he said, "When American democracy reaches its crisis and needs a savior, and a great one, out of its native earth, its native shrewdness, reality and common sense it produces an Abraham Lincoln, a backwoods' politician and one of the greatest statesmen in all history."

As we pause here in this chamber today for a moment to remember Lincoln, let us focus on the characteristics which made him great. Lincoln had wisdom and

courage, faith, justice, compassion and vision. And he possessed these qualities in greater quantity than many. Perhaps his greatest characteristic was that of having the wisdom of knowing when to compromise and when not to. President Lincoln could have held the nation together for probably a year or more longer and avoided the war had he chosen a political compromise approach to slavery. It would have been an immoral choice, but some would have taken that route. Lincoln knew that for a nation to stand, it must stand for what is right in the eyes of a just and holy God. Slavery was not merely out of date or wrong for the time, but it was wrong in God's plan. Lincoln did not want to divide this nation, but he had to choose between compromise and standing for what was right. He chose to stand. He did not stand in an arrogant, defiant way, but he stood in a humble and forgiving way with the confidence that he was right.

His conviction came from his strong spiritual strength which he had developed from a lifetime of setbacks and of defeat. His commitment was to his faith, and it gave him the strength, not only to stand firm, but the character to love his enemy. Said Lincoln, "We trust, Sir, that God is on our side, but it is more important to know that we are on God's side." Lincoln also demonstrated his confidence in the path he chose for our nation when he said, "If I were to try to read, much less answer, all the attacks made on me, this shop might as well be closed for all other business. I do the very best I know how, the very best I can, and I mean to keep on doing that to the end. If the end brings me out all right, what is said against me will not amount to anything. If in the end it brings me out wrong, ten angels swearing that I was right would make no difference."

Lincoln's character, his strength and his greatness all sprang from the kind of life he led. From the adversity he overcame and the challenges he met head on. Now today we must strive to learn from Lincoln's example to make ourselves, our state and our nation better. Let us have leaders like Lincoln, who strive to be right, yet who are humble enough to admit that neither they nor their party are perfect. Let us have leaders who will be humble enough not to blame every ill on the last administration or legislature, and yet claim every victory for themselves. Let us have leaders who have the strength of their conviction to vote right and the strength of character to live right. Let us learn from Lincoln's example.

POINT OF PERSONAL PRIVILEGE

Mr. Vekich: Thank you, Mr. Speaker. I just wanted to say that I think we can honor Abe Lincoln—he's a great guy to honor. I think the best honor he ever had, though, was when the left-wing freedom fighters formed the Abraham Lincoln Brigade and went to Spain and fought fascism.

POINT OF PERSONAL PRIVILEGE

Mr. Todd: Thank you, Mr. Speaker. I'd like to thank my colleague from the Longview area for that wonderful speech. I also rise to recognize this day as Abraham Lincoln's birthday. As many of you know, in my family was Mary Todd Lincoln. In reflecting on this day, one of the things I thought about is that we stand on the threshold of challenge here in the State of Washington. We stand on the threshold of the one hundredth birthday of the State of Washington. We stand on the threshold of some very difficult and challenging problems ahead of us.

I was looking back at some notes that I had made a few years back about Lincoln and reflecting on the fact that Abraham Lincoln patterned his political beliefs on ideals that were expressed in the Declaration of Independence. He once said, "I never had a thought politically which did not spring from the sentiments embodied in the Declaration of Independence." More than anything else we do remember Abraham Lincoln as the president who reunited the United States of America. Faced with a crisis that no other president has ever known, including a war that saw over six hundred thousand Americans die on their own soil, he demonstrated what seemed like limitless courage and an unshakeable faith in democracy. In his Gettysburg Address, which lasted a mere three minutes, he summed up the qualities that are the very foundation of our country. He began, "Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal." And he concluded, "Government of the people, by the people and for the people

shall not perish from the earth." Abraham Lincoln, who could have easily given in to bitterness and hatred over the war, led our nation in forgiving the South. Some of the most compassionate words ever spoken were in his second inaugural address when he asked for "malice toward none and charity for all."

When we look back on the life of Abraham Lincoln and the troubled times he faced, we are forced to reflect on our own lives and the problems facing this state, this country and this earth. We have many problems that still face us—democracy still struggles to be a reality in many countries and division in war, like that between the North and South, has never left this world. In fact it has gotten much, much worse with the ability to destroy ourselves many times over. Let's never forget that these evils can be overcome, but only with great sacrifice. Abraham Lincoln dedicated his life, and finally he gave his life, for the ideals of freedom, democracy and peace. This soft-spoken man has taught us so much, let us never forget. Thank you.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

EVENING SESSION

The Speaker called the House to order.

Representatives Braddock and Fuhrman were excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1265 on second reading. The motion was carried.

HOUSE BILL NO. 1265, by Representatives Armstrong, Crane, Brough, Butterfield, Leonard, Lewis, Miller and P. King

Revising provisions relating to homicide by abuse.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1265, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Wineberry - 1.

Excused: Representatives Allen, Braddock, Fuhrman - 3.

House Bill No. 1265, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1627 on second reading. The motion was carried.

HOUSE BILL NO. 1627, by Representatives Belcher, Brooks, Hargrove, Grimm, Sayan, Peery, Ebersole, Cole, Scott, Vaile, Sprengle, Brekke, Leonard and Locke

Establishing a family life education program.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 5, 1988.) Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute.

On motion of Mr. Locke, Substitute House Bill No. 1627 was substituted for House Bill No. 1627 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1627 was read the second time.

Mr. Padden moved adoption of the following amendment by Representatives Padden, Hargrove and Belcher:

On page 1, line 7, after "well-being," insert "Nothing in this 1988 Act shall be understood to establish, authorize or provide funds for a school-based adolescent clinic."

Representatives Padden and Belcher spoke in favor of adoption of the amendment, and it was adopted.

Mr. Pruitt moved adoption of the following amendment by Representatives Pruitt and Leonard:

On page 2, line 36, after "inspection," strike all material through "participation." on page 3, line 3.

Mr. Pruitt spoke in favor of adoption of the amendment, and Representatives Peery and Taylor opposed it.

The amendment was not adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and Brooks spoke in favor of passage of the bill, and Mr. Lewis opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1627, and the bill passed the House by the following vote: Yeas, 73; nays, 22; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Nelson, Nutley, O'Brien, Padden, Peery, Prince, Rasmussen, Rayburn, Rust, Sanders, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Wang, Williams J, Wilson K, Wilson S, Wineberry, and Mr. Speaker - 73.

Voting nay: Representatives Beck, Betrozoff, Bumgarner, Chandler, Dorn, Doty, Haugen, Lewis, Moyer, Nealey, Patrick, Pruitt, Schmidt, Schoon, Silver, Smith C, Sommers D, Walk, Walker, Williams B, Winsley, Zellinsky - 22.

Excused: Representatives Allen, Braddock, Fuhrman - 3.

Engrossed Substitute House Bill No. 1627, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENTS FOR THE JOURNAL

My vote on ESHB 1627 should have been a "Yes" vote.

JOHN W. BETROZOFF, 45th District.

Please insert a statement in the Journal indicating that my "Yes" vote on ESHB 1627 should have been a "No" vote.

SIM WILSON, 10th District.

MOTION

Mr. Ebersole moved that the House immediately consider House Joint Memorial No. 4033 on second reading. The motion was carried.

HOUSE JOINT MEMORIAL NO. 4033, by Representatives Jones, Vekich, Fisher, Schmidt, Baugher, Unsoeld, Prince, Walk, Walker, Lux, Hine, Crane, S. Wilson, Hargrove, Anderson, Leonard, Pruitt, Brough, Basich, Dorn, Day, Haugen, Sayan, Winsley, Cooper, Belcher, Nelson, May, Miller, Butterfield, Ferguson, Spanel and Nealey

Petitioning Congress to adopt legislation establishing a uniform closing time for polling places.

The memorial was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 24th Day, February 3, 1988.)

Ms. Fisher moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The memorial was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Jones spoke in favor of passage of the memorial, and Mr. Barnes opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial NO. 4033, and the memorial passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Barnes - 1.

Excused: Representatives Allen, Braddock, Fuhrman - 3.

Engrossed House Joint Memorial No. 4033, having received the constitutional majority, was declared passed.

Representative Ferguson was excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1915 on second reading. The motion was carried.

HOUSE BILL NO. 1915, by Representatives Ebersole, Appelwick, Peery, Holm, Pruitt, Rasmussen and Todd

Specifying school district levy bases and levy reduction funds.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 5, 1988.) Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute bill by Committee on Ways & Means/Appropriations without amendments by Committee on Education.

On motion of Mr. Locke, Substitute House Bill No. 1915 was substituted for House Bill No. 1915, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1915 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1915, and the bill passed the House by the following vote: Yeas, 90; nays, 3; absent, 1; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Grimm, Holland, Walk - 3.

Absent: Representative Bristow - 1.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman - 4.

Substitute House Bill No. 1915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1655, by Representatives Peery, Betrozoff, Grimm, H. Sommers, Walker and D. Sommers

Specifying the uses of capital funds by school districts.

The bill was read the second time. Committee on Education recommendation: Majority, do pass substitute. Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute by Committee on Education as amended by Committee on Ways & Means/Appropriations. (For committee amendments, see Journal, 29th Day, February 8, 1988.)

On motion of Mr. Peery, Substitute House Bill No. 1655 was substituted for House Bill No. 1655, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1655 was read the second time.

On motion of Mr. Locke, the committee amendments by Committee on Ways & Means/Appropriations were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1655, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Beck, Belcher, Betrozoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Basich - 1.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman - 4.

Engrossed Substitute House Bill No. 1655, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1801 on second reading. The motion was carried.

HOUSE BILL NO. 1801, by Representatives Locke, Grimm, Ferguson, Wineberry, Armstrong, O'Brien and Basich; by request of Governor Gardner

Revising provisions relating to the state convention and trade center.

The bill was read the second time.

Mr. Locke moved adoption of the following amendment:

On page 4, line 8, after "project," insert "The corporation shall identify with specificity those facilities of the state convention and trade center that are to be financed with proceeds of general obligation bonds, the interest on which is intended to be excluded from gross income for federal income tax purposes. The corporation shall not permit the extent or manner of private business use of those bond-financed facilities to be inconsistent with treatment of such bonds as governmental bonds under applicable provisions of the Internal Revenue Code of 1986, as amended."

Mr. Locke spoke in favor of adoption of the amendment, and it was adopted.

Ms. Brough moved adoption of the following amendment:

On page 6, line 13, after "interest," insert "For bonds issued after the effective date of this 1988 section, the legislature on behalf of the state further pledges that: (a) the governing body of the state convention and trade center shall always include at least one member from the private sector, and (b) all employees of the state convention and trade center shall remain exempt from chapter 41.06 RCW. The state finance committee shall include these pledges in the bond covenants under RCW 67.40.030."

Ms. Brough spoke in favor of adoption of the amendment, and Mr. Locke opposed it.

Ms. Brough again spoke in favor of the amendment.

The amendment was not adopted.

Mr. Grimm moved adoption of the following amendment:

On page 3, following line 26, strike all material down to and including "appropriation." on page 4, line 12.

Renumber remaining sections and correct internal references accordingly.

Mr. Grimm spoke in favor of adoption of the amendment.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Representatives Dellwo, Silver, Taylor, Day and R. King spoke against adoption of the amendment, and Mr. Locke spoke in favor of it. Mr. Taylor again spoke against the amendment, and Mr. Grimm spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Grimm to House Bill No. 1801, and the amendment was not adopted by the following vote: Yeas, 39; nays, 55; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Brekke, Cantwell, Cole, Cooper, Crane, Dorn, Ebersole, Fisher, Fox, Grimm, Hine, Holm, Jones, King P, Leonard, Locke, Lux, Nelson, Nutley, O'Brien, Peery, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Vaile, Walk, Wang, Wilson K, and Mr. Speaker - 39.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betzoff, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Day, Dellwo, Doty, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Jacobsen, Jesernig, King R, Kremen, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Patrick, Prince, Pruitt, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Todd, Unsoeld, Vekich, Walker, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 55.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman - 4.

Representative B. Williams was excused.

MOTION

Mr. Ebersole moved that the House defer further consideration of House Bill No. 1801 and that the bill hold its place on the second reading calendar. The motion was carried.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1862 on second reading. The motion was carried.

HOUSE BILL NO. 1862, by Representatives Cole, Winsley, Sayan, Basich, Scott, Holland, Lux, Wineberry, Belcher, Nutley, Walker, Valle, Haugen, Dorn, Locke, Spanel, Anderson, K. Wilson, Jacobsen, Brekke, Nelson, Leonard and Fisher

Providing for plans for the use of local beaches.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1862 was substituted for House Bill No. 1862, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1862 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole, Basich, Prince, Vekich, Leonard and Holland spoke in favor of passage of the bill, and Representatives S. Wilson and Hargrove opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1862, and the bill passed the House by the following vote: Yeas, 80; nays, 12; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Waik, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Amondson, Ballard, Butterfield, Chandler, Gallagher, Hargrove, Lewis, McLean, Padden, Smith C, Williams J, Wilson S - 12.

Absent: Representative King P - 1.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman, Williams B - 5.

Substitute House Bill No. 1862, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that the House would consider the following bills in the following order: House Bill No. 1670, House Bill No. 1784, House Bill No. 178, Engrossed House Bill No. 752, House Bill No. 1170 and House Bill No. 1378.

HOUSE BILL NO. 1670, by Representatives Cooper, D. Sommers, Sprengle, May, Meyers, Jacobsen, Ferguson, Fisher, Walker, Peery, Holland, Pruitt, Rust, Todd and Unsoeld

Providing for the certification of operators of solid waste incinerators.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1670 was substituted for House Bill No. 1670, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1670 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cooper and May spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1670, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman, Williams B - 5.

Substitute House Bill No. 1670, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1784, by Representatives Pruitt, Sprenkle, Ferguson, Rust, D. Sommers, Unsoeld, Valle, Brekke, Jesernig and Todd

Encouraging state purchasing of recovered materials.

The bill was read the second time. On motion of Mr. Locke, Substitute House Bill No. 1784 was substituted for House Bill No. 1784, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1784 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt and Walker spoke in favor of passage of the bill, and Mr. Padden opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1784, and the bill passed the House by the following vote: Yeas, 88; nays, 4; absent, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Brekke, Bristow, Brooks, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Brough, Bumgarner, Nealey, Padden - 4.

Absent: Representative Grimm - 1.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman, Williams B - 5.

Substitute House Bill No. 1784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 178, by Representatives Cole, Ebersole, Allen, Todd, H. Sommers, Peery, Madsen, Rust, Rasmussen, P. King, Holm, Niemi, Jacobsen, Nelson, Belcher, Wang, Unsoeld, Brekke and Winsley

Establishing the school district pay equity and job analysis assessment project.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 5, 1988.)

Mr. Locke moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 178, and the bill passed the House by the following vote: Yeas, 91; nays, 2; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Padden, Smith C - 2.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman, Williams B - 5.

Engrossed House Bill No. 178, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 752, by Representatives Locke, Armstrong, P. King, Brough and Betzoff; by request of Sentencing Guidelines Commission

Revising the definition of second degree assault.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 752 was substituted for Engrossed House Bill No. 752, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 752 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke and Padden spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Locke yielded to question by Ms. Brough.

Ms. Brough: Thank you, Representative Locke. Currently the law reads that second degree assault is defined as intentionally assaulting another and inflicting substantial bodily harm. The bill as proposed amends that so that the person has to be under twelve years of age. What happens if a twelve year old is intentionally assaulted and endures or has substantial bodily harm inflicted? What penalty is there if you do that to a twelve year old?

Mr. Locke: I'm sorry, Representative Brough, could you repeat that question one more time?

Ms. Brough: This bill takes out the word "another" and puts in instead that the person has to be under twelve years of age. So basically what has happened then is something has slipped away from the definition or the penalty of second degree assault. What happens if you intentionally assault a twelve year old and inflict substantial bodily harm? What penalty is there?

Mr. Locke: The penalty would be the same as I read it. We are not in any substantive way changing the impact or the penalties or the nature of the crime with respect to a victim under twelve years old.

Ms. Brough: What if the victim is twelve or thirteen? What is the penalty?

Mr. Locke: The penalty would still be second degree assault, but there is a different burden of proof and we go back to the law that was in place prior to that time. That is you must show more than that you assaulted the person, but that you

knowingly or intentionally inflicted that harm. The way it reads now, with the person over twelve, you don't have to have any intent. You could slap the person on the back in a greeting, and if the person were to get injured or fall over, that would be second degree assault, regardless of the intent, regardless of whether or not that was foreseeable. The person who caused that harm would be liable as a class B felon, which has a maximum of ten years imprisonment or a twenty thousand dollar fine.

Ms. Brough spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 752, and the bill passed the House by the following vote: Yeas, 91; nays, 2; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Brough, May - 2.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman, Williams B - 5.

Substitute House Bill No. 752, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1170, by Representative Patrick

Changing requirements for physicians retained by the medical bureau of the department of labor and industries.

The bill was read the second time. On motion of Mr. Locke, Substitute House Bill No. 1170 was substituted for House Bill No. 1170, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1170 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1170, and the bill passed the House by the following vote: Yeas, 91; absent, 2; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Basich, Day - 2.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman, Williams B - 5.

Substitute House Bill No. 1170, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1378, by Representatives Zellinsky, Winsley and P. King

Establishing procedures for transfer of domicile by insurance companies.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1378 was substituted for House Bill No. 1378, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1378 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1378, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Braddock, Ferguson, Fuhrman, Williams B - 5.

Substitute House Bill No. 1378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 4441.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

February 11, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5364,
 SUBSTITUTE SENATE BILL NO. 5726,
 SECOND SUBSTITUTE SENATE BILL NO. 5840,
 SENATE BILL NO. 6100,
 SENATE BILL NO. 6102,
 SUBSTITUTE SENATE BILL NO. 6118,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6160,
 ENGROSSED SENATE BILL NO. 6166,
 SUBSTITUTE SENATE BILL NO. 6167,
 SENATE BILL NO. 6188,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6218,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6220,
 SUBSTITUTE SENATE BILL NO. 6244,
 SUBSTITUTE SENATE BILL NO. 6255,
 SENATE BILL NO. 6388,
 SENATE BILL NO. 6501,
 SUBSTITUTE SENATE BILL NO. 6508,
 SUBSTITUTE SENATE BILL NO. 6536,
 SENATE BILL NO. 6537,
 SUBSTITUTE SENATE BILL NO. 6551,
 SENATE BILL NO. 6556,
 SUBSTITUTE SENATE BILL NO. 6561,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6591,
 SUBSTITUTE SENATE BILL NO. 6602,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6625,
 SENATE BILL NO. 6641,
 ENGROSSED SENATE BILL NO. 6684,

SENATE JOINT MEMORIAL NO. 8026,
ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8429,
and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

ESSB 5364 by Committee on Governmental Operations (originally sponsored by Senators Gaspard, von Reichbauer and Johnson)

Redesignating the state boxing commission as the state athletic commission and revising its powers and duties.

Referred to Committee on State Government.

SSB 5726 by Committee on Education (originally sponsored by Senators Bailey, Nelson, Benitz, Saling, Patterson, Johnson, Craswell, Metcalf and Anderson)

Providing for a field test of a compensation model for teachers.

Referred to Committee on Education.

2SSB 5840 by Committee on Ways & Means (originally sponsored by Senators Bailey, Rinehart, Patterson, Bauer, Saling, Anderson, Zimmerman, Stratton, Sellar, Barr, Johnson, Craswell, Kiskaddon, Benitz, West, Nelson and Pullen)

Providing grants to local school districts to enhance education.

Referred to Committee on Education.

SB 6100 by Senators Conner and Talmadge

Reestablishing tribal jurisdiction over crimes committed by members of the tribe within the tribal reservation.

Referred to Committee on Judiciary.

SB 6102 by Senator Conner

Authorizing state jurisdiction over certain lands previously under federal jurisdiction.

Referred to Committee on Judiciary.

SSB 6118 by Committee on Children & Family Services (originally sponsored by Senators Wojahn, Anderson, Fleming, Rinehart, Garrett, Talmadge, Stratton, Deccio and Bauer)

Providing for the establishment of state child care policy.

Referred to Committee on Human Services.

ESSB 6160 by Committee on Education (originally sponsored by Senator Bailey)

Providing baccalaureate and masters degree equivalencies for certification of vocational instructors.

Referred to Committee on Education.

ESB 6166 by Senator Bailey

Changing provisions relating to the teacher assistance program.

Referred to Committee on Education.

SSB 6167 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge and Anderson)

Revising provisions relating to public disclosure.

Referred to Committee on Constitution, Elections & Ethics.

SB 6188 by Senators Rasmussen, Metcalf and Smith

Authorizing the use of barbed hooks in fishing for salmon.

Referred to Committee on Natural Resources.

ESSB 6218 by Committee on Health Care & Corrections (originally sponsored by Senators McCaslin, Bauer, Johnson, Conner and Benitz)

Revising certain provisions regulating the practice of physical therapy.

Referred to Committee on Health Care.

E2SSB 6220 by Committee on Ways & Means (originally sponsored by Senators Anderson, Halsan, Deccio, Owen, Saling, Smitherman, Stratton, DeJarnatt, Warnke, Lee, Cantu, West, McMullen, Fleming, Williams, Conner, Hayner and Garrett)

Changing provisions relating to business industrial development corporations.

Referred to Committee on Trade & Economic Development.

SSB 6244 by Committee on Education (originally sponsored by Senators Bailey, Metcalf, Vognild, Anderson, McMullen, Nelson, Bender, Kiskaddon, Smith and Barr)

Providing additional capital construction assistance to certain small school districts.

Referred to Committee on Education.

SSB 6255 by Committee on Transportation (originally sponsored by Senators West, Patterson, Smith, Zimmerman, Benitz and Barr)

Creating a zone where interstate trip permits are not required.

Referred to Committee on Transportation.

SB 6388 by Senators DeJarnatt, Smith, Benitz, Halsan, McMullen, Stratton, Bauer, Anderson, Zimmerman and Owen

Providing that a personal use license is not required for smelt.

Referred to Committee on Natural Resources.

SB 6501 by Senators Bailey, Rinehart, Gaspard, Lee and Bauer

Authorizing pooled insurance agreements for school and educational service districts.

Referred to Committee on Education.

SSB 6508 by Committee on Education (originally sponsored by Senators Fleming, Bailey, Gaspard, Smitherman, Moore, Bender, Rinehart, Kiskaddon, Niemi, Vognild, Rasmussen, Garrett, Stratton, McMullen, DeJarnatt, Talmadge and Johnson)

Directing the establishment of a mobile substance abuse awareness program for students.

Referred to Committee on Education.

SSB 6536 by Committee on Economic Development & Labor (originally sponsored by Senators Anderson, Lee and Rasmussen; by request of Employment Security Department)

Limiting employer liability for unemployment benefits paid as a result of a natural disaster.

Referred to Committee on Commerce & Labor.

SB 6537 by Senators West, Smitherman, Lee and Anderson; by request of Employment Security Department

Limiting applicability of administrative rulings relating to individual unemployment claims to other legal actions.

Referred to Committee on Commerce & Labor.

SSB 6551 by Committee on Law & Justice (originally sponsored by Senators Pullen, Talmadge and Rasmussen; by request of Attorney General)

Changing the rights of victims, survivors, and witnesses of crimes.

Referred to Committee on Judiciary.

SB 6556 by Senators Wojahn, Kiskaddon, Stratton and Johnson

Specifying that fees for birth certificates suitable for display be used for the children's trust fund.

Referred to Committee on Human Services.

SSB 6561 by Committee on Ways & Means (originally sponsored by Senators Saling, Gaspard, Bailey, Patterson, Deccio, Barr and Garrett)

Exempting from use tax certain property acquired by institutions of higher education.

Referred to Committee on Higher Education.

ESSB 6591 by Committee on Higher Education (originally sponsored by Senators Saling, Smitherman, Johnson, Rinehart, von Reichbauer, McMullen, Anderson, Gaspard, Patterson, Stratton, Cantu, Garrett and Smith)

Establishing a college savings bond program.

Referred to Committee on Higher Education.

SSB 6602 by Committee on Higher Education (originally sponsored by Senators Saling, Gaspard, Zimmerman, McMullen, Bailey, Rinehart, Patterson, Kiskaddon, Bender, Smith, Anderson, Smitherman, Cantu, DeJarnatt and Garrett)

Encouraging the donation of modern equipment to institutions of higher education.

Referred to Committee on Higher Education.

ESSB 6625 by Committee on Economic Development & Labor (originally sponsored by Senators Smith, Anderson, Bauer and Zimmerman)

Allowing workers' compensation claimants to have a representative at the workers' medical examinations.

Referred to Committee on Commerce & Labor.

SB 6641 by Senators Craswell, Vognild, Bailey, Owen, Smitherman and Metcalf

Providing for armed forces shipboard population adjustment.

Referred to Committee on State Government.

ESB 6684 by Senators Zimmerman, Smitherman, Anderson and Johnson

Establishing a pilot project of early outreach programs for middle school or high school students.

Referred to Committee on Higher Education.

SJM 8026 by Senators Rinehart, Saling and von Reichbauer

Requesting that Congress exempt tuition waivers from federal income tax.

Referred to Committee on Higher Education.

ESSCR 8429 by Committee on Higher Education (originally sponsored by Senators Saling, Smitherman, Patterson, Hansen, McMullen, Anderson and von Reichbauer)

Approving the master plan for higher education and establishing a study group.

Referred to Committee on Higher Education.

MOTION

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

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

MOTION

On motion of Mr. Ebersole, Engrossed Senate Bill No. 6600 was referred from Committee on Education to Committee on Human Services.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:00 a.m., Saturday, February 13, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Saturday, February 13, 1988

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Fuhrman, P. King, Locke, Padden, Sanders, Schoon, Vekich, B. Williams and Wineberry. Representatives Allen, Fuhrman, P. King, Sanders, Schoon, Vekich, B. Williams and Wineberry were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Brian Frederickson and Deanna Williams. Prayer was offered by Representative Clyde Ballard.

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

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

INTRODUCTION AND FIRST READING

HB 2035 by Representatives Dellwo, Silver, Day, Taylor, Grimm, Ballard, Bristow, Prince, Jesernig, Moyer, Heavey, D. Sommers, Lux, Bumgarner, H. Sommers, Padden, Belcher, R. King, Haugen, Anderson, Patrick, Vekich, Valle, Rayburn, Leonard and Nealey

AN ACT Relating to public facilities in Spokane and King counties; amending RCW 67.40.020, 67.40.025, 67.40.030, 67.40.040, 67.40.055, and 67.40.090; amending section 1, chapter 8, Laws of 1987 1st ex. sess. (uncodified); amending section 9, chapter 8, Laws of 1987 1st ex. sess. (uncodified); adding new sections to chapter 67.40 RCW; creating a new section; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

The Speaker (Mr. O'Brien presiding) referred the bill listed on today's introduction sheet under the fourth order of business to the committee so designated.

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

SECOND READING**MOTION**

Mr. Ebersole moved that the House immediately consider House Bill No. 1534 on second reading. The motion was carried.

HOUSE BILL NO. 1534, by Representatives Holm, Leonard, Moyer, Pruitt, Sayan, Cole, Dorn, Cooper, Walker, Rasmussen, Unsoeld, Belcher, Basich, Wang, Jacobsen, Rayburn, Scott, Spanel, Wineberry, Baugher, Jones, Winsley, Brekke, Taylor and Lux

Authorizing children's testimony to be recorded and admissible as evidence in certain cases.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1534 was substituted for House Bill No. 1534, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1534 was read the second time.

Ms. Holm moved adoption of the following amendment:
On page 1, line 14, strike "sever" and insert "severe"

Ms. Holm spoke in favor of adoption of the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment by Representatives Appelwick, Holm and Padden:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 9A.44 RCW to read as follows:

The court may, on the motion of the state in a criminal proceeding, order that the testimony of a child ten years of age or younger be televised by closed circuit equipment in the courtroom to be simultaneously viewed by the defendant in a room other than the courtroom if:

(1) The testimony will describe an act of sexual contact, as defined in RCW 9A.44.100(2), with or on the child;

(2) The court finds, in a hearing conducted outside the presence of the jury, that the child would suffer severe emotional harm by testifying in the presence of the defendant;

(3) The defendant is afforded the opportunity to communicate with his or her attorney by electronic transmission or court recesses throughout the child's testimony; and

(4) The television equipment is capable of making an accurate reproduction and the operator of the equipment is competent.

NEW SECTION, Sec. 2. A new section is added to chapter 9A.44 RCW to read as follows:

The court may, on the motion of the state in a criminal proceeding, order that the testimony of a child ten years of age or younger be taken in a room other than the courtroom to be simultaneously viewed by closed circuit equipment in the courtroom by the judge, jury, and the defendant if:

(1) The testimony will describe an act of sexual contact, as described in RCW 9A.44.100(2), with or on the child;

(2) The court finds, in a hearing conducted outside the presence of the jury, that the child would suffer such severe emotional harm by testifying in the presence of the jury that the child is rendered unavailable as a witness unless this procedure is used;

(3) Persons in the room with the child shall include only the deputy prosecutor, defense counsel, equipment operator, and any person who the court finds would contribute to the welfare of the child;

(4) The court and the defendant are afforded the opportunity to communicate with the attorneys by electronic transmission or court recesses throughout the child's testimony; and

(5) The television equipment is capable of making an accurate reproduction and the operator of the equipment is competent.

NEW SECTION, Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Representatives Appelwick, Leonard and Moyer spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Appelwick, the following amendment to the title was adopted:

On page 1, line 1 of the title, strike "a new section" and insert "new sections"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Holm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1534, and the bill passed the House by the following vote: Yeas, 88; absent, 2; excused, 8.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Locke, Padden - 2.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Vekich, Williams B, Wineberry - 8.

Engrossed Substitute House Bill No. 1534, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Padden and Vekich appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1523 on second reading. The motion was carried.

HOUSE BILL NO. 1523, by Representatives Leonard, Belcher, Cole, Brekke, Lux, Anderson, Brough, P. King and Valle

Prohibiting visitation between abusive parent and child.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 1523 was substituted for House Bill No. 1523, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1523 was read the second time.

MOTION

Mr. Ebersole moved that further consideration of Substitute House Bill No. 1523 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1412 on second reading. The motion was carried.

HOUSE BILL NO. 1412, by Representatives Patrick and May

Providing for disclosure of flood plain information.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1412 was substituted for House Bill No. 1412, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1412 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. May spoke in favor of passage of the bill, and Mr. Baugher opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1412, and the bill passed the House by the following vote: Yeas, 88; nays, 2; absent, 1; excused, 7.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Baugher, Crane - 2.

Absent: Representative Locke - 1.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B, Wineberry - 7.

Substitute House Bill No. 1412, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Substitute House Bill No. 1523 on second reading. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1523, by Committee on Human Services (originally sponsored by Representatives Leonard, Belcher, Cole, Brekke, Lux, Anderson, Brough, P. King and Valle)

Prohibiting visitation between abusive parent and child.

Mr. Appelwick moved adoption of the following amendment by Representatives Appelwick and Leonard:

Strike everything after the enacting clause and insert:

Sec. 1. Section 44, chapter 460, Laws of 1987 and RCW 26.10.160 are each amended to read as follows:

(1) A parent not granted custody of the child is entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would endanger the child's physical, mental, or emotional health. The court may order visitation rights for any person when visitation may serve the best interest of the child whether or not there has been any change of circumstances.

(2)(a) Visitation with the child shall be limited if it is found that the person seeking visitation has engaged in any of the following conduct: (i) Wilful abandonment by the parent that continues for an extended period of time or substantial refusal by the parent to perform parenting functions; (ii) physical, sexual, or emotional abuse of a child; or (iii) a history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

(b) The limitations imposed by the court shall be reasonably calculated to protect the child from the perceived harm. If the court expressly finds limitation on visitation with the child will not adequately protect the child from the perceived harm, the court shall restrain the person seeking visitation from all contact with the child.

(c) If the court expressly finds that contact between the person seeking visitation and the child will not cause emotional or physical harm to the child and that the probability that the harmful conduct of the person seeking visitation will recur is so remote that it would not be in the child's best interests to apply the limitations of (a) and (b) of this subsection, the court need not apply the limitations of this subsection. The weight given to the existence of a protection order issued under chapter 26.50 RCW as to domestic violence is within the discretion of the court.

(3) Any person may petition the court for visitation rights at any time including, but not limited to, custody proceedings.

(4) The court may modify an order granting or denying visitation rights whenever modification would serve the best interests of the child ~~((but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger the child's physical, mental, or emotional health)).~~

Sec. 2. Section 10, chapter 460, Laws of 1987 and RCW 26.09.191 are each amended to read as follows:

(1) The permanent parenting plan shall not require mutual decision-making or designation of a dispute resolution process other than court action if it is found that a parent has engaged in any of the following conduct: (a) Wilful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; (b) physical, sexual, or emotional abuse of a child; or (c) a history of acts of domestic violence as defined in RCW 26.50.010(1) ~~((or an act of domestic violence which rises to the level of a felony))~~ or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

(2)(a) The parent's residential time or other contact with the child shall be limited if it is found that the parent has engaged in any of the following conduct: ~~((a))~~ (i) Wilful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; ~~((b))~~ (ii) physical, sexual, or emotional abuse of a child; or ~~((c))~~ (iii) a history of acts of domestic violence as defined in RCW 26.50.010(1) ~~((or an act of domestic violence which rises to the level of a felony, unless))~~ or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

(b) The limitations imposed by the court shall be reasonably calculated to protect the child from the perceived harm. If the court expressly finds limitation on the residential time or other contact with the child will not adequately protect the child from the perceived harm, the court shall restrain the parent from all contact with the child.

(c) If the court expressly finds that contact between the parent and the child will not cause emotional or physical harm to the child and that the probability that the harmful conduct of the parent will recur is so remote that it would not be in the child's best interests to apply the limitations ~~((or unless it is shown not to have had an impact on the child))~~ of (a) and (b) of this subsection, the court need not apply the limitations of this section. The weight given to the existence of a protection order issued under chapter 26.50 RCW as to domestic violence is within the discretion of the court.

(3) A parent's involvement or conduct may have an adverse effect on the child's best interests, and the court may preclude or limit any provisions of the parenting plan, if any of the following factors exist:

- (a) A parent's neglect or substantial nonperformance of parenting functions;
 - (b) A long-term emotional or physical impairment which interferes with the parent's performance of parenting functions as defined in RCW 26.09.004;
 - (c) A long-term impairment resulting from drug, alcohol, or other substance abuse that interferes with the performance of parenting functions;
 - (d) The absence or substantial impairment of emotional ties between the parent and the child;
 - (e) The abusive use of conflict by the parent which creates the danger of serious damage to the child's psychological development;
 - (f) A parent has withheld from the other parent access to the child for a protracted period without good cause; or
 - (g) Such other factors or conduct as the court expressly finds adverse to the best interests of the child.
- (4) In entering a permanent parenting plan, the court shall not draw any presumptions from the provisions of the temporary parenting plan.

Sec. 3. Section 24, chapter 157, Laws of 1973 1st ex. sess. as last amended by section 18, chapter 460, Laws of 1987 and RCW 26.09.240 are each amended to read as follows:

(1) The court may order visitation rights for any person when visitation may serve the best interest of the child whether or not there has been any change of circumstances.

(2)(a) Visitation with the child shall be limited if it is found that the person seeking visitation has engaged in any of the following conduct: (i) Willful abandonment by the parent that continues for an extended period of time or substantial refusal by the parent to perform parenting functions; (ii) physical, sexual, or emotional abuse of a child; or (iii) a history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

(b) The limitations imposed by the court shall be reasonably calculated to protect the child from the perceived harm. If the court expressly finds limitation on visitation with the child will not adequately protect the child from the perceived harm, the court shall restrain the person seeking visitation from all contact with the child.

(c) If the court expressly finds that contact between the person seeking visitation and the child will not cause emotional or physical harm to the child and that the probability that the harmful conduct of the person seeking visitation will recur is so remote that it would not be in the child's best interest to apply the limitations of (a) and (b) of this subsection, the court need not apply the limitations of this subsection. The weight given to the existence of a protection order issued under chapter 26.50 RCW as to domestic violence is within the discretion of the court.

(3) Any person may petition the court for visitation rights at any time.

(4) The court may modify an order granting or denying visitation rights whenever modification would serve the best interests of the child.

Sec. 4. Section 4, chapter 188, Laws of 1984 and RCW 13.34.130 are each amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, as now or hereafter amended, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030(2); after consideration of the predisposition report prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition other than removal of the child from his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In selecting a program, the court should choose those services that least interfere with family autonomy, provided that the services are adequate to protect the child.

(b) Order that the child be removed from his or her home and ordered into the custody, control, and care of a relative or the department of social and health services or a licensed child placing agency for placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or in a home not required to be licensed pursuant to chapter 74.15 RCW. Such an order may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home and that:

(i) There is no parent or guardian available to care for such child;

(ii) The child is unwilling to reside in the custody of the child's parent, guardian, or legal custodian;

(iii) The parent, guardian, or legal custodian is not willing to take custody of the child;

(iv) A manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home; or

(v) The extent of the child's disability is such that the parent, guardian, or legal custodian is unable to provide the necessary care for the child and the parent, guardian, or legal custodian has determined that the child would benefit from placement outside of the home.

(2) Whenever a child is ordered removed from the child's home, the agency charged with his or her care shall provide the court with a specific plan as to where the child will be placed, what steps will be taken to return the child home, and what actions the agency will take to maintain parent-child ties.

(a) The agency plan shall specify what services the parents will be offered in order to enable them to resume custody and what requirements the parents must meet in order to resume custody.

(b) The agency shall be required to encourage the maximum parent-child contact possible, including regular visitation and participation by the parents in the care of the child while the child is in placement subject to the limitations of subsection (3) of this section.

(c) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(d) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department of social and health services has existing contracts to purchase. It shall report to the court if it is unable to provide such services.

(3)(a) Visitation with the child shall be limited if it is found that the parent has engaged in any of the following conduct: (i) Wilful abandonment by the parent that continues for an extended period of time or substantial refusal by the parent to perform parenting functions; (ii) physical, sexual, or emotional abuse of a child; or (iii) a history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

(b) The limitations imposed by the court shall be reasonably calculated to protect the child from the perceived harm. If the court expressly finds limitation on visitation with the child will not adequately protect the child from the perceived harm, the court shall restrain the parent from all contact with the child.

(c) If the court expressly finds that contact between the parent and the child will not cause emotional or physical harm to the child and that the probability that the harmful conduct of the parent will recur is so remote that it would not be in the child's best interests to apply the limitations of (a) and (b) of this subsection, the court need not apply the limitations of this subsection. The weight given to the existence of a protection order issued under chapter 26.50 RCW as to domestic violence is within the discretion of the court.

((3))(4) The status of all children found to be dependent shall be reviewed by the court at least every six months at a hearing in which it shall be determined whether court supervision should continue.

(a) A child shall not be returned home at the review hearing unless the court finds that a reason for removal as set forth in this section no longer exists. The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) If the child is not returned home, the court shall establish in writing:

(i) Whether reasonable services have been provided to or offered to the parties to facilitate reunion;

(ii) The extent to which the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;

(iii) Whether the agency is satisfied with the cooperation given to it by the parents;

(iv) Whether additional services are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered; and

(v) When return of the child can be expected.

(c) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.*

Representatives Appelwick, Leonard and Padden spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Leonard spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1523, and the bill passed the House by the following vote: Yeas, 90; absent, 1; excused, 7.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 90.

Absent: Representative Locke - 1.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B, Wineberry - 7.

Engrossed Substitute House Bill No. 1523, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Locke appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1525 on second reading. The motion was carried.

HOUSE BILL NO. 1525, by Representatives Winsley, Lux, Chandler, P. King, Nutley, Betzoff, Holland and May

Changing requirements for debenture companies.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1525 was substituted for House Bill No. 1525, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1525 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Winsley, Lux and S. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1525, and the bill passed the House by the following vote: Yeas, 91; excused, 7.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 91.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B, Wineberry - 7.

Substitute House Bill No. 1525, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1530, by Representatives Brooks, Braddock, Brough, Cantwell, Sprenkle, Spanel, Wineberry, Day and Miller

Certifying and registering nursing assistants.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass substitute. Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute by Committee on Health Care as amended by Committee on Ways & Means/Appropriations. (For committee amendments, see Journal, 26th Day, February 5, 1988.)

On motion of Mr. Braddock, Substitute House Bill No. 1530 was substituted for House Bill No. 1530, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1530 was read the second time.

Mr. Braddock moved adoption of the committee amendment by Committee on Way & Means/Appropriations and spoke in favor of it. The committee amendment was adopted.

Mr. Brooks moved adoption of the following amendment:

On page 6, line 22, after "board" insert ", in consultation with the board of practical nursing."

Mr. Brooks spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1530, and the bill passed the House by the following vote: Yeas, 91; excused, 7.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 91.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B, Wineberry - 7.

Engrossed Substitute House Bill No. 1530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1613, by Representatives Prince, Chandler, Smith, Nealey and Fuhrman

Revising provisions relating to the privilege tax imposed on public utility districts.

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

Representatives Prince and Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1613, and the bill passed the House by the following vote: Yeas, 89; nays, 2; excused, 7.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Hankins, Jesernig - 2.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B, Wineberry - 7.

House Bill No. 1613, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1672, by Representatives Rasmussen, Schmidt, Walk, S. Wilson, Brough, May and Beck

Requiring identification on large trucks.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1672 was substituted for House Bill No. 1672, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1672 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rasmussen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1672, and the bill passed the House by the following vote: Yeas, 90; nays, 1; excused, 7.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Lewis, Locke, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C. Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representative McLean - 1.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B, Wineberry - 7.

Substitute House Bill No. 1672, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 1800 and House Bill No. 1817 be deferred and that the bills hold their places on the second reading calendar. The motion was carried.

Representative Wineberry appeared at the bar of the House.

HOUSE BILL NO. 1860, by Representatives Betzoff, Walk, Schmidt, Patrick, S. Wilson, Ferguson, Silver and Miller

Penalizing fraudulent failure to register vehicles, boats, or airplanes.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1860 was substituted for House Bill No. 1860, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1860 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1860, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Lewis, Locke, Lux,

May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B - 6.

Substitute House Bill No. 1860, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1969, by Representatives Belcher, Brough, Allen, Locke, Hine, Wineberry, Fisher, Wang, Cole, Beck, Sayan, Grimm, Cantwell, Appelwick, Holland, Jacobsen, Valle, Leonard and Nelson

Prohibiting sex discrimination by private golfing clubs qualifying for open space classification.

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

Representatives Belcher, Todd, K. Wilson, Hankins and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1969, and the bill passed the House by the following vote: Yeas, 87; nays, 5; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Baugher, Brooks, Schmidt, Williams J, Wilson S - 5.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B - 6.

House Bill No. 1969, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 4035, by Representatives Unsoeld, Sayan, Anderson, Nelson, Patrick, Jacobsen, Rust, Todd, Ferguson, Meyers, Sutherland, Holm, Holland, D. Sommers, Sanders, Heavey, Rasmussen, Grant, Appelwick, Basich, Pruitt, Dellwo, Peery, Fisher, H. Sommers, Wang, Jones, Nutley, Jesernig, Belcher, R. King, O'Brien, Sprenkle, Leonard, Cooper, Walk, Dorn, Lewis, P. King, Brough, Winsley, Miller, Brekke and Spanel

Petitioning Congress to study the claims of veterans exposed to Agent Orange.

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

Representatives Unsoeld and Jones spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4035, and the memorial passed the House by the following vote: Yeas, 89; nays, 3; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H,

Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Brooks, McLean, Prince - 3.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B - 6.

House Joint Memorial No. 4035, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1817 on second reading. The motion was carried.

HOUSE BILL NO. 1817, by Representatives Hine, Patrick, Walk, Cantwell, Ferguson, Allen, Holland, May, P. King and Todd

Facilitating public and private funding of local transportation improvements.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1817 was substituted for House Bill No. 1817, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1817 was read the second time.

Mr. Walk moved adoption of the following amendments by Representatives Walk and Schmidt:

On page 2, line 11, after "development," strike all material through "program." on line 13

On page 3, line 28, after "area," insert "Off-site transportation impacts shall be measured as a pro rata share of the capacity of the off-site transportation improvements being funded under the program."

Representatives Walk and Schmidt spoke in favor of adoption of the amendments, and they were adopted.

Mr. Walk moved adoption of the following amendment by Representatives Walk and Schmidt:

On page 2, line 18, after "the" insert "local"

Mr. Walk spoke in favor of adoption of the amendment, and it was adopted.

Mr. Walk moved adoption of the following amendments by Representatives Walk and Schmidt:

On page 4, line 21, after "program" insert "including the addition of other off-site transportation improvements"

On page 7, line 10, after "improvements" strike all material through "chapter," on line 13 and insert "within the geographic boundaries of the area or areas covered by an adopted transportation program authorized by chapter 39, RCW (sections 1 through 5 of this act)."

Mr. Walk spoke in favor of adoption of the amendments, and they were adopted.

Ms. Hine moved adoption of the following amendments:

On page 1, line 24, after "the" insert "state"

On page 1, following line 26, insert a new paragraph to read as follows:

"The authority provided by this act for local governments to create and implement local transportation programs is intended to be an alternative to the existing authorities and responsibilities of local governments to regulate development and provide public facilities."

Representatives Hine and Schmidt spoke in favor of adoption of the amendments, and they were adopted.

Ms. Hine moved adoption of the following amendments:

On page 5, line 9, after "subdivisions" insert "or short plats"

On page 5, line 11, after "subdivision" insert "or short plat"

Ms. Hine spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1817, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Schoon, Williams B - 6.

Engrossed Substitute House Bill No. 1817, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Schoon appeared at the bar of the House.

MOTION

Mr. Meyers moved that the House immediately consider House Bill No. 1800 on second reading. The motion was carried.

HOUSE BILL NO. 1800, by Representatives Basich, Miller, Bristow, Heavey, Baugher, K. Wilson, Dellwo, Grant, Ballard, Unsoeld, Locke, Brooks, Barnes, Holland, Hine, Anderson, Sayan, Rasmussen and Ferguson

Providing grants to Washington state scholars attending independent colleges or universities.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 1800 was substituted for House Bill No. 1800, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1800 was read the second time.

On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Basich, Wang and Brooks spoke in favor of passage of the bill, and Ms. Rust opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1800, and the bill passed the House by the following vote: Yeas, 89; nays, 4; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Brekke, Cole, Pruitt, Rust - 4.

Excused: Representatives Allen, Fuhrman, King P, Sanders, Williams B - 5.

Substitute House Bill No. 1800, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Sanders appeared at the bar of the House.

STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of ESHB 1523, ESHB 1534, SHB 1412, SHB 1525, ESHB 1530, HB 1613, SHB 1672, SHB 1800, ESHB 1817, SHB 1860, HB 1969 AND HJM 4035.

PAUL SANDERS, 48th District.

MOTION FOR RECONSIDERATION

Mr. Ebersole, having voted on the prevailing side, moved that the House do now immediately reconsider the vote by which Engrossed Second Substitute House Bill No. 1564 passed the House. The motion was carried.

RECONSIDERATION

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1564.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1564, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, King P, Williams B - 4.

Engrossed Second Substitute House Bill No. 1564, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. Braddock presiding) called the House to order.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 90 on second reading. The motion was carried.

HOUSE BILL NO. 90, by Representatives Belcher, H. Sommers, Hankins, Vekich, Day, Dellwo, Holm, Unsoeld, Meyers, Wang, P. King and Winsley; by request of Office of Financial Management

Regulating payment of state employee moving expenses.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 90 was substituted for House Bill No. 90, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 90 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher, Sayan and Hankins spoke in favor of passage of the bill, and Representatives Silver and Schoon opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 90, and the bill passed the House by the following vote: Yeas, 61; nays, 33; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 61.

Voting nay: Representatives Armstrong, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Holland, Lewis, Mary, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams J, Wilson S, Zellinsky - 33.

Excused: Representatives Allen, Fuhrman, King P, Williams B - 4.

Substitute House Bill No. 90, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1267, by Representatives Walk, Zellinsky, S. Wilson, Brough, Pruitt, Wang, Fisher, Schoon and P. King

Authorizing modification of performance bond requirements for contracts for ferry construction and maintenance.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1267 was substituted for House Bill No. 1267, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1267 was read the second time.

Mr. Vekich moved adoption of the following amendments by Representatives Vekich, Fisher and Meyers:

On page 1, line 1, strike "ferry construction" and insert "contracting ferry work"

On page 1, line 7, after "the" strike "construction."

On page 1, line 9, after "may be" insert "reduced or"

On page 1, line 10, after "forms" insert "and amounts"

On page 1, line 10, after "security" strike "in an amount equal to the bond."

On page 1, line 20, after "equal to the" insert "specified percentage of."

On page 1, line 21, after "section" strike all of the material down to and including "division" on line 24 and insert one new paragraph to read as follows:

"Substitutions for any bond required under this chapter shall be subject to specified format, conditions, and percentage of the contract amount as determined by the department of transportation marine division: PROVIDED, That any reduced bond or alternative security shall not be for an amount less than twenty-five percent of the contract price."

On page 1, line 26, after "ferry" strike "construction."

Mr. Vekich spoke in favor of adoption of the amendments, and Representatives Schmidt and Heavey opposed them. The amendments were not adopted.

Mr. Betzoff moved adoption of the following amendments by Representatives Betzoff, Schmidt and Walk:

On page 1, beginning on line 12, strike "include but"

On page 1, line 12, after "are" strike "not"

Mr. Betzoff spoke in favor of adoption of the amendments, and they were adopted.

Mr. Vekich moved adoption of the following amendments:

On page 2, line 2, after "yard," strike "all contractors, including those"

On page 2, line 5, after the period insert "This provision shall not apply to ferry system repair contracts for which funds are sought under the urban mass transportation act of 1964, as amended, 49 USC Sec. 1601 et. seq."

On page 2, line 1, after "repair" insert "or renovation"

On page 2, line 4, after "all" strike "repair" and insert "structural"

Representatives Vekich and Schmidt spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1267, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich,

Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, King P, Williams B - 4.

Engrossed Substitute House Bill No. 1267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1396 on second reading. The motion was carried.

HOUSE BILL NO. 1396, by Representatives Wang, Patrick and Cole; by request of Department of Labor and Industries

Revising industrial insurance disability benefits.

The bill was read the second time.

Mr. Wang moved adoption of the following amendments by Representatives Wang and R. King:

On page 3, beginning on line 1, strike all material through "section." on line 5 and insert the following:

~~"((††)) (4) In no event shall the monthly payments provided in this section exceed ((seventy-five percent)) the applicable percentage of the average monthly wage in the state as computed under the provisions of RCW 51.08.018((- except that this)) as follows:~~

<u>ON AND AFTER</u>	<u>PERCENTAGE</u>
<u>July 1, 1988</u>	<u>100%</u>
<u>July 1, 1990</u>	<u>150%</u>

The limitations under this subsection shall not apply to the payments provided for in subsection ~~((††)) (2)~~ of this section."

On page 5, beginning on line 5, strike all material through "51.08.018." on line 8 and insert the following:

~~"((††)) (c) In no event shall the monthly payments provided in subsection (2) of this section exceed ((seventy-five percent)) the applicable percentage of the average monthly wage in the state as computed under RCW 51.08.018(;) as follows:~~

<u>ON AND AFTER</u>	<u>PERCENTAGE</u>
<u>July 1, 1988</u>	<u>100%</u>
<u>July 1, 1990</u>	<u>150%</u>

On page 6, beginning on line 27, strike all material through "sums." on line 30 and insert ~~"((sixty-five)) the lesser of sixty-six and two-thirds percent of the wages of the deceased worker at the time of his or her death, or ((seventy-five percent)) the applicable percentage of the average monthly wage in the state as defined in RCW 51.08.018((- whichever is the lesser of the two sums:)) as follows:~~

<u>ON AND AFTER</u>	<u>PERCENTAGE</u>
<u>July 1, 1988</u>	<u>100%</u>
<u>July 1, 1990</u>	<u>150%</u>

On page 7, beginning on line 4, strike all material through "sums." on line 7 and insert ~~"the lesser of sixty-six and two-thirds percent of the wages of the deceased worker at the time of the death, or ((seventy-five percent)) the applicable percentage of the average monthly wage in the state as defined in RCW 51.08.018((- whichever is the lesser of the two sums:)) as follows:~~

<u>ON AND AFTER</u>	<u>PERCENTAGE</u>
<u>July 1, 1988</u>	<u>100%</u>
<u>July 1, 1990</u>	<u>150%</u>

On page 9, beginning on line 23, strike all material through "51.08.018." on line 26 and insert the following:

~~"((††)) (d) In no event shall the monthly payments provided in this section exceed ((seventy-five percent)) the applicable percentage of the average monthly wage in the state as computed under the provisions of RCW 51.08.018(;) as follows:~~

<u>ON AND AFTER</u>	<u>PERCENTAGE</u>
<u>July 1, 1988</u>	<u>100%</u>
<u>July 1, 1990</u>	<u>150%</u>

On page 11, line 14, after "exceed" strike all material through "51.08.018." on line 15 and insert "the applicable percentage of the average monthly wage in the state as computed under the provisions of RCW 51.08.018 as follows:

<u>ON AND AFTER</u>	<u>PERCENTAGE</u>
<u>July 1, 1988</u>	<u>100%</u>
<u>July 1, 1990</u>	<u>150%</u>

Mr. Wang spoke in favor of adoption of the amendments, and Mr. Patrick opposed them.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Representatives R. King and Lux spoke in favor of adoption of the amendments.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Wang and R. King to House Bill No. 1396, and the amendments were adopted by the following vote: Yeas, 57; nays, 37; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H. Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Hankins, Haugen, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams J, Wilson S - 37.

Excused: Representatives Allen, Fuhrman, King P, Williams B - 4.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang, Sayan, R. King and Lux spoke in favor of passage of the bill, and Representatives Patrick, Bumgarner, Smith and Nealey opposed it.

The Speaker called on Representative H. Sommers to preside.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1396, and the bill passed the House by the following vote: Yeas, 58; nays, 36; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H. Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Hankins, Hargrove, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams J, Wilson S - 36.

Excused: Representatives Allen, Fuhrman, King P, Williams B - 4.

Engrossed House Bill No. 1396, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 1450 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1456, by Representatives Wang, Locke, Walker, Rust, Jones, Fisher, Holland, Todd, Lux, Unsoeld and Winsley

Prohibiting the sale of beverage containers connected by plastic rings that are not degradable.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1456 was substituted for House Bill No. 1456, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1456 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Sanders.

Mr. Sanders: Representative Wang, you've seen photographs in the news media of mallard ducks wearing these rings around their necks. How long would a duck have to wear one of these biodegradable rings before it dissolved?

Mr. Wang: Representative Sanders, I've seen not only photographs of the problems which occur from these rings being caught on ducks, but I've also seen other birds which have had problems with the rings. It is a significant problem. That's why I believe that the rings should be degradable. The amount of time required for a ring to completely degrade depends upon the amount of sunlight it is exposed to and other factors. It depends upon how long the ring has been sitting there before the bird got caught in it

Mr. Sanders: Thank you, Representative Wang. The second part of my question is: As you know, ducks spend a lot of time under the water. Would that count?

Mr. Wang: No, these rings are photo-degradable. However, they are also buoyant, so that they would float and would not be under the water. If the ring were to be trapped under the water and stay under the water the whole time, it would not degrade during that time period if light did not reach it.

Mr. Schoon spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Hargrove.

Mr. Hargrove: Representative Wang, could you tell me if anybody manufactures these rings that are not photo-degradable right now?

Mr. Wang: I am not sure whether the rings used in other states are nondegradable. I do not know.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1456, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, King P, Williams B - 4.

Substitute House Bill No. 1456, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1469, by Representatives Walk, Betzoff, Patrick, Cantwell and Meyers; by request of Department of Transportation

Expanding department of transportation property exchange authority.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1469 was substituted for House Bill No. 1469, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1469 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1469, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, King P, Williams B - 4.

Substitute House Bill No. 1469, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Hankins was excused.

HOUSE BILL NO. 1516, by Representatives Basich, Doty, Vekich, Holm, Rasmussen, Sayan, Hargrove, Jones, Bristow, Pruitt, Wineberry, Locke, Kremen, Nutley, Grimm, Beck, Amondson, McLean, Schoon, Grant, Jacobsen, Winsley, P. King, Unsoeld and Rayburn

Authorizing local marketplace programs.

The bill was read the second time. On motion of Mr. Ebersole, Second Substitute House Bill No. 1516 was substituted for House Bill No. 1516, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1516 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Basich, Doty and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1516, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Fuhrman, Hankins, King P, Williams B - 5.

Second Substitute House Bill No. 1516, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Ms. H. Sommers presiding) called on Representative O'Brien to preside.

HOUSE BILL NO. 1565, by Representatives Brække, Winsley, H. Sommers, Silver, Moyer, Braddock, Sutherland, Hine, May, D. Sommers and Butterfield; by request of Department of Social and Health Services

Revising provisions on alcoholism and drug addiction treatment.

The bill was read the second time. On motion of Mr. Grimm, Second Substitute House Bill No. 1565 was substituted for House Bill No. 1565, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1565 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brække and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1565, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D. Sommers H. Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Fuhrman, Hankins, King P, Williams B - 5.

Second Substitute House Bill No. 1565, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 1594 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1640, by Representatives Fox, Jacobsen, Miller, Kremen, Spanel, Heavey, Silver, Nelson, Jesernig, Braddock, Wineberry, Winsley, R. King, Valle, Leonard, Dellwo, Peery, Haugen, H. Sommers, Jones, Wang, Scott, P. King, Basich, Nutley, O'Brien, Hine, Sanders, Sayan, Pruitt, Todd, Lux, K. Wilson, Unsoeld, Betrozoff and Rust

Establishing the G. Robert Ross public service award program for outstanding public service by faculty.

The bill was read the second time. On motion of Mr. Grimm, Second Substitute House Bill No. 1640 was substituted for House Bill No. 1640, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1640 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fox, Miller and Spanel spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1640, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince,

Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Fuhrman, Hankins, King P, Williams B - 5.

Second Substitute House Bill No. 1640, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 1649 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1693, by Representatives Cooper, Butterfield, Peery, Nutley, Sutherland, Brough, Day, Fuhrman, May and Barnes

Authorizing educational service districts to contract with the school for the deaf and the school for the blind.

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

Representatives Cooper, Butterfield and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1693, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Fuhrman, Hankins, King P, Williams B - 5.

House Bill No. 1693, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1710, by Representatives Jones, Ferguson, Fox, Brough, Walker, Fuhrman, Ballard and May

Approving projects approved by the public works board.

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

Representatives Jones and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1710, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich,

Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Fuhrman, Hankins, King P, Williams B - 5.

House Bill No. 1710, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1713, by Representatives Braddock, Ballard, Sprengle, Vekich, Lux, Haugen, Holm, Sayan, Winsley, Anderson and Baugher

Creating a committee to study and design a trauma care system for Washington.

The bill was read the second time. On motion of Mr. Walk, Second Substitute House Bill No. 1713 was substituted for House Bill No. 1713, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1713 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock, Baugher, Zellinsky and Brooks spoke in favor of passage of the bill, and Mr. Lewis opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1713, and the bill passed the House by the following vote: Yeas, 91; nays, 2; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Holland, Lewis - 2.

Excused: Representatives Allen, Fuhrman, Hankins, King P, Williams B - 5.

Second Substitute House Bill No. 1713, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1717, by Representatives Cole, R. King, Fisher, Winsley, Leonard, Anderson, Ebersole, Dellwo, Miller, Allen, Wang, Sayan, Nelson, Vekich, Lux and Unsoeld

Requiring franchisees to maintain workplace safety for twenty-four hour operations.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1717 was substituted for House Bill No. 1717, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1717 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Lux spoke in favor of passage of the bill, and Representatives Patrick, Amondson, Bumgarner, Hargrove and Chandler opposed it. Ms. Cole again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1717, and the bill passed the House by the following vote: Yeas, 62; nays, 31; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn,

Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Meyers, Miller, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 62.

Voting nay: Representatives Amondson, Ballard, Barnes, Basich, Beck, Betzoff, Bumgarner, Butterfield, Chandler, Day, Doty, Grant, Hargrove, Lewis, May, McLean, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Walker, Williams J, Wilson S, Zellinsky - 31.

Excused: Representatives Allen, Fuhrman, Hankins, King P, Williams B - 5.

Substitute House Bill No. 1717, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative P. King appeared at the bar of the House.

ENGROSSED HOUSE BILL NO. 1718, by Representatives Locke and May

Revising provisions on the limited waiver of the one hundred six percent property tax limit.

The bill was read the second time. Committee on Ways & Means/Revenue recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 29th Day, February 8, 1988.)

Mr. Appelwick moved adoption of the committee amendment. Representatives Appelwick and Taylor spoke in favor of adoption of the committee amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1718, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

Engrossed House Bill No. 1718, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1843, by Representatives Cantwell, Schmidt, Sanders, Walk, Ferguson, Patrick, Heavey, Ebersole, S. Wilson, Day, R. King, J. Williams, Beck, Wineberry, Meyers, Betzoff, Todd, Winsley, May and P. King

Considering economic development in state highway construction programs.

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

Representatives Cantwell and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1843, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

House Bill No. 1843, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1857, by Representatives Cantwell, Walk, S. Wilson, Patrick, Fisher, Zellinsky, Jones, Sanders and Todd

Creating a transportation improvement board.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1857 was substituted for House Bill No. 1857, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1857 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cantwell and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1857, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

Substitute House Bill No. 1857, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 1868, by Representatives Brekke, Moyer, Holm, Pruitt, Rayburn, Fox, Rasmussen, Cantwell, Scott, H. Sommers, Valle, Dorn, P. King, Winsley, Silver, Walker, Holland, May, D. Sommers, Zellinsky, Miller, Anderson, Todd, Cooper and Brough

Establishing a temporary commission on organization of social and health services.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1868 was substituted for House Bill No. 1868, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1868 was read the second time.

Mr. Hargrove moved adoption of the following amendments by Representatives Hargrove, Grimm, Day, Kremen, Zellinsky, Lux, Crane, K. Wilson, Grant, Basich, Rasmussen, Ebersole, Walk, Fox, Jesernig, Heavey, Ballard, Amondson, D. Sommers, May, Patrick, Nealey, Padden, Ferguson, Moyer, Schoon, Fisher, Lewis, Hankins, Wineberry, Beck, Walker, Miller, Fuhrman, Prince, Taylor, Allen,

B. Williams, Schmidt, Meyers, Baugher, Todd, Cooper, Dorn, J. Williams, Holland, P. King, Scott, Jones, Sanders, Butterfield, Chandler, Betrozoff, S. Wilson and Smith:

On page 2, line 4, after "services," insert "However, the legislature recognizes that the department of social and health services has been the subject of numerous previous studies and that the need for dividing the department into smaller, more manageable and accountable agencies is well known. For this reason, the department shall be divided into five specified independent agencies if the legislature, after receiving the commission's recommendations, does not enact a reorganization different than the five agencies or decide to reject the five agency plan."

On page 4, line 3, after "Sec. 4." insert "(1)"

On page 4, line 8, after "1990." strike all material through "level" on line 19 and insert the following:

"(2) The legislature shall consider the commission's recommendations and any comments or proposed revisions submitted by the governor. Unless by July 1, 1990, the legislature has provided otherwise, the following will occur:

(a) On July 1, 1990, the department will be scheduled for expiration and section 13 of this act shall become effective; and

(b) On July 1, 1991, sections 5 through 12 of this act will become effective, the department will expire, and its functions, powers, and duties shall be assumed by the new agencies created in section 5 of this act.

If the department of social and health services is scheduled for expiration as provided in this section, the governor shall be responsible for overseeing the work of the transition team created under section 13 of this act, and the governor shall adopt a plan providing for the orderly expiration of the department and the orderly assumption of its functions, powers, and duties by the new agencies created under section 5 of this act.

NEW SECTION. Sec. 5. (1) The department of social and health services is hereby terminated and the following new agencies are created to assume the functions, powers, and duties of the department: The department of central support services; the department of long-term care; the department of children, youth, and family services, which shall include income and medical assistance, and drug, alcohol, and mental health services for children; the department of rehabilitation services, which shall include general assistance, mental health, developmental disability, and vocational rehabilitation; and the department of health.

(2) The governor shall be responsible for the organization and structure of each department and may provide for such assistants or deputy directors as the governor believes appropriate. The governor may adopt orders that are not in conflict with this section and that identify which department will administer each program administered by the department of social and health services immediately prior to the effective date of this section. Subject to confirmation by the senate, the governor shall appoint the director of each of the new departments.

(3) The departments shall be located in the facilities of the department of social and health services as allocated by the governor.

NEW SECTION. Sec. 6. All references to the secretary or the department of social and health services in the Revised Code of Washington shall be construed to mean the director or the appropriate department created under section 5 of this act.

NEW SECTION. Sec. 7. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of social and health services shall be delivered to the custody of the transition team created under section 13 of this act to be transferred to the appropriate department. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of social and health services shall be made available to the transition team to be transferred to the appropriate department. All funds, credits, or other assets held by the department of social and health services shall be assigned to the appropriate department by the transition team.

Any appropriations made to the department of social and health services shall, on the effective date of this section, be transferred and credited to the appropriate department by the transition team.

NEW SECTION. Sec. 8. All employees of the department of social and health services are transferred to the jurisdiction of the transition team established under section 13 of this act to be transferred to the appropriate department. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to their respective departments to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service. If it is unclear to which department an employee should be assigned, the team shall assign the employee to the department that it believes to be the most appropriate.

NEW SECTION. Sec. 9. All rules and all pending business before the department of social and health services shall be continued and acted upon by the appropriate department. All existing contracts and obligations shall remain in full force and shall be performed by the appropriate department. If it is unclear which department is the appropriate department to assume a contract or obligation, the transition team shall assign the contract or obligation to that department it believes to be the most appropriate.

NEW SECTION. Sec. 10. The transfer of the powers, duties, functions, and personnel of the department of social and health services shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 11. If apportionments of budgeted funds are required because of the transfers directed by this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION. Sec. 12. Nothing contained in sections 5 through 11 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

NEW SECTION. Sec. 13. (1) The governor shall appoint a transition team to direct the details of administration of this act. The team shall consist of representatives from the office of financial management, the legislature, and the divisions of the department of social and health services.

(2) The transition team shall divide up the functions of the department of social and health services into the new departments after the effective date of this section as follows:

(a) All support services including but not limited to personnel, financial, administration, auditing, comptroller, constituent relations, and legal services of the attorney general's office shall remain with the department of central support services.

(b) All personnel, funds, books, documents, records, papers, files, equipment, or other tangible property required for the direct provision of services to the public shall be transferred to the department to be responsible for such services."

Renumber the sections consecutively and correct internal references accordingly.

On page 5, line 11, after "Sec. 8." strike "This act" and insert "The commission"

POINT OF ORDER

Ms. Brekke: I would like to raise the question of scope and object.

SPEAKER'S RULING

The Speaker: Representative Brekke, the Speaker has examined both Substitute House Bill No. 1868 and the amendment offered by Representative Hargrove. The Speaker finds that the bill proposes a study of the organization in the Department of Social and Health Services. The amendment deals with the same problem, the organization of the Department of Social and Health Services, but the amendment proposes an actual reorganization of the department. The bill is a study of the organization of the department; the amendment reorganizes the department. The Speaker then finds that your point is well taken, Representative Brekke. The amendment is outside the scope and object of the bill.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke, Lewis, Moyer, Holm, Sayan, Amondson, Pruitt and D. Sommers spoke in favor of passage of the bill, and Mr. Hargrove opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1868, and the bill passed the House by the following vote: Yeas, 91; nays, 3; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nedley, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Belcher, Hargrove, Wang - 3.

Excused: Representatives Allen, Fuhrman, Hamkins, Williams B - 4.

Substitute House Bill No. 1868, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Representative O'Brien to preside.

HOUSE BILL NO. 1883, by Representatives Waik and Prince

Adjusting the scope of vehicle dealer regulations.

The bill was read the second time. On motion of Mr. Waik, Substitute House Bill No. 1883 was substituted for House Bill No. 1883, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1883 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Waik spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1883, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

Substitute House Bill No. 1883, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1904, by Representatives Winsley and Lux

Changing provisions relating to sales of securities.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1904 was substituted for House Bill No. 1904, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1904 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1904, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

Substitute House Bill No. 1904, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1951, by Representatives Nutley, Peery, Butterfield, Cooper, Ferguson, Lux, Sutherland, Vekich and D. Sommers

Providing rate review exemption for certain hospitals.

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

Representatives Nutley and Butterfield spoke in favor of passage of the bill, and Representatives Lewis and Lux opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1951, and the bill passed the House by the following vote: Yeas, 83; nays, 11; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Brekke, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Braddock, Bristow, Brooks, Fisher, Hargrove, Jones, Lewis, Lux, Nealey, Spanel, Wang - 11.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

House Bill No. 1951, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1459 on second reading. The motion was carried.

HOUSE BILL NO. 1459, by Representatives Barnes, Beck, Sanders, Rasmussen, H. Sommers, K. Wilson and Ferguson

Providing employment preferences for persons with disabilities.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1459 was substituted for House Bill No. 1459, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1459 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Barnes and Taylor spoke in favor of passage of the bill, and Ms. Belcher opposed it. Mr. Barnes again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1459, and the bill passed the House by the following vote: Yeas, 88; nays, 6; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Armstrong, Belcher, Locke, Rust, Sayan, Vekich - 6.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

Substitute House Bill No. 1459, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1632 on second reading. The motion was carried.

HOUSE BILL NO. 1632, by Representatives Haugen, Brough, Nutley, Doty, Cooper, Nelson, Rayburn, Zellinsky, Jacobsen, Hine, Ferguson, Moyer, May, Silver, D. Sommers, Unsoeld and Butterfield; by request of Washington State Local Government Commission

Providing for citizens' committee to review local governments.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass substitute. Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute by Committee on Local Government as amended by Committee on Ways & Means/Appropriations. (For committee amendments, see Journal, 29th Day, February 8, 1988.)

On motion of Ms. Haugen, Substitute House Bill No. 1632 was substituted for House Bill No. 1632, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1632 was read the second time.

On motion of Mr. Locke, the committee amendment by Committee on Ways & Means/Appropriations was adopted.

Mr. Jesernig moved adoption of the following amendment by Representatives Jesernig, Grant, Rayburn, Amondson, K. Wilson, Hargrove, Hankins, Brooks, Dellwo, Kremen and Nealey:

On page 10, line 3, after "margin," insert "However, a proposal to consolidate two or more cities or towns must be approved by at least a simple majority vote of the voters of each of these cities or towns who vote on the proposition."

Representatives Jesernig, Prince, Grant and Hargrove spoke in favor of adoption of the amendment, and Representatives Haugen, Nutley, Ferguson, Brough, Vekich and Doty opposed it.

Mr. Crane demanded the previous question, and the demand was sustained.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Jesernig and others to Substitute House Bill No. 1632, and the amendment was not adopted by the following vote: Yeas, 38; nays, 55; absent, 1; excused, 4.

Voting yea: Representatives Amondson, Ballard, Baugher, Brooks, Cantwell, Chandler, Crane, Day, Dellwo, Fisher, Gallagher, Grant, Hargrove, Heavey, Holland, Holm, Jesernig, Jones, Kremen, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Prince, Pruitt, Rayburn, Sayan, Schmidt, Smith C, Sommers D, Taylor, Wang, Wilson K, Wilson S - 38.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Barnes, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Bumgarner, Butterfield, Cole, Cooper, Dorn, Doty, Ebersole, Ferguson, Fox, Grimm, Haugen, Hine, Jacobsen, King P, King R, Leonard, Locke, Lux, Nelson, Nutley, O'Brien, Patrick, Peery, Rasmussen, Rust, Sanders, Schoon, Scott, Silver, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams J, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 55.

Absent: Representative Basich - 1.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

With consent of the House, the committee amendment by Committee on Ways & Means/Appropriations to the title was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Ferguson spoke in favor of passage of the bill, and Mr. McLean opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1632, and the bill passed the House by the following vote: Yeas, 80; nays, 14; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Ballard, Brooks, Crane, Grant, Hargrove, Jesernig, Jones, McLean, Meyers, Miller, Padden, Prince, Smith C, Wang - 14.

Excused: Representatives Allen, Fuhrman, Hankins, Williams B - 4.

Engrossed Substitute House Bill No. 1632, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

STATEMENT FOR THE JOURNAL

Had I been present, I would have voted "Yes" on the following bills: 2SHB 1516, 2SHB 1565, 2SHB 1640, HB 1693, HB 1710, 2SHB 1713, SHB 1717, EHB 1718, HB 1843, SHB 1857, SHB 1868, SHB 1883, SHB 1904, SHB 1459 and ESHB 1632.

I would have voted "Yes" on the amendment by Mr. Jesernig and others to SHB 1632.

I would have voted "No" on HB 1951.

SHIRLEY W. HANKINS, 8th District.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, February 15, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Monday, February 15, 1988

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Locke, Scott, Smith and Vekich. Representatives Scott, Smith and Vekich were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Daniel Durbin and Jenny Joswick. Prayer was offered by The Reverend Robert Rayburn, Faith Presbyterian Church of Tacoma.

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

MESSAGES FROM THE SENATE

February 12, 1988

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5775,
 SUBSTITUTE SENATE BILL NO. 6024,
 SENATE BILL NO. 6106,
 ENGROSSED SENATE BILL NO. 6143,
 SUBSTITUTE SENATE BILL NO. 6181,
 SENATE BILL NO. 6192,
 SUBSTITUTE SENATE BILL NO. 6217,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6232,
 ENGROSSED SENATE BILL NO. 6269,
 SENATE BILL NO. 6291,
 SUBSTITUTE SENATE BILL NO. 6294,
 SENATE BILL NO. 6295,
 SUBSTITUTE SENATE BILL NO. 6298,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6344,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6380,
 SENATE BILL NO. 6396,
 SUBSTITUTE SENATE BILL NO. 6399,
 SUBSTITUTE SENATE BILL NO. 6404,
 SUBSTITUTE SENATE BILL NO. 6419,
 SENATE BILL NO. 6449,
 SUBSTITUTE SENATE BILL NO. 6486,
 SENATE BILL NO. 6492,
 SENATE BILL NO. 6494,
 SUBSTITUTE SENATE BILL NO. 6505,
 SUBSTITUTE SENATE BILL NO. 6512,
 SECOND SUBSTITUTE SENATE BILL NO. 6513,
 SUBSTITUTE SENATE BILL NO. 6520,
 SUBSTITUTE SENATE BILL NO. 6526,
 SUBSTITUTE SENATE BILL NO. 6569,
 SUBSTITUTE SENATE BILL NO. 6603,
 SENATE BILL NO. 6608,
 SUBSTITUTE SENATE BILL NO. 6614,
 SUBSTITUTE SENATE BILL NO. 6631,
 SENATE BILL NO. 6667,
 SENATE BILL NO. 6668,
 SENATE BILL NO. 6723,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6742,
 SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8403,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

February 15, 1988

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4441,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

SSB 5775 by Committee on Law & Justice (originally sponsored by Senator Sellar)

Revising the seriousness level of vehicular homicide.

Referred to Committee on Judiciary.

SSB 6024 by Committee on Agriculture (originally sponsored by Senators Halsan, Barr, Benitz and Hansen)

Prohibiting restriction or denial of certain agriculturally related hydraulic project permits.

Referred to Committee on Natural Resources.

SB 6106 by Senators Metcalf, Lee, Zimmerman and Conner; by request of Inter-agency Committee for Outdoor Recreation

Changing provisions relating to the interagency committee for outdoor recreation's comprehensive guide of public parks and recreation sites.

Referred to Committee on Natural Resources.

ESB 6143 by Senators Pullen, Talmadge and Nelson

Revising provisions on real estate contract forfeitures.

Referred to Committee on Judiciary.

SSB 6181 by Committee on Education (originally sponsored by Senators Rinehart, Kiskaddon, Gaspard, Fleming, Bailey, Bender and Garrett)

Revising the early childhood education and assistance program.

Referred to Committee on Education.

SB 6192 by Senators Patterson, Owen, Conner, Hansen, von Reichbauer, Craswell and McMullen

Exempting from sales and use tax fuel purchased for marine use by the state ferry system.

Referred to Committee on Transportation.

SSB 6217 by Committee on Agriculture (originally sponsored by Senator Benitz)

Requiring the department of ecology to sell its interest in the Prosser well at the Washington State University research center.

Referred to Committee on Agriculture & Rural Development.

ESSB 6232 by Committee on Children & Family Services (originally sponsored by Senators Anderson, Smitherman, Barr, Stratton, Lee, Wojahn, Bailey, Kiskaddon, Patterson, McCaslin, Smith, Fleming, Johnson and Conner)

Seeking federal waivers for self-employed persons receiving aid to families with dependent children.

Referred to Committee on Human Services.

ESB 6269 by Senators Owen, von Reichbauer, Kreidler, Warnke, Smitherman, Johnson and Conner

Authorizing special license plates for National Guard members.

Referred to Committee on Transportation.

SB 6291 by Senators von Reichbauer, Bender, Sellar, Johnson and Gaspard; by request of Department of Transportation

Expanding state relocation assistance and realty purchase policies.

Referred to Committee on Judiciary.

SSB 6294 by Committee on Economic Development & Labor (originally sponsored by Senators Newhouse, Vognild, Lee, Smitherman, Benitz, Saling, Deccio and Warnke; by request of Employment Security Department)

Providing funding for special employer services provided by the employment security department.

Referred to Committee on Commerce & Labor.

SB 6295 by Senators Garrett and Patterson

Updating the Model Traffic Ordinance.

Referred to Committee on Transportation.

SSB 6298 by Committee on Governmental Operations (originally sponsored by Senators Zimmerman, Williams and Bluechel; by request of Community Development)

Revising provisions on abandoned property with historical value.

Referred to Committee on Natural Resources.

ESSB 6344 by Committee on Agriculture (originally sponsored Senators Barr, Hansen, Bailey and Anderson; by request of Department of Agriculture)

Revising provisions relating to agriculture.

Referred to Committee on Agriculture & Rural Development.

E2SSB 6380 by Committee on Ways & Means (originally sponsored by Senators Barr, Talmadge, Metcalf, Benitz, Moore, Zimmerman, Hansen, Bailey, Gaspard and Kreidler; by request of Governor)

Providing for a water use efficiency study.

Referred to Committee on Agriculture & Rural Development.

SB 6396 by Senators West, Conner and Anderson; by request of Department of Labor and Industries

Ending the use of apprentices' assumed wage rates for computing disability compensation payments.

Referred to Committee on Commerce & Labor.

SSB 6399 by Committee on Transportation (originally sponsored by Senators Barr, Patterson, Anderson, Vognild, Rasmussen, Conner, Bauer, Zimmerman and Smith)

Exempting farmers, contractors, and loggers from certain special fuel reporting requirements.

Referred to Committee on Transportation.

SSB 6404 by Committee on Governmental Operations (originally sponsored by Senators Lee, Halsan, Bailey and Garrett; by request of Department of Community Development)

Authorizing loans for emergency public works projects.

Referred to Committee on Local Government.

SSB 6419 by Committee on Governmental Operations (originally sponsored by Senators Zimmerman and Rasmussen)

Revising provisions relating to contracts by port districts.

Referred to Committee on Local Government.

SB 6449 by Senators Zimmerman, Bauer, Smith, Wojahn and Deccio

Providing a temporary rate-review exemption for certain hospitals.

Referred to Committee on Health Care.

SSB 6486 by Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Metcalf and Warnke)

Creating the Washington state firearm range committee.

Referred to Committee on Natural Resources.

SB 6492 by Senators McCaslin, Warnke, Zimmerman, Bluechel, Saling, Conner, Lee, Smitherman, Garrett and Madsen

Changing provisions relating to requirements for factory-assembled structures.

Referred to Committee on Housing.

SB 6494 by Senators Patterson, Conner, Metcalf, Hansen, Owen, DeJarnatt, Barr, Bender and Sellar

Revising provisions for motor vehicle license fees.

Referred to Committee on Transportation.

SSB 6505 by Committee on Ways & Means (originally sponsored by Senators McDonald, Rinehart, Bailey, Bender, Gaspard, Patterson and Hayner)

Requiring the specific identification of levy reduction funds in the appropriations act.

Referred to Committee on Education.

SSB 6512 by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Halsan, Bailey and Rinehart)

Exempting land enrolled in the federal conservation reserve program from state property and excise taxes.

Referred to Committee on Agriculture & Rural Development.

2SSB 6513 by Committee on Ways & Means (originally sponsored by Senators Barr, Hansen and Metcalf; by request of Department of Ecology)

Providing for water supply emergencies.

Referred to Committee on Agriculture & Rural Development.

SSB 6520 by Committee on Education (originally sponsored by Senators Bailey, Rinehart, Warnke, Bender, Bauer, Saling, Smitherman, Kiskaddon, Lee, Garrett and Anderson)

Specifying that grants should include funding the incidental costs of support services in the schools.

Referred to Committee on Education.

- SSB 6526 by Committee on Agriculture (originally sponsored by Senators Barr, Hansen, Bauer and Zimmerman)
Authorizing conservation district assessments.
Referred to Committee on Local Government.
- SSB 6569 by Committee on Economic Development & Labor (originally sponsored by Senators West, Warnke and Anderson)
Providing consumers with information on construction liens.
Referred to Committee on Commerce & Labor.
- SSB 6603 by Committee on Environment & Natural Resources (originally sponsored by Senators Barr and Stratton)
Revising air quality opacity limitations.
Referred to Committee on Environmental Affairs.
- SB 6608 by Senators Hayner, Hansen, Sellar, DeJarnatt, Bailey, Halsan, Madsen, Barr and Benitz
Increasing penalties for theft of livestock.
Referred to Committee on Judiciary.
- SSB 6614 by Committee on Economic Development & Labor (originally sponsored by Senators Warnke and Lee)
Permitting vessel dealers to file security in lieu of bond for registration purposes.
Referred to Committee on Transportation.
- SSB 6631 by Committee on Financial Institutions & Insurance (originally sponsored by Senators McCaslin and Smitherman)
Requiring that employers offer an alternative to a dental care assistance plan that limits providers.
Referred to Committee on Financial Institutions & Insurance.
- SB 6667 by Senator Nelson; by request of Department of Licensing
Revising special fuel user's report filing frequency.
Referred to Committee on Transportation.
- SB 6668 by Senator Nelson; by request of Department of Licensing
Revising special fuel bonding requirements.
Referred to Committee on Transportation.
- SB 6723 by Senators Patterson and Garrett
Studying the issuance of specially designed license plates.
Referred to Committee on Transportation.
- ESSB 6742 by Committee on Law & Justice (originally sponsored by Senators Newhouse and Deccio)
Authorizing an additional superior court judge in Yakima county.
Referred to Committee on Judiciary.
- SSCR 8403 by Committee on Economic Development & Labor (originally sponsored by Senators Garrett, Johnson, Peterson, Wojahn, Lee, Tanner, Warnke, Williams, Conner, Kiskaddon and Bauer; by request of Joint Select Committee on Disability Employment and Economic Participation)
Requiring the Legislature to include persons of disability as a minority group for affirmative action purposes.
Referred to Committee on Commerce & Labor.

MOTION

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

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4720, by Representatives Allen, Scott, Doty, Rasmussen, Walker, Silver, Belcher, Hankins, Cantwell, Brough, Leonard, Miller, Fisher, Winsley, Hine, Schmidt, Rust, Spanel, Rayburn, Brekke, Valle, Haugen, Nutley, Holm, H. Sommers, Cole, Unsoeld and K. Wilson

WHEREAS, Susan B. Anthony, one of the early advocates of equal rights for women, made an outstanding contribution to the cause of women's rights through her unremitting efforts to educate the American people that women are entitled to equal rights under the law and to change the laws so that women would have the right of suffrage; and

WHEREAS, Born on February 15, 1820 in Adams, Massachusetts and inspired by her father's deep social conscience, Susan B. Anthony was aware, at an early age, of the legal bondage of blacks and women under the United States Constitution and the laws of the states, and became an indefatigable worker in the movements to abolish slavery and give women the right of suffrage; and

WHEREAS, Susan B. Anthony campaigned first in New York and then across the country for the right of women to control their own property, to have guardianship of their children in case of divorce, to have equal educational opportunities and, ultimately, to have the right to vote; and

WHEREAS, In 1860 she delivered an address to the New York Assembly and persuaded the Assembly to pass the Married Women's Property Bill, an event of great importance in this country's history of the movement for equal rights for women; and

WHEREAS, From 1892 to 1900 she served as President of the National American Women's Suffrage Association; and

WHEREAS, In 1920, fourteen years after her death, the suffrage movement, in which she had played such a major role, achieved its primary objective with the ratification of the Nineteenth Amendment to the United States Constitution, which provides simply that, "The right of citizens of the United States to vote shall not be denied or abridged on account of sex.":

NOW, THEREFORE, BE IT RESOLVED, That the members of the House of Representatives recognize Susan B. Anthony for her outstanding contribution to the laws of this country providing for the civil rights of women, particularly the right of suffrage, and her efforts to achieve equal rights and treatment for women.

Ms. Miller moved adoption of the resolution. Representatives Miller, Lux, Moyer, Belcher, Brough and Hine spoke in favor of the resolution, and it was adopted.

On motion of Mr. Ebersole, the House reverted to the sixth order of business.

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1649 on second reading. The motion was carried.

HOUSE BILL NO. 1649, by Representatives Sayan, Patrick, H. Sommers, Holland, Basich and D. Sommers

Revising pension portability provisions.

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

Representatives Sayan and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1649, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Sommers D. Sommers H. Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Locke - 1.

Excused: Representatives Scott, Smith C, Vekich - 3.

House Bill No. 1649, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Locke appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1424 on second reading. The motion was carried.

HOUSE BILL NO. 1424, by Representatives Dellwo, Brooks, Braddock, Grimm, Vekich, Bristow, D. Sommers, Ebersole, Cantwell, Belcher, Locke, Armstrong, Crane, Appelwick, Brough, Bumgarner, Sprenkle, Day, Holland, P. King, McLean, Butterfield, Fuhrman, Doty, Basich, Jesernig, Moyer, Wineberry, Unsoeld and Brekke; by request of Governor Gardner

Revising provisions on community custody.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass substitute. Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute by Committee on Health Care as amended by Committee on Ways & Means/Appropriations. (For committee amendment, see Journal, 29th Day, February 8, 1988.)

On motion of Mr. Ebersole, Substitute House Bill No. 1424 was substituted for House Bill No. 1424, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1424 was read the second time.

On motion of Mr. Grimm, the committee amendment by Committee on Ways & Means/Appropriations was adopted.

Mr. Grimm moved adoption of the following amendment by Representative Locke:

On page 11, line 28, strike "be sentenced" and insert "sentence the offender"

Mr. Grimm spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1424, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Scott, Smith C, Vekich - 3.

Engrossed Substitute House Bill No. 1424, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1594 on second reading. The motion was carried.

HOUSE BILL NO. 1594, by Representatives Rayburn, Sutherland, Vekich, R. King, Dellwo, Todd and Rasmussen; by request of Governor Gardner

Providing for a water use efficiency study.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1594 was substituted for House Bill No. 1594, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1594 was read the second time.

Ms. K. Wilson moved adoption of the following amendment:

On page 3, line 17, after "(3)" strike all material down to and including "party," on line 22 and insert the following:

"Eight members of the legislature shall be voting members of the advisory committee:

(a) Four members of the House of Representatives, appointed by the Speaker, two from each major political party of which one member from each major political party shall be a member of the agriculture and rural development committee; and

(b) Four members of the Senate, appointed by the President of the Senate, two from each major political party of which one member from each major political party shall be a member of the agriculture committee."

Representatives K. Wilson, H. Sommers and Hine spoke in favor of adoption of the amendment, and Representatives Rayburn and Nealey opposed it. The amendment was adopted.

Ms. Rayburn moved adoption of the following amendments:

On page 3, line 34, after "December 31," strike "1989" and insert "1988"

On page 4, line 19, after "than" strike "December 1, 1989" and insert "December 30, 1988"

On page 5, line 14, after "June 30," strike "1990" and insert "1989"

Ms. Rayburn spoke in favor of adoption of the amendments, and they were adopted.

Ms. Rayburn moved adoption of the following amendment:

On page 3, line 13, after "(g)" strike "Public utility districts" and insert "Water utilities"

Ms. Rayburn spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1594, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan,

Schmidt, Schoon, Silver, Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Sommers H - 1.

Excused: Representatives Scott, Smith C, Vekich - 3.

Engrossed Substitute House Bill No. 1594, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representative Scott appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1089 on second reading. The motion was carried.

HOUSE BILL NO. 1089, by Representative Rust

Changing provision relating to deduction of amounts received as employee benefits for business and occupation tax purposes.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1089 was substituted for House Bill No. 1089, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1089 was read the second time.

Mr. Appelwick moved adoption of the following amendment:

On page 1, beginning on line 14, after "received" strike everything through "amount" on line 15 and insert "under an employee benefit plan"

Mr. Appelwick spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1089, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Smith C, Vekich - 2.

Engrossed Substitute House Bill No. 1089, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1419 on second reading. The motion was carried.

HOUSE BILL NO. 1419, by Representatives Armstrong, Padden, Locke and P. King; by request of Office of Financial Management

Revising provisions relating to the collection of criminal justice information.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1419 was substituted for House Bill No. 1419, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1419 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1419, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Prince - 1.

Excused: Representatives Smith C, Vekich - 2.

Substitute House Bill No. 1419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1439 on second reading. The motion was carried.

HOUSE BILL NO. 1439, by Representatives Fox, Hargrove, Vekich, Rasmussen and Appelwick

Restricting first source agreements with the employment security department.

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

Mr. Fox spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1439, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Smith C, Vekich - 2.

House Bill No. 1439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1440, by Representatives Lux, Winsley, Zellinsky, Silver, Nutley, Dorn, Anderson, Crane, Taylor, Chandler, Baugher, Betzoff, Prince, Smith, Meyers, Cooper, Locke, H. Sommers, Braddock, Heavey, Rust, Jacobsen, Cantwell, Bristow, Wineberry, Wang, Sayan, Leonard, Rayburn, K. Wilson, Basich, Unsoeld, Spanel and Brekke

Regulating financial planning.

The bill was read the second time. On motion of Mr. Zellinsky, Substitute House Bill No. 1440 was substituted for House Bill No. 1440, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1440 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Zellinsky, Winsley and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1440, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent, 1; excused, 2.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Amondson, Brough, King P, Padden - 4.

Absent: Representative Moyer - 1.

Excused: Representatives Smith C, Vekich - 2.

Substitute House Bill No. 1440, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1446, by Representatives Haugen, Ferguson, Sayan, S. Wilson, Jones, May, Dorn, Rasmussen and O'Brien; by request of Department of Community Development

Authorizing loans for emergency public works projects.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1446 was substituted for House Bill No. 1446, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1446 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1446, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor,

Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Smith C, Vekich - 2.

Substitute House Bill No. 1446, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1448, by Representatives Wineberry, Heavey, Anderson, Holland, Holm, Nelson, Hargrove, Locke, Jones and Unsoeld

Prohibiting state purchases of products originating in countries with apartheid policies.

The bill was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass. Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 29th Day, February 8, 1988.)

On motion of Mr. Ebersole, the committee amendments by Committee on Ways & Means/Appropriations were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wineberry and Jones spoke in favor of passage of the bill, and Representatives Fuhrman, Schoon and Barnes opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1448, and the bill passed the House by the following vote: Yeas, 65; nays, 29; absent, 2; excused, 2.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Miller, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 65.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betzoff, Brooks, Bumgarner, Butterfield, Chandler, Doty, Fuhrman, Haugen, Lewis, May, McLean, Moyer, Nealey, Padden, Sanders, Schoon, Silver, Sommers D, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 29.

Absent: Representatives Brough, Rasmussen - 2.

Excused: Representatives Smith C, Vekich - 2.

Engrossed House Bill No. 1448, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1451, by Representatives Rust, Sanders, Valle, Miller, Unsoeld, Brekke, Sprenkle, Jacobsen, Wang and Lux

Adopting the endangered species conservation act.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass substitute. Committee on Ways & Means/Appropriations recommendation: Majority, do pass substitute by Committee on Environmental Affairs as amended by Committee on Ways & Means/Appropriations. (For committee amendments, see Journal, 29th Day, February 8, 1988.)

On motion of Ms. Rust, Substitute House Bill No. 1451 was substituted for House Bill No. 1451, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1451 was read the second time.

Mr. Locke moved adoption of the committee amendments by Committee on Ways & Means/Appropriations and spoke in favor of them. The committee amendments were adopted.

MOTION

Mr. Ebersole moved that further consideration of Substitute House Bill No. 1451 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1457, by Representatives Jones, Sayan, Fox, Basich, Prince, Patrick, Walker, Crane, Kremen, Day, Meyers, P. King, Silver, Wineberry, Rasmussen and Winsley

Authorizing special plates for firefighters' vehicles.

The bill was read the second time. On motion of Mr. Baugher, Substitute House Bill No. 1457 was substituted for House Bill No. 1457, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1457 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jones and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1457, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives O'Brien, Patrick - 2.

Excused: Representatives Smith C, Vekich - 2.

Substitute House Bill No. 1457, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Representative Appelwick to preside.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1458 on second reading. The motion was carried.

HOUSE BILL NO. 1458, by Representatives Dorn, Amondson, K. Wilson, Sutherland, Silver and Rasmussen; by request of Washington State Parks and Recreation Commission

Repealing authority for surcharges on nonresidents camping at state parks.

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

Representatives Dorn and Amondson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1458, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan,

Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Smith C, Vekich - 2.

House Bill No. 1458 having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1515 on second reading. The motion was carried.

HOUSE BILL NO. 1515, by Representatives H. Sommers, B. Williams, Silver, Holland, Brekke, Fuhrman, J. Williams and May; by request of Legislative Budget Committee

Modifying the termination dates of various state agencies.

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

Representatives H. Sommers and Hankins spoke in favor of passage of the bill, and Mr. Hargrove opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1515, and the bill passed the House by the following vote: Yeas, 87; nays, 9; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Barnes, Brekke, Hargrove, Heavey, Padden, Patrick, Pruitt, Rasmussen, Sanders - 9.

Excused: Representatives Smith C, Vekich - 2.

House Bill No. 1515, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

HOUSE BILL NO. 1545, by Representatives Brekke, Winsley, Scott, Leonard, H. Sommers, Padden, Moyer and Anderson; by request of Department of Social and Health Services

Clarifying certain provisions governing the relinquishment and adoption of children.

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

Representatives Brekke, Winsley and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1545, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis,

Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Ebersole, Hine - 2.

Excused: Representatives Smith C, Vekich - 2.

House Bill No. 1545, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1507 on second reading. The motion was carried.

HOUSE BILL NO. 1507, by Representatives Appelwick, Taylor, Grimm, Haugen, Holland and Locke; by request of Governor Gardner

Revising the sales and use tax exemptions for food products sold by vendors required to have a worker's permit under RCW 69.06.010.

The bill was read the second time.

Mr. Appelwick moved adoption of the following amendments:

On page 2, after line 36, add new subsection:

"(vi) Food products that are prepared on the premises and sold to the public in a form that requires further preparation, such as cooking, before consumption except for uncooked pizza's prepared on the premises."

On page 5, after line 9, add new subsection:

"(vi) Food products that are prepared on the premises and sold to the public in a form that requires further preparation, such as cooking, before consumption except for uncooked pizza's prepared on the premises."

Mr. Appelwick spoke in favor of adoption of the amendments, and Ms. Miller opposed them.

POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Schoon.

Mr. Schoon: Representative Appelwick, if a person goes into a pizza establishment, which prepares both the uncooked pizza and the finished pizza for home consumption or for cooking at home, will that establishment have to keep track of the types of pizzas for tax exemption purposes, or will all of the products of that facility be exempted, because some of the pizzas are not cooked at their facility?

Mr. Appelwick: In the pizza place that sells either take-out uncooked pizza, delivers it uncooked or serves it on the premises, with this amendment and the bill, all three would be subject to the same taxation. There would be no separate record keeping.

Mr. Schoon: There are some pizza establishments that either serve the pizza uncooked or cooked. For that particular establishment I can see where they would have difficulty, because the uncooked pizza that you come and pick up is tax exempt. But if they cook it for you, it becomes taxable. Is that correct?

Mr. Appelwick: Let me tell you about the three circumstances. If you have home delivery of a pizza, it is currently not taxed. If you go to a you-bake-it and pick it up uncooked and take it home, it is not taxed. If you go in and sit down at the pizza parlor, it is taxed. The thrust of the bill would make all three of those circumstances taxable. The amendment, however, deals with grocery facilities, and it deals with the taxation of pizzas in those grocery facilities. If the grocery store itself prepares the pizza, it is subject to tax under this amendment.

Mr. Schoon spoke in favor of adoption of the amendments.

The amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Sanders.

Mr. Sanders: Representative Appelwick, you said that this bill would raise some revenue for the general fund. How much money would this bill raise?

Mr. Appelwick: Eight million dollars plus or minus a hundred thousand.

Mr. Sanders: Eight million dollars per year or per biennium?

Mr. Appelwick: I believe that was a fiscal note for the rest of the biennium, so that would be per year.

Representatives Sanders, Barnes, Hankins, Lewis, Ballard and B. Williams spoke against passage of the bill, and Representatives Hargrove, Jacobsen, Zellinsky, Haugen, Basich, Taylor and Winsley spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1507, and the bill passed the House by the following vote: Yeas, 71; nays, 25; excused, 2.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Amondson, Ballard, Barnes, Beck, Betrozoff, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, King P, Lewis, Miller, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Sommers D, Walker, Williams B, Williams J - 25.

Excused: Representatives Smith C, Vekich - 2.

Engrossed House Bill No. 1507, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Substitute House Bill No. 1451 on second reading.

SUBSTITUTE HOUSE BILL NO. 1451, by Committee on Environmental Affairs (originally sponsored by Representatives Rust, Sanders, Valle, Miller, Unsoeld, Brekke, Sprengle, Jacobsen, Wang and Lux)

Adopting the endangered species conservation act.

MOTION FOR RECONSIDERATION

Mr. Ebersole, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the committee amendments by Committee on Ways & Means/Appropriations were adopted. The motion was carried.

The Speaker stated the question before the House to be the adoption of the committee amendments by Committee on Ways & Means/Appropriations.

Ms. Rust moved adoption of the following amendment by Representatives Rust, Walker and Locke to the committee amendments:

On page 1, line 4 of the amendment, after "Sec. 33." strike "This" and insert "Sections 1 through 19 and 21 through 24 of this"

Representatives Rust and Walker spoke in favor of adoption of the amendment to the committee amendments, and it was adopted.

The committee amendment by Committee on Ways & Means/ Appropriations as amended was adopted.

On motion of Ms. Rust, the following amendments by Representatives Rust and Walker were adopted:

On page 9, line 24, after "sale of" insert "real property upon which an endangered or threatened plant is growing or"

On page 11, line 7, after "except" strike "though" and insert "through"

Mr. R. King moved adoption of the following amendment by Representatives R. King, Rust and Walker:

On page 7, beginning on line 12, strike everything through "land." on page 8, line 16 and insert the following:

NEW SECTION. Sec. 12. (1) Any state agency, county, or municipal or public corporation that authorizes, funds, or carries out any action on private land shall, within fifteen working days of receiving a written proposal for action:

(a) Determine whether the proposed action may affect a known location of a listed species or its habitat by consulting the natural heritage data base; and

(b) If so, consult with the commission or department to determine whether the proposed action is likely to jeopardize the survival or recovery of a listed species or its habitat.

(2) The state agency, county, or municipal or public corporation shall provide information to the landowner as follows:

(a) If a determination is made under subsection (1)(a) of this section that a proposed action may affect a known location of a listed species, the state agency, county, or municipal or public corporation shall, within five working days of making this determination, provide written notification to the landowner.

(b) If the commission or department determines under subsection (1)(b) of this section that the proposed action is likely to jeopardize the survival or recovery of a listed species, the state agency, county, or municipal or public corporation shall:

(i) Within five working days of the date of this determination, provide written notification to the landowner; and

(ii) Upon the request of the landowner, provide the landowner with alternatives to the proposed action that are consistent with conserving the listed species and that can be implemented without unreasonable economic burden to the landowner. If the state agency, county, or municipal or public corporation does not have the staff to develop the alternatives, the commission or department shall provide it with a management plan. The alternatives or management plan shall be made available to the landowner within thirty days of the receipt of the request. The landowner is not required to implement the alternatives proposed by the agency under this section.

(3) The commission and department shall jointly establish a task force consisting of members of private landowner groups, local governments, and citizen groups concerned with the protection of native plants and wildlife. The task force shall assess:

(a) Effective ways to coordinate state and local actions required under this section;

(b) The fiscal implications of such coordination; and

(c) Methods and incentives to maximize voluntary protection of sensitive, threatened, and endangered species on private land.

(4) Nothing in this section may be construed to affect or delay any permitting process required under any environmental law."

Representatives R. King and Walker spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the committee amendment by Committee on Ways & Means/Appropriations to the title was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Sanders spoke in favor of passage of the bill, and Representatives Amondson, Ferguson and Fuhrman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1451, and the bill passed the House by the following vote: Yeas, 63; nays, 33; excused, 2.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Barnes, Beck, Belcher, Brekke, Brough, Bumgarner, Cantwell, Cole, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rust, Sanders, Sayan, Scott, Sommers H, Spanel, Sprengle,

Sutherland, Taylor, Todd, Unsoeld, Valle, Walker, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 63.

Voting nay: Representatives Amondson, Ballard, Basich, Baugher, Betzoff, Braddock, Bristow, Brooks, Butterfield, Chandler, Cooper, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Haugen, King P. McLean, Moyer, Nealey, Padden, Rayburn, Schmidt, Schoon, Silver, Sommers D, Walk, Williams B, Williams J, Wilson S, Zellinsky - 33.

Excused: Representatives Smith C, Vekich - 2.

Engrossed Substitute House Bill No. 1451, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 1487 on second reading. The motion was carried.

HOUSE BILL NO. 1487, by Representatives Lux, Chandler, Anderson, Betzoff, Crane, May, Braddock, Jacobsen, Walker, Walk, Nutley, Nelson, Todd, Meyers, Scott, Wang, Sayan and Ballard

Regulating collision damage waivers for rental cars.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1487 was substituted for House Bill No. 1487, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1487 was read the second time.

Mr. Lux moved adoption of the following amendments by Representatives Lux, Betzoff, Zellinsky, Ferguson, May and Crane:

On page 5, line 17, strike "and"

On page 5, line 21, after "damage" insert "; and"

(6) Charging or collecting an amount in excess of the actual costs for the repair or replacement of a rental vehicle, or for the loss of use of a rental vehicle from any lessee or from any insurer of a lessee"

Mr. Lux spoke in favor of adoption of the amendments, and they were adopted.

Mr. Lux moved adoption of the following amendments by Representatives Lux, Ferguson, Betzoff, May, Crane and Zellinsky:

On page 6, line 7, after "chapter," insert the following new section:

"NEW SECTION, Sec. 9. A violation of this chapter or of any rule adopted pursuant to this chapter constitutes a violation of RCW 19.86.020 and any person injured in his or her business or property shall be entitled to the remedies provided in RCW 19.86.090."

Reumber the remaining sections accordingly.

On page 6, line 13, after "through" strike "10" and insert "11"

Mr. Lux spoke in favor of adoption of the amendments, and they were adopted.

Mr. Lux moved adoption of the following amendment by Representatives Lux, Ferguson, Betzoff, May, Crane and Zellinsky:

On page 5, line 25, after "vehicle" strike all material to and including "rental vehicle" on line 26.

Mr. Lux spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux, Winsley and May spoke in favor of passage of the bill, and Ms. Silver opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1487, and the bill passed the House by the following vote: Yeas, 87; nays, 9; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough,

Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jessernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Bumgarner, Day, Fuhrman, Heavey, Nealey, Padden, Sanders, Silver, Williams J - 9.

Excused: Representatives Smith C, Vekich - 2.

Engrossed Substitute House Bill No. 1487, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 1:20 p.m.

The Speaker called the House to order at 1:20 p.m.

Representative Vekich appeared at the bar of the House.

MOTION

Mr. Walk moved that the House immediately consider House Bill No. 1420 on second reading. The motion was carried.

HOUSE BILL NO. 1420, by Representatives Haugen, Ferguson, Cooper, Appelwick, Sayan, Brough and H. Sommers

Revising provisions on property taxes.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1420 was substituted for House Bill No. 1420, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1420 was read the second time.

Mr. Cooper moved adoption of the following amendment by Representatives Cooper, Ferguson and Haugen:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. The legislature finds that, due to statutory and constitutional limitations, the interdependence of the regular property tax levies of the state, counties, county road districts, cities and towns, and junior taxing districts can cause significant reductions in the otherwise authorized levies of those taxing districts, resulting in serious disruptions to essential services provided by those taxing districts. The purpose of this act is to avoid unnecessary reductions in regular property tax revenue without exceeding existing statutory and constitutional tax limitations on cumulative regular property tax levy rates. The legislature declares that it is a purpose of the state, counties, county road districts, cities and towns, public hospital districts, library districts, fire protection districts, metropolitan park districts, and other taxing districts to participate in the methods provided by this act by which revenue levels supporting the services provided by all taxing districts might be maintained.

Sec. 2. Section 1, chapter 107, Laws of 1986 and RCW 39.67.010 are each amended to read as follows:

Any agreement or contract between two taxing districts other than the state which is otherwise authorized by law may be made contingent upon a particular property tax levy rate of an identified taxing district other than the state where such rate affects the regular property tax rate of one of the parties to the contract and therefore affects the party's resources with which to perform under the contract. The governing body of every taxing district that could have its tax levy adversely affected by such a contract shall be notified about the contract.

~~((This section shall expire December 31, 1986.))~~

Sec. 3. Section 2, chapter 107, Laws of 1986 and RCW 39.67.020 are each amended to read as follows:

Any taxing district other than the state may transfer funds to another taxing district other than the state where the regular property tax levy rate of the second district may affect the regular property tax levy rate of the first district and where such transfer is part of an agreement whereby proration or reduction of property taxes is lessened or avoided. The governing body of every taxing district that could have its tax levy adversely affected by such an agreement shall be notified about the agreement.

~~((This section shall expire December 31, 1986.))~~

Sec. 4. Section 3, chapter 107, Laws of 1986 and RCW 84.55.092 are each amended to read as follows:

The regular property tax (~~levies~~) levy for each taxing district other than the state (~~for taxes due in 1987 through 1991~~) may be set at the amount which would (~~otherwise~~) be allowed otherwise under this chapter if the regular property tax levy for the district for taxes due in prior years beginning with 1986 (~~and 1987~~) had been set at the full amount allowed under this chapter.

~~(This section shall expire December 31, 1991.)~~ The purpose of this section is to remove the incentive for a taxing district to maintain its tax levy at the maximum level permitted under this chapter, and to protect the future levy capacity of a taxing district that reduces its tax levy below the level that it otherwise could impose under this chapter, by removing the adverse consequences to future levy capacities resulting from such levy reductions.

Sec. 5. Section 134, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.043 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named shall be as follows:

(1) Levies of the senior taxing districts shall be as follows: (a) The levy by the state shall not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county shall not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy (for) by any road district shall not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by (or for) any city or town shall not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. (- PROVIDED FURTHER, That counties of the fifth class and under are). However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes (and from one dollar and fifty-seven and one-half cents to two dollars and twenty-five cents per thousand dollars of assessed value for county road purposes) if the total (levy) levies for both (purposes does) the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value. (- PROVIDED FURTHER, That counties of the fourth and the ninth class are hereby authorized to levy two dollars and two and one-half cents per thousand dollars of assessed value until such time as the junior taxing agencies are utilizing all the dollar rates available to them: AND PROVIDED FURTHER, That the total property tax levy authorized by law without a vote of the people shall not exceed nine dollars and fifteen cents per thousand dollars of assessed value), and no other taxing district has its levy reduced as a result of the increased county levy.

(2) Except as provided in RCW 84.52.100, the aggregate levies of junior taxing districts and senior taxing districts, other than the state, shall not exceed five dollars and fifty-five cents per thousand dollars of assessed valuation. The term 'junior taxing districts' includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection shall not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district (shall not be included in the limitation set forth by this proviso.

Nothing herein shall prevent levies at the rates provided by existing law by or for any port or power district); (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; and (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069.

(3) It is the intent of the legislature that the provisions of this section shall supersede all conflicting provisions of law including (section 24, chapter 299, Laws of 1971 ex. sess. and section 6, chapter 124, Laws of 1972 ex. sess) RCW 84.52.050.

Sec. 6. Section 7, chapter 138, Laws of 1987 and RCW 84.52.100 are each amended to read as follows:

(1) The governing body of any library district, public hospital district, metropolitan park district, or fire protection district may provide for the submission of a ballot proposition to the voters of the taxing district authorizing the taxing district to maintain its otherwise authorized tax levy rate, and authorizing an increase in the cumulative regular property tax limitation established in RCW 84.52.043 of (~~nine~~) five dollars and (~~fifteen~~) fifty-five cents per thousand dollars of assessed valuation within the taxing district, as provided in this section. A fire protection district may use this authority to increase its regular property tax levy up to fifty cents per thousand dollars of assessed valuation.

(2) A resolution by a governing body, requesting that a special election be called to submit such a ballot proposition to the voters, must be transmitted to the county legislative authority of the county, or county legislative authorities of the counties, within which the taxing district is located, at least forty-five days before the special election date at which the ballot proposition is submitted. The ballot proposition shall be worded substantially as follows:

'Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period allowing (insert the name of the taxing district) to maintain its otherwise statutory authorized property tax rate?'

The ballot proposition for a fire protection district shall be worded substantially as follows:

'Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period allowing (insert the name of the taxing district) to permit the fire protection district to impose its property tax at a value up to fifty cents per thousand dollars of assessed valuation?'

Approval of this ballot proposition by a simple majority vote shall authorize the following for the succeeding five consecutive year period: (a) Property tax rates of junior taxing districts are calculated first as if this proposition had not been approved; (b) subject to the one hundred six percent limitation, the regular property tax rate of the taxing district receiving such authorization is increased to a level not exceeding the lesser of: (i) its maximum statutory authorized regular property tax rate; or (ii) whatever tax rate it otherwise would have been able to impose plus an additional thirty-five cents per thousand dollars of assessed valuation; and (c) the cumulative property tax rate limitation is increased within the boundaries of the taxing district receiving this authorization to an amount equal to ~~((nine))~~ five dollars and ~~((fifteen))~~ fifty-five cents per thousand dollars of assessed valuation plus the increased amount of the regular levy rate of this taxing district, but not to exceed ~~((nine))~~ five dollars and ~~((fifty))~~ ninety cents per thousand dollars of assessed valuation.

(3) If two or more taxing districts that occupy a portion of the same territory receive such approval, the additional authorized taxing capacity above ~~((nine))~~ five dollars and ~~((fifteen))~~ fifty-five cents per thousand dollars of assessed valuation shall be distributed among these taxing districts by adjusting their levy rate requests in the same manner and under the same conditions as if they were the only taxing districts in the area subject to adjustment of their property tax rates and the levy rate adjustments were being made with the cumulative limitation of ~~((nine))~~ five dollars and ~~((fifteen))~~ fifty-five cents per thousand dollars of assessed valuation.

(4) Levies authorized under RCW 84.52.069 are not subject to the rate adjustments and the ~~((nine))~~ five dollar and ~~((fifty))~~ ninety cent per thousand dollar of assessed valuation cumulative limitation on regular property tax rates established by this section.

Sec. 7. Section 84.52.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 255, Laws of 1987 and RCW 84.52.010 are each amended to read as follows:

Except as is permitted under RCW 84.55.050, all taxes shall be levied or voted in specific amounts.

The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, shall be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county shall be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, as now or hereafter amended, exceeds the limitations provided in either of these sections, the assessor shall recompute and establish a consolidated levy in the following manner:

(1) The full certified rates of tax levy for state, county, county road district, and city or town purposes shall be extended on the tax rolls in amounts not exceeding the limitations established by law (~~(- PROVIDED, That in the event of a levy made pursuant to RCW 84.34.230, the rates of levy for county and county road district purposes shall be reduced in such uniform percentages as will result in a consolidated levy by such taxing districts which will be no greater on any property than a consolidated levy by such taxing districts would be if the levy had not been made pursuant to RCW 84.34.230),~~ subject to subsection (2)(e) of this section; however any state levy shall take precedence over all other levies and shall not be reduced for any purpose other than that required by RCW 84.55.010; and

(2) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property shall be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(a) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, and 67.38.130 shall be reduced on a pro rata basis or eliminated;

(b) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts shall be reduced on a pro rata basis or eliminated;

(c) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, public hospital districts, metropolitan park districts, and library districts, shall be reduced on a pro rata basis or eliminated;

(d) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 shall be reduced on a pro rata basis or eliminated; ~~((and))~~

(e) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for cities and towns, fire protection districts under RCW 52.16.130, public hospital districts, metropolitan park districts, and library districts shall be adjusted as provided in section 8 of this 1988 act; and

(f) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.130, and the certified property tax levy rates of public hospital districts, metropolitan park districts, and library districts, shall be reduced on a pro rata basis or eliminated.

NEW SECTION, Sec. 8. A new section is added to chapter 84.52 RCW to read as follows:

(1) If, after any reduction in levy rates required by RCW 84.52.010(2)(a) through (d), the consolidated tax levy rate still exceeds the limitations in RCW 84.52.043 or 84.52.050, then the department pursuant to rules shall direct the county assessor to adjust the regular property tax levy rates in the following manner:

(a) First, the assessor determines a first preliminary rate pursuant to RCW 84.52.010(2)(f).

(b) Second, the assessor determines a second preliminary rate which is the additional rate, if any, permitted by RCW 84.52.100.

(i) If the preliminary rates together are sufficient to permit all rates subject to RCW 84.52.010(2)(f) to be levied without reduction, then the assessor shall extend on the tax rolls the full certified rates pursuant to RCW 84.52.010(2)(f) and 84.52.100.

(ii) If the preliminary rates together are not sufficient to permit all rates subject to RCW 84.52.010(2)(f) to be levied without reduction pursuant to both RCW 84.52.010(2)(f) and 84.52.100, the assessor shall reduce the rate of the taxing district subject to RCW 84.52.010(2)(e) with the smallest assessed valuation such that, after first allowing for any additional rate permitted by RCW 84.52.100, there is no reduction of the rates under RCW 84.52.010(2)(f). Where the reduction of the levy of a taxing district is not sufficient, the taxing district with the next smallest assessed valuation shall have its levy reduced under this subsection until there is no reduction of rates under RCW 84.52.010(2)(f). The assessor shall then extend on the tax rolls the rates derived pursuant to this subsection (b)(ii).

(2) The taxing districts whose levies would have been reduced but for subsection (1) of this section shall pay to each district that had its levy so reduced pursuant to subsection (1) of this section a proportionate share of the reduced amount based on the amount by which each district would have had its total levy reduced if subsection (1) of this section were not in effect and the rates had been adjusted pursuant to RCW 84.52.010(2)(f) and 84.52.100.

(a) In the case of a public hospital district, library district, fire protection district, or metropolitan park district whose levy is reduced under subsection (1) of this section, the district shall bear a proportionate share as if its rate were sufficient to collect its certified levy.

(b) In the case of a city or town that is annexed by a library district, public hospital district, or fire protection district, which city's or town's levy is reduced under this section, the city or town shall forgo receipt of ten percent of the amount from the library district, public hospital district, or fire protection district that it would receive otherwise under subsection (1) of this section, but the amount that is forgone shall not exceed one-half of the benefit that the city or town receives from being annexed by the library district, public hospital district, or fire protection district, nor shall the amount of forgone reimbursement exceed eleven and one-fourth cents per thousand dollars of the city's or town's assessed valuation. The department shall adopt rules to implement this section in consultation with representatives of cities and towns, library districts, fire protection districts, and public hospital districts.

(3) Fifty-five percent of the amount under subsection (2) of this section shall be distributed on or before May 31 of the tax collection year for which the levy is reduced and forty-five percent on or before November 30 of that year.

(4) This section applies to taxes levied in 1988 for collection in 1989 and taxes levied in 1989 for collection in 1990, but not thereafter.

NEW SECTION, Sec. 9. The department of revenue shall adopt such rules consistent with this act as shall be necessary or desirable to permit its effective administration using methods that will be the least costly to all taxing districts involved.

NEW SECTION, Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 11. Sections 2, 3, and 5 through 7 of this act apply to taxes levied in 1988 for collection in 1989, and thereafter.*

Representatives Cooper and Haugen spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Cooper, Ferguson and Haugen to the title was adopted:

On page 1, line 1 of the title, after "taxes;" strike the remainder of the title and insert "amending RCW 39.67.010, 39.67.020, 84.55.092, 84.52.043, 84.52.100, and 84.52.010; adding a new section to chapter 84.52 RCW; and creating new sections."

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1420, and the bill passed the House by the following vote: Yeas, 94; absent, 3; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Schmidt, Williams J, Wilson K - 3.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 1420, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1354 on second reading. The motion was carried.

ENGROSSED HOUSE BILL NO. 1354, by Representatives Pruitt, Sanders, Meyers, Dorn, Rasmussen, Lewis, Anderson, Basich, Heavey, Zellinsky and Cooper

Repealing the sunset of the department of veterans affairs.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 5, 1988.)

Ms. H. Sommers moved adoption of the committee amendment by Committee on State Government. Representatives H. Sommers and Brooks spoke in favor of adoption of the committee amendment, and it was adopted.

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1354, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 1354, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1370 on second reading. The motion was carried.

HOUSE BILL NO. 1370, by Representatives Holland, Appelwick, Taylor, Grimm, Silver, Braddock, Fuhrman, Bristow, Nealey, Valle, Padden, Brough, McLean, Basich, Schoon, H. Sommers, Winsley, May, B. Williams, Beck, Butterfield, Ballard, Baugher, Lewis, J. Williams, Amondson, Sanders, Kremen, Betzoff, Rasmussen, Doty, Hankins, Miller, Hine, Holm and Cooper

Increasing the head of family exemption for personal property taxes.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1370 was substituted for House Bill No. 1370, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1370 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1370, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1370, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Joint Resolution No. 4222 on second reading. The motion was carried.

HOUSE JOINT RESOLUTION NO. 4222, by Representatives Holland, Appelwick, Taylor, Grimm, Silver, Braddock, Fuhrman, Bristow, Nealey, Valle, Padden, Brough, McLean, Basich, Schoon, H. Sommers, Winsley, May, B. Williams, Butterfield, Beck, Ballard, Lewis, J. Williams, Amondson, Sanders, Kremen, Betzoff, Miller, Hine, Holm and Cooper

Increasing the head of family personal property tax exemption.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 4222, and the resolution passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Joint Resolution No. 4222, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1371 on second reading. The motion was carried.

HOUSE BILL NO. 1371, by Representatives Appelwick and Dellwo

Revising transfer tax provisions.

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

Mr. Appelwick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1371, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Bill No. 1371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1418 on second reading. The motion was carried.

HOUSE BILL NO. 1418, by Representatives Rasmussen, S. Wilson, Walk, Schmidt, Dorn and Unsoeld

Holding motor freight carrier hearings in the area of proposed operations.

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

Representatives Rasmussen and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1418, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove,

Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Taylor, Vekich - 2.

Excused: Representative Smith C - 1.

House Bill No. 1418, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1558 on second reading. The motion was carried.

HOUSE BILL NO. 1558, by Representatives Sayan and Grimm; by request of Department of Retirement Systems

Revising provisions relating to teachers' retirement options.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1558, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Bill No. 1558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1559, by Representatives Sayan and Grimm; by request of Department of Retirement Systems

Providing for termination of membership in the teachers' retirement system.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1559, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan,

Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Bill No. 1559, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1560, by Representatives Sayan and Grimm; by request of Department of Retirement Systems

Modifying public retirement benefits for persons who have attained age seventy and one-half and are still employed.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1560, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Armstrong - 1.

Excused: Representative Smith C - 1.

House Bill No. 1560, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1954 on second reading. The motion was carried.

MOTION

Mr. Grimm moved that consideration of House Bill No. 1954 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1301 on second reading. The motion was carried.

HOUSE BILL NO. 1301, by Representatives Nutley, Leonard, Rayburn, J. Williams, Wang, Grant, R. King and Unsoeld

Providing for farm-worker housing.

The bill was read the second time. On motion of Mr. Grimm, Second Substitute House Bill No. 1301 was substituted for House Bill No. 1301, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1301 was read the second time.

Ms. Nutley moved adoption of the following amendment by Representatives Locke and Nutley:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. A new section is added to chapter 43.63A RCW to read as follows:

The legislature finds that housing for migrant and seasonal farm workers is inadequate in terms of quality and number of units; that migrant and seasonal farm-worker income is inadequate to afford participation in the private rental market or improve their housing; that affordable housing for migrant and seasonal farm workers is a scarce and diminishing resource; that increasing numbers of these housing units are in deteriorated condition because they cannot be economically maintained and repaired; that the development of an adequate supply of safe and sanitary housing for migrant and seasonal farm workers should be the responsibility of the federal government, the state, and the agricultural community; and that the absence of sufficient state support for migrant and seasonal farm-worker housing has resulted in the loss of federal funds for farm-worker housing in this state.

The legislature further finds that the supply of safe and sanitary housing for migrant and seasonal farm workers would increase if the state took a leadership role in the development and rehabilitation of farm-worker housing; that the state should work with the agricultural community to develop innovative funding sources for the development and rehabilitation of farm-worker housing; that it is to the economic benefit of the state and a public purpose to encourage the availability and preservation of housing for migrant and seasonal farm workers.

NEW SECTION. Sec. 2. A new section is added to chapter 43.63A RCW to read as follows:

The department may make grants and may provide model construction plans, as provided in section 3 of this act, to local governing bodies and nonprofit organizations, as defined by the department, by rule, to assist in the development of permanent and temporary housing alternatives for farm workers and their families. Grants may be made for the following:

- (1) Technical assistance, design and finance services and consultation, and administrative costs.
- (2) Administrative costs when such grant will substantially increase the recipient's access to housing funds other than those available under this chapter.

NEW SECTION. Sec. 3. A new section is added to chapter 43.63A RCW to read as follows:

The department shall develop, and make available to the public, model or prototype plans for several types of farm-worker housing, including, but not limited to, dormitory housing, seasonal housing, family housing, campgrounds, and recreational vehicle parks. Any person or organization intending to construct farm-worker housing may adopt one or more of these models as the plans for the proposed housing.

NEW SECTION. Sec. 4. A new section is added to chapter 43.185 RCW to read as follows:

(1) The department may make loans and/or grants to local governing bodies and nonprofit organizations and loans to eligible individuals.

(2) Loans and/or grants to local governing bodies or nonprofit organizations provided under this section shall be used to finance projects that will provide temporary or permanent housing that is affordable for low-income farm workers and their families.

(3) Loans made to eligible individuals, as defined by the department, by rule, under this section shall be used solely for the rehabilitation of grower-provided housing that is affordable for low-income farm workers and their families.

(4) The local governing body, nonprofit organization, or eligible individual requesting assistance under this section is required to demonstrate to the department that:

(a) The applicant's existing resources are inadequate to finance, in whole or in part, the construction, rehabilitation, or acquisition of the project;

(b) Without funding through the department, the project would not be feasible; and

(c) The applicant has explored other additional sources of funds for the project.

(5) Activities eligible for assistance include:

(a) Construction, rehabilitation, or acquisition of housing occupied solely by low-income farm workers and their families.

(b) Construction of migrant centers with related facilities, including but not limited to child care, health care, and educational programs.

(c) Construction of temporary housing alternatives for low-income farm workers, such as camp sites and recreational vehicle parks.

(6) Grants made by the department under subsection (2) of this section shall:

(a) Not exceed fifty percent of the amount necessary for project cost.

(b) Not be used for project organization or planning.

(c) Require the grantee to enter into an agreement with the department that requires the housing constructed, rehabilitated, or acquired with the grant be occupied, utilized, maintained, and operated for purposes consistent with the chapter for at least twenty years.

(d) Require the grantee to make all units constructed, rehabilitated, or acquired under this section to be available to all eligible farm workers.

(7) Loans made by the department under subsection (2) of this section shall:

(a) Not exceed eighty percent of the amount necessary for project cost.

(b) Not be used for project organization or planning.

(c) Not exceed seven percent per annum.

(d) Require the recipient to enter into an agreement with the department that requires the housing constructed, rehabilitated, or acquired with the loan be occupied, utilized, maintained, and operated for at least twenty years.

(e) Require the recipient to make all units constructed, rehabilitated, or acquired under this section to be available to all eligible farm workers.

(8) Loans made by the department under subsection (3) of this section shall:

(a) Require the department to consult with the local governing body where the housing to be rehabilitated is located.

(b) Not exceed fifty percent of the amount necessary to rehabilitate the housing. The housing rehabilitated under this section shall be in compliance with at minimum, the requirements of the applicable state standards for farm-worker housing and/or migrant labor camps.

(c) Not exceed seven percent per annum.

(d) Require the recipient of the loan to enter into an agreement with the department that requires the housing rehabilitated with the loan be occupied, utilized, maintained, and operated under this section for at least the term of the loan.

(9) The department shall fix terms, rates, and conditions pertaining to loans made under this section.

NEW SECTION, Sec. 5. A new section is added to chapter 43.185 RCW to read as follows:

The department may make grants to local governing bodies or nonprofit organizations to provide operating cost subsidies for migrant centers and farm-worker housing developed under this chapter. Grants made by the department under this section shall:

(1) Be the minimum amount necessary to ensure that the rents charged are affordable to low-income farm workers and their families;

(2) Not be used for operating expenses not associated with the migrant center or housing occupied by low-income farm workers; and

(3) Require the recipient of the operating subsidy to enter into an agreement with the department that requires the housing be occupied, utilized, maintained, and operated solely for low-income farm workers during the term of the subsidy.

NEW SECTION, Sec. 6. A new section is added to chapter 43.185 RCW to read as follows:

The department may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of this chapter and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

NEW SECTION, Sec. 7. A new section is added to chapter 19.27 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, the governing body of a city, town, or county, as appropriate, may provide that the construction and thermal performance construction standards for the construction of seasonal farm-worker housing, developed by the United States department of agriculture, farmers home administration, apply to the construction of housing for farm workers if:

(a) The building or structure is occupied on a seasonal basis, but not more than six months per year; and

(b) The building is occupied solely by farm workers and their families in connection with their employment.

(2) The building code council may adopt, by rule, its own construction and thermal performance construction standards for the construction of farm-worker housing. In this event, the governing bodies of cities, towns, and counties may only adopt these standards under subsection (1) of this section.

NEW SECTION, Sec. 8. A new section is added to chapter 19.27A RCW to read as follows:

This chapter does not apply to the construction of housing for farm workers and their families if the local governing body has adopted standards under section 7 of this act.

NEW SECTION, Sec. 9. To carry out sections 2 and 3 of this act, the sum of two hundred fifty thousand dollars, or so much thereof as may be necessary, is appropriated to the department of community development from the state general fund for the biennium ending June 30, 1989. No more than five percent of this appropriation may be spent on administering this act by the department.

NEW SECTION, Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Lewis moved adoption of the following amendments by Representatives Lewis, McLean, Doty, Ballard, Nealey and Chandler to the amendment:

On page 2, line 21 of the amendment, after "to" insert "eligible individuals."

On page 3, line 23 of the amendment, after "to" insert "eligible individuals."

On page 6, line 32 of the amendment, after "to" insert "eligible individuals."

Mr. Lewis spoke in favor of adoption of the amendments to the amendment, and Ms. Nutley opposed them.

POINT OF INQUIRY

Ms. Nutley yielded to question by Mr. Lewis.

Mr. Lewis: In section 2 it says "The department may make grants and may provide model construction plans, as provided in section 3 of this act, to local governing bodies and nonprofit organizations, as defined by the department, by rule, to assist in the development of permanent and temporary housing alternatives.... Grants may be made for the following: (1) Technical assistance, design and finance services and consultation, and administrative costs." A portion of my amendment is to put in "eligible individuals," namely growers. My question is where are growers taken care of in section 2, if it states "The department may make grants and may provide model construction plans, as provided in section 3..." where it talks about only prototypes, etc., etc., and has nothing to do with the financing of that project? It just gives a longer list of what is available. Where does the grower fit in?

Ms. Nutley: The grower fits in in section 4. The department is not providing the technical assistance money to growers to develop model plans. They instead are providing technical assistance to other kinds of people. Last time I looked I did not see too many architects and building officials in the grower community, so they are not included in section 2, because that is not their technical expertise. I think your concern about their being eligible at some point for the loans for rehabilitation of existing housing is addressed in section 4.

Mr. Lewis: What if a grower has no existing housing, is wanting to build housing and participate in this program. Can he or she do that?

Ms. Nutley: The grower may participate in this program by using the technical assistance product, the new construction plans, or perhaps by qualifying under the definitions as a nonprofit. In this bill we are not specifically making the growers eligible for funding for new on-farm housing, rather only rehabilitation at this point. We don't have lots of money.

Representative Lewis again spoke in favor of adoption of the amendments to the amendment. Ms. Doty spoke in favor of them.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Ms. Nutley again opposed adoption of the amendments to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Lewis and others to the amendment to Second Substitute House Bill No. 1301, and the amendments to the amendment were not adopted by the following vote: Yeas, 35; nays, 62; excused, 1.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, King P, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Winsley - 35.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 62.

Excused: Representative Smith C - 1.

The Speaker stated the question before the House to be the adoption of the amendment by Representatives Locke and Nutley.

The amendment was adopted.

On motion of Ms. Nutley, the following amendment by Representatives Locke and Nutley to the title was adopted:

On page 1, line 1 of the title, after "housing;" strike the remainder of the title and insert "adding a new section to chapter 19.27 RCW; adding a new section to chapter 19.27A RCW; adding new sections to chapter 43.63A RCW; adding new sections to chapter 43.185 RCW; making an appropriation; and declaring an emergency."

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nutley, McLean and Lewis spoke in favor of passage of the bill, and Representatives Fuhrman, J. Williams, Chandler, Doty and Nealey opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1301, and the bill passed the House by the following vote: Yeas, 72; nays, 25; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, McLean, Meyers, Miller, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Amondson, Barnes, Beck, Betzoff, Brooks, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, May, Moyer, Nealey, Padden, Sanders, Schmidt, Schoon, Silver, Sommers D, Walker, Williams B, Williams J, Wilson S, Winsley - 25.

Excused: Representative Smith C - 1.

Engrossed Second Substitute House Bill No. 1301, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1680 on second reading. The motion was carried.

HOUSE BILL NO. 1680, by Representatives Nutley, Peery, Butterfield, Cooper and Sutherland

Revising permit requirements on sales tax exemptions for nonresidents.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1680 was substituted for House Bill No. 1680, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1680 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Nutley yielded to question by Mr. Nelson.

Mr. Nelson: Would this new program be available to new residents of the state, who may be here, setting up a household, and may still be in possession of an out-of-state driver's license and could make tax exempt purchases?

Ms. Nutley: The moment of residency is decided in another part of law, not here. This does not affect that, so the current law in terms of establishing residency still holds just like it does today. Nothing would change from today to tomorrow as to the ability of a person coming into the state being able to use the card.

Mr. Nelson: Could I ask one other question? Is the vendor or the retail sales persons obligated to ask any questions about the person's intent in using the purchased item? In other words, would the vendor ask if that person intends to use the item in-state or out of state?

Ms. Nutley: It does not change the current law, which specifies certain goods that are not exempt versus the goods that they can carry with them. It does not affect that.

Representatives Nelson and Lux spoke against passage of the bill, and Mr. Schoon spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1680, and the bill passed the House by the following vote: Yeas, 88; nays, 9; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Armstrong, Beck, Cole, Fisher, Lux, Nelson, Rust, Sommers H, Winsley - 9.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1680, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1734 on second reading. The motion was carried.

HOUSE BILL NO. 1734, by Representatives Appelwick, Taylor, Pruitt, Crane, P. King, Brough and Todd

Revising the business and occupation taxation of the care of children.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow, Taylor, Padden and Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1734 and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Bill No. 1734, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1617 on second reading. The motion was carried.

HOUSE BILL NO. 1617, by Representatives Locke, Holland, Armstrong, Padden, Hine, Lewis, Belcher, Silver, H. Sommers, Appelwick, Taylor, P. King, Moyer, May and Butterfield; by request of State Auditor and Attorney General

Clarifying the definition of "costs" received as part of court actions.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1617 was substituted for House Bill No. 1617, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1617 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1617, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1617, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1733 on second reading. The motion was carried.

HOUSE BILL NO. 1733, by Representatives Grimm, Ballard, Wang and Locke: by request of Department of Labor and Industries

Revising investment policies for funds of the department of labor and industries.

The bill was read the second time. On motion of Mr. Grimm, Second Substitute House Bill No. 1733 was substituted for House Bill No. 1733, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1733 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1733, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Second Substitute House Bill No. 1733, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1735 on second reading. The motion was carried.

HOUSE BILL NO. 1735, by Representatives Braddock, P. King, Brekke and Ebersole; by request of Department of Licensing

Providing a voluntary substance abuse program for health care licensees.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1735 was substituted for House Bill No. 1735, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1735 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1735, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1735, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1954 on second reading. The motion was carried.

HOUSE BILL NO. 1954, by Representatives H. Sommers and Peery

Modifying provisions relating to retirement benefits based on excess compensation.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1954 was substituted for House Bill No. 1954, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1954 was read the second time.

Ms. H. Sommers moved adoption of the following amendments by Representatives H. Sommers, Silver and Peery:

On page 2, beginning on line 4, strike ", at the director's sole discretion."

On page 2, beginning on line 7, after "that" strike all material down to and including "that" on line 8

On page 2, beginning on line 11, after "that" strike all material down to and including "that" on line 12

Representatives H. Sommers and Silver spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. H. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1954, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 1954, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

Mr. Ebersole moved that the House immediately consider House Bill No. 1881 on second reading. The motion was carried.

Mr. Lewis moved that the House defer consideration of House Bill No. 1881 until the summary in the calendar was corrected.

Mr. Ebersole moved that consideration of House Bill No. 1881 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately consider House Bill No. 1685 on second reading. The motion was carried.

HOUSE BILL NO. 1685, by Representatives Grimm, Holland, Locke, Silver, H. Sommers, Pruitt, Brough, May and Ferguson

Providing for state caseload forecasts.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 1685 was substituted for House Bill No. 1685, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1685 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1685, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1685, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1450 on second reading. The motion was carried.

HOUSE BILL NO. 1450, by Representatives Vekich, Schoon, Fox, Hargrove, Wineberry, B. Williams, Peery, Betrozoff, P. King, Sayan, McLean, May, Fuhrman, Doty, Sutherland, D. Sommers, Walker, Sanders, Rayburn, Moyer, Cooper, O'Brien, Spanel and Day; by request of Governor Gardner

Extending the excise tax deferral and credit programs for manufacturing and research and development activities.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1450 was substituted for House Bill No. 1450, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1450 was read the second time.

Mr. Holland moved adoption of the following amendments by Representatives Holland, Jesernig, Hankins, Rayburn, Brooks, Grant, Prince, Baugher, Nealey and Schoon:

On page 2, line 26, strike "." and insert "; or

(e) Manufacturing or research and development projects under (a) through (d) of this subsection, regardless of the date of plant operation, in a special economic distress impact area."

On page 4, after line 5, insert the following:

"(15) 'Special economic distress impact area' means a two-county area that had an unemployment rate for the twelve months immediately preceding the month in which an application is filed under this chapter exceeding the level of average state unemployment for the same period by twenty percent, and has experienced the closure of associated facilities representing at least eleven and one-half percent of employment in a manufacturing industry in the two-county area and affecting at least fourteen hundred employees in a multicompany operation in the two-county area. Once a determination is made by the department that an area is eligible under this chapter, the area shall remain eligible for at least twelve months thereafter, or until the unemployment rate in such area for the preceding quarter has exceeded the level of average state unemployment by ten percent or less for the same period, whichever occurs later.

Sec. 2. Section 3, chapter 2, Laws of 1985 ex. sess. as amended by section 3, chapter 497, Laws of 1987 and RCW 82.61.030 are each amended to read as follows:

Except for eligible projects within the definitions in RCW 82.61.010(4) (c) ((or)), (d), or (e), a tax deferral certificate shall only be issued to persons who, on June 14, 1985, are not engaged in manufacturing or research and development activities within this state. For purposes of this section, a person shall not be considered to be engaged in manufacturing or research and development activities where the only activities performed by such person in this state are sales, installation, repair, or promotional activities in respect to products manufactured outside this state. Any person who has succeeded by merger, consolidation, incorporation or any other form or change of identity to the business of a person engaged in manufacturing or research and development activities in this state on June 14, 1985, and any person who is a subsidiary of a person engaged in manufacturing or research and development activities in this state on June 14, 1985, shall also be ineligible to receive a tax deferral certificate."

On page 4, after line 20, insert the following:

"Sec. 4. Section 2, chapter 232, Laws of 1985 as amended by section 12, chapter 116, Laws of 1986 and RCW 82.60.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Applicant' means a person applying for a tax deferral under this chapter.

(2) 'Department' means the department of revenue.

(3) 'Eligible area' means: (a) A county in which the average level of unemployment for the three years before the year in which an application is filed under this chapter exceeds the average state unemployment for those years by twenty percent; or (b) a special economic distress impact area, which means a two-county area that had an unemployment rate for the twelve months immediately preceding the month in which an application is filed under this chapter exceeding the level of average state unemployment for the same period by twenty percent, and has experienced the closure of associated facilities representing at least eleven and one-half percent of employment in a manufacturing industry in the two-county area and affecting at least fourteen hundred employees in the two-county area. Once a determination is

made by the department that an area is eligible under this subsection (3)(b), the area shall remain eligible for at least twelve months thereafter, or until the unemployment rate in such area for the preceding quarter has exceeded the level of average state unemployment by ten percent or less for the same period, whichever occurs later.

(4)(a) 'Eligible investment project' means that portion of an investment project which:

(i) Is directly utilized to create at least one new full-time qualified employment position for each three hundred thousand dollars of investment on which a deferral is requested; and

(ii) Either initiates a new operation, or expands or diversifies a current operation by expanding or renovating an existing building with costs in excess of twenty-five percent of the true and fair value of the plant complex prior to improvement; or

(iii) Acquires machinery and equipment to be used for either manufacturing or research and development if the machinery and equipment is housed in a new leased structure: PROVIDED, That the lessor/owner of the structure is not eligible for a deferral unless the underlying ownership of the buildings, machinery, and equipment vests exclusively in the same person.

(b) 'Eligible investment project' does not include any portion of an investment project undertaken by a light and power business as defined in RCW 82.16.010(5) or investment projects which have already received deferrals under this chapter.

(5) 'Investment project' means an investment in qualified buildings and qualified machinery and equipment, including labor and services rendered in the planning, installation, and construction of the project.

(6) 'Manufacturing' means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different, or useful substance or article of tangible personal property is produced for sale or commercial or industrial use and shall include the production or fabrication of specially made or custom made articles. 'Manufacturing' also includes computer programming, the production of computer software, and other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories.

(7) 'Person' has the meaning given in RCW 82.04.030.

(8) 'Qualified buildings' means new structures used for manufacturing and research and development activities, including plant offices and warehouses or other facilities for the storage of raw material or finished goods if such facilities are an essential or an integral part of a factory, mill, plant, or laboratory used for manufacturing or research and development. If a building is used partly for manufacturing or research and development and partly for other purposes, the applicable tax deferral shall be determined by apportionment of the costs of construction under rules adopted by the department.

(9) 'Qualified employment position' means a permanent full-time employee employed in the eligible investment project during the entire tax year.

(10) 'Qualified machinery and equipment' means all new industrial and research fixtures, equipment, and support facilities that are an integral and necessary part of a manufacturing or research and development operation. 'Qualified machinery and equipment' includes: Computers; software; data processing equipment; laboratory equipment; manufacturing components such as belts, pulleys, shafts, and moving parts; molds, tools, and dies; operating structures; and all equipment used to control or operate the machinery.

(11) 'Recipient' means a person receiving a tax deferral under this chapter.

(12) 'Research and development' means the development, refinement, testing, marketing, and commercialization of a product, service, or process before commercial sales have begun. As used in this subsection, 'commercial sales' excludes sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars.

Sec. 5. Section 15, chapter 116, Laws of 1986 and RCW 82.62.010 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Applicant' means a person applying for a tax credit under this chapter.

(2) 'Department' means the department of revenue.

(3) 'Eligible area' means: (a) A county in which the average level of unemployment for the three years before the year in which an application is filed under this chapter exceeds the average state unemployment for those years by twenty percent; or (b) a special economic distress impact area, which means a two-county area that had an unemployment rate for the twelve months immediately preceding the month in which an application is filed under this chapter exceeding the level of average state unemployment for the same period by twenty percent, and has experienced the closure of associated facilities representing at least eleven and one-half percent of employment in a manufacturing industry in the two-county area and affecting at least fourteen hundred employees in the two-county area. Once a determination is made by the department that an area is eligible under this subsection (3)(b), the area shall remain eligible for at least twelve months thereafter, or until the unemployment rate in such area for the preceding quarter has exceeded the level of average state unemployment by ten percent or less for the same period, whichever occurs later.

(4)(a) 'Eligible business project' means manufacturing or research and development activities which are conducted by an applicant in an eligible area at a specific facility: PROVIDED, That the applicant's average full-time qualified employment positions at the specific facility will be at least fifteen percent greater in the year for which the credit is being sought than the applicant's average full-time qualified employment positions at the same facility in the immediately preceding year.

(b) 'Eligible business project' does not include any portion of a business project undertaken by a light and power business as defined in RCW 82.16.010(5) or that portion of a business project creating qualified full-time employment positions outside an eligible area or those recipients of a sales tax deferral under chapter 82.61 RCW.

(5) 'Manufacturing' means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different, or useful substance or article of tangible personal property is produced for sale or commercial or industrial use and shall include the production or fabrication of specially made or custom made articles. 'Manufacturing' also includes computer programming, the production of computer software, and other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories.

(6) 'Person' has the meaning given in RCW 82.04.030.

(7) 'Qualified employment position' means a permanent full-time employee employed in the eligible business project during the entire tax year.

(8) 'Tax year' means the calendar year in which taxes are due.

(9) 'Recipient' means a person receiving tax credits under this chapter.

(10) 'Research and development' means the development, refinement, testing, marketing, and commercialization of a product, service, or process before commercial sales have begun. As used in this subsection, 'commercial sales' excludes sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars."

Remember the sections following consecutively.

POINT OF ORDER

Mr. Vekich: Mr. Speaker, I would respectfully request that the Speaker rule on whether or not this amendment is within the scope and object of this bill.

MOTION

Mr. Ebersole moved that further consideration of Substitute House Bill No. 1450 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2002 on second reading. The motion was carried.

HOUSE BILL NO. 2002, by Representatives Dellwo, Haugen and Jacobsen

Providing a liquor excise tax distribution for a county research bureau.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo, Schoon, Jacobsen and Haugen spoke in favor of passage of the bill, and Mr. Zellinsky opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2002, and the bill passed the House by the following vote: Yeas, 86; nays, 11; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Bumgarner, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, and Mr. Speaker - 86.

Voting nay: Representatives Brooks, Butterfield, Chandler, Fuhrman, Nealey, Padden, Schmidt, Taylor, Williams J, Wilson S, Zellinsky - 11.

Excused: Representative Smith C - 1.

House Bill No. 2002, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1579 on second reading. The motion was carried.

HOUSE BILL NO. 1579, by Representatives Bristow, Vekich, Braddock, Jacobsen and Grant

Authorizing public utility districts to offer radio communication services.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 5, 1988.)

Mr. Jacobsen moved adoption of the committee amendment by Committee on Energy & Utilities and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow and Hargrove spoke in favor of passage of the bill, and Representatives Hankins and J. Williams opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1579, and the bill passed the House by the following vote: Yeas, 60; nays, 37; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Bumgarner, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 60.

Voting nay: Representatives Allen, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Haugen, Heavey, Holland, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 37.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 1579, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1590, by Representatives Cooper, Beck, Nutley, J. Williams, Sutherland, Holm, Todd and Unsoeld

Certifying mobile home installers.

The bill was read the second time. On motion of Ms. Leonard, Substitute House Bill No. 1590 was substituted for House Bill No. 1590, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1590 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cooper and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1590, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1590, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 1593 and House Bill No. 1604 be deferred and that the bills hold their places on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1618, by Representatives Brekke, Winsley, Leonard, Moyer, Padden, Scott, Anderson, Miller, Cooper, Ferguson, Sanders, May, Silver and Butterfield; by request of Department of Social and Health Services

Reorganizing and clarifying the laws regarding services to persons with developmental disabilities.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 1618 was substituted for House Bill No. 1618, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1618 was read the second time.

Mr. Dellwo moved adoption of the following amendment by Representatives Dellwo and Brekke:

On page 2, line 31, after the period, insert:

"By January 1, 1989, the department shall promulgate rules which define neurological or other conditions in a way that is not limited to intelligence quotient scores as the sole determinate of these conditions, and notify the legislature of this action."

Mr. Dellwo spoke in favor of adoption of the amendment, and it was adopted.

Mr. Dellwo moved adoption of the following amendments by Representatives Dellwo and Brekke:

On page 28, beginning on line 3, strike "required to provide some of the care and training of the person" and insert "actively involved as a member of the administrative board of the group training home and who may provide for some of the services required by a resident therein"

On page 28, beginning on line 6, strike "provide some of the care and training of the person" and insert "attend administrative board meetings and participate insofar as possible in carrying out special activities deemed by the board to contribute to the well being of the residents"

Mr. Dellwo spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1618, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 1618, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1622, by Representatives Chandler, Lux and Betzoff

Providing for the publication of the maximum interest rate that may be charged on retail installment contracts for motor vehicles.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Chandler spoke in favor of passage of the bill, and Mr. Barnes opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1622, and the bill passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yea: Representatives Allen, Amundson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Barnes, Padden, Sanders, Williams J - 4.

Excused: Representative Smith C - 1.

House Bill No. 1622, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

Mr. Dellwo moved that consideration of House Bill No. 1648 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

Mr. Dellwo moved that the House immediately consider House Bill No. 1683 on second reading. The motion was carried.

HOUSE BILL NO. 1683, by Representatives Cantwell, Todd, Ebersole, Crane, Dorn and Sayan

Amending mobile home landlord-tenant provisions.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 1683 was substituted for House Bill No. 1683, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1683 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cantwell, J. Williams and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1683, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amundson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor,

Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1683, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

Representative Allen was excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1284 on second reading. The motion was carried.

HOUSE BILL NO. 1284, by Representatives J. King, Fisher, Crane, Meyers, Pruitt, Todd, Leonard, Belcher, Winsley, Hine, Nelson, Unsoeld and Bristow

Revising provisions governing campaign financing.

The bill was read the second time. On motion of Ms. Fisher, Second Substitute House Bill No. 1284 was substituted for House Bill No. 1284, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1284 was read the second time.

Ms. Fisher moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that:

(1) The costs of campaigns for state offices and the size of contributions to candidates for state offices have skyrocketed in recent years;

(2) Under the decisions of the United States supreme court, statutory limits on campaign expenditures by candidates are only permissible when accomplished by agreements under which candidates agree to the limits in exchange for public financing for their campaigns;

(3) The perpetuation of a democracy requires the participation of its citizens; and

(4) Limitations on contributions to, and limited public financing of, campaigns for elective office are necessary to: (a) Prevent corruption and the appearance of corruption; (b) prevent the appearance of large contributors' obtaining disproportionate influence over the decisions of elected representatives; and (c) ensure the participation of the citizens of this state in the election process.

CAMPAIGN EXPENDITURE LIMITATIONS AND MATCHING FUNDS

NEW SECTION, Sec. 2. The definitions under RCW 42.17.020 apply to sections 2 through 21 of this act except as modified by this section. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 2 through 21 of this act:

(1) 'Authorized committee' means the political committee authorized by a candidate, or by the state official against whom recall charges have been filed, to accept contributions or make expenditures on behalf of the candidate or state official.

(2) 'Bona fide political party' means an organization which has filed a valid certificate of nomination with the secretary of state under chapter 29.24 RCW or the governing body of the state organization of a major political party, as defined in RCW 29.01.090, which shall be the body authorized by the charter or bylaws of the party to exercise authority on behalf of the state party.

(3) 'Candidate' means an individual seeking nomination for election or seeking election to a state office. Such an individual shall be deemed to be seeking nomination for election or seeking election when the individual first:

(a) Announces publicly or files for the office;

(b) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for the office; or

(c) Gives his or her consent to another person to take on behalf of the individual any of the actions in (b) of this subsection.

(4) 'Caucus of the state legislature' means the caucus of the members of a major political party in the state house of representatives or in the state senate.

(5) 'Contribution' includes any loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration, made for the purpose of influencing any election for state office. For the purposes of sections 2 through 16 of this act, 'contribution' does not include:

(a) Interest on moneys deposited in a political committee's account;

(b) Ordinary home hospitality; or

(c) The rendering of 'part-time' personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of twenty-five dollars personally paid for by the worker. 'Part-time' services, for these purposes, means services in addition to regular full-time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends.

For the purposes of sections 17 through 21 of this act, 'contribution' does not include the items described in (a) through (c) of this subsection or a loan, payment, pledge, or transfer of anything of value owned by the candidate to the candidate's authorized political committees.

Contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. The money value of contributions of postage is the face value of the postage. Sums paid for tickets to fund-raising events such as dinners and parties are contributions. However, the amount of any such contribution may be reduced for the purpose of complying with the requirements of sections 2 through 21 of this act, by the actual cost of consumables furnished in connection with the purchase of the tickets, and only the excess over the actual cost of the consumables shall be deemed a contribution.

(6) 'Election cycle' means the period beginning on the first day of December following the date of the last previous general election for the office or seat which the candidate seeks and ending on November thirtieth following the next election for the office or seat. In the case of a special election to fill a vacancy in an office, 'election cycle' means the period beginning on the day the vacancy occurs and ending on November thirtieth following the special election.

(7) 'Eligible candidate' means a candidate for a state office who is eligible under section 3 of this act to receive payments under this subchapter.

(8) 'General election' means the election which directly results in the election of a person to a state office. It does not include a primary.

(9) 'General election period' means the period beginning on the day after the date on which primary results are certified for the office sought by the candidate under RCW 29.62.100, or under RCW 29.62.020 for a legislative office the district for which is entirely within one county, and ending on November thirtieth following the general election. In the case of a special election to fill a vacancy in an office, 'general election period' means the period: (a) Beginning the day after the date primary results are certified for the office under RCW 29.62.100, or under RCW 29.62.020 for a legislative office the district for which is entirely within one county, and ending on November thirtieth following the special election if a primary is conducted for the special election; and (b) beginning the sixtieth day before the special election and ending on November thirtieth following the special election if a primary for the special election is prohibited under RCW 29.13.075.

(10) 'Immediate family' means a candidate's spouse, and any child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate and the spouse of any such person and any child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate's spouse and the spouse of any such person.

(11) 'Independent expenditure' means an 'expenditure' as defined in RCW 42.17.020 which: (a) is not required to be reported under RCW 42.17.060, 42.17.065, 42.17.080, or 42.17.090; (b) is made in support of or opposition to a candidate; (c) pays in whole or in part for any political advertising which either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies such candidate without using the candidate's name; and (d) alone, or in conjunction with other expenditures in support of or opposition to that candidate, has a value of five hundred dollars or more. A sequence of expenditures each of which is under five hundred dollars shall constitute one independent expenditure as of the time that the last expenditure brings the total value of the sequence to five hundred dollars or more, and no expenditure in the sequence which has been reported to the commission under section 11 of this act shall be considered as part of any future independent expenditure.

(12) 'Labor organization' means an organization, agency, or employee committee which exists for the purpose, in whole or in part, of representing employees in dealings with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(13) 'Major party' means a major political party as defined in RCW 29.01.090.

(14) 'Minor party' means a minor political party as defined in RCW 29.01.100.

(15) 'Multi-candidate political committee' means a political committee which, during a calendar year: Receives contributions of twenty-five dollars or more from each of twenty-five persons; and makes contributions of at least twenty-five dollars to each of five or more candidates or to the authorized committees of five or more candidates. 'Multi-candidate political committee' also means a bona fide political party and a caucus of the state legislature.

(16) 'Primary' means the procedure for nominating a candidate to state office under chapter 29.18 or 29.21 RCW or any other primary for an election which uses, in large measure, the procedures established in chapter 29.18 or 29.21 RCW.

(17) 'Primary period' means the period beginning on the first day of December following the date of the last election for the office and ending on the date primary results are certified

for the office sought by the candidate under RCW 29.62.100, or under RCW 29.62.020 for a legislative office the district for which is entirely within one county. In the case of a special election to fill a vacancy in an office for which a primary is conducted, 'primary period' means the period beginning on the day the vacancy in the office occurs and ending on the date the results of the primary are certified for the office under RCW 29.62.100, or under RCW 29.62.020 for a legislative office the district for which is entirely within one county. In the case of a special election to fill a vacancy in an office for which a primary is prohibited under RCW 29.13.075, 'primary period' means the period beginning on the day the vacancy in the office occurs and ending on the sixty-first day before the special election.

(18) 'Recall campaign' means the period of time beginning on the date of the filing of recall charges pursuant to RCW 29.82.015 and ending thirty days after the recall election.

(19) 'State campaign account' or 'account' means the election campaign account of this state established in section 13 of this act.

(20) 'State legislative office' means the office of a member of the state house of representatives and the office of a member of the state senate.

(21) 'State office' means the office of a member of the state legislature or of governor or of any other elective state executive officer.

(22) 'State official' means a person who holds a state office.

NEW SECTION. Sec. 3. To be eligible to receive payments under this subchapter (sections 2 through 16 of this act) a candidate shall, by the sixtieth day before the election in the case of a special election to fill a vacancy for which a primary is prohibited under RCW 29.13.075 or within seven days after the certification of primary results under RCW 29.62.100 or, for a legislative district entirely within one county, under RCW 29.62.020:

(1) Certify to the public disclosure commission under penalty of perjury that the candidate qualifies for the general election ballot for a state office and that, as of the date of this certification, the candidate and the authorized committee of the candidate have received contributions in an aggregate threshold amount of at least:

(a) For a candidate for the office of governor, fifty thousand dollars;

(b) For a candidate for state executive office other than the office of governor, ten thousand dollars;

(c) For a candidate for the office of a member of the state senate, five thousand dollars; and

(d) For a candidate for the office of a member of the state house of representatives, two thousand five hundred dollars;

(2) Certify to the commission under penalty of perjury that all contributions received for the purposes of subsection (1) of this section satisfy the provisions of section 6 of this act;

(3) Certify to the commission under penalty of perjury that the candidate and the authorized committee of the candidate have not made expenditures for the primary which exceed the expenditure limitation for the primary established in section 4(1) of this act for the office sought by the candidate if a primary is conducted for the office;

(4) Agree in writing that the candidate and the authorized committee of the candidate:

(a) Will fully comply with the fair campaign practices code;

(b) Have not made and will not make expenditures for the general election which exceed the expenditure limitation for the general election established in section 4(1) of this act for the office sought by the candidate;

(c) Have not made and will not make expenditures during the primary period or during the general election period from the personal funds of the candidate or the funds of a member of the immediate family of the candidate which exceed the limitations provided in section 7(1) of this act;

(d) Will deposit all payments received under this section in a separate checking account which shall contain only funds so received, and will make no expenditures of funds received under this section except by checks drawn on that account. The account shall be in a financial institution located in this state whose deposits are insured by the federal deposit insurance corporation, federal savings and loan insurance corporation, or national credit union administration;

(e) Will furnish campaign records, evidence of contributions, and other appropriate information to the commission;

(f) Will cooperate in the case of any audit and examination by the commission under section 14 of this act; and

(g) Will apply to the commission for a payment as provided for in section 10 of this act;

(5) The provisions of this section shall not be construed as preventing a candidate from filing a statement of intent with the commission at any time prior to the certification of the results of the primary. Such a statement shall include a promise signed by the candidate that: (a) The candidate will apply for matching funds from the state campaign account if the candidate qualifies for the general election ballot; and (b) the candidate has not and will not take actions during the election cycle which would disqualify the candidate from receiving matching funds from the state campaign account.

NEW SECTION. Sec. 4. (1)(a) The expenditure limit for a primary for a candidate for state office who agrees to the limitations established in this subchapter in exchange for matching funds from the state campaign account for the general election is the greater of: (i) The base amount established for the office sought under subsection (2) of this section; or (ii) the base amount plus the amounts applicable to the candidate under subsections (3) and (4) of this section.

(b) Except as provided in (c) of this subsection, the expenditure limit for a general election for a candidate for state office who agrees to the limitations established in this subchapter in exchange for matching funds from the state campaign account is the greater of: (i) The base amount established for the office sought under subsection (2) of this section; or (ii) the base amount plus the amounts applicable to the candidate under subsection (3) of this section and under subsection (4) or (5) of this section.

(c) In the case of a special election to fill a vacancy in a state office for which a primary is prohibited under RCW 29.13.075, the expenditure limit for the election cycle for a candidate for the office who agrees to the limitations established in this subchapter in exchange for matching funds from the state campaign account is the greater of: (i) Two times the base amount established for the office sought under subsection (2) of this section; or (ii) two times the base amount plus the amounts applicable to the candidate under subsection (3) of this section and under subsection (4)(a) or (5) of this section.

(2) The base amount referred to in subsection (1) of this section is:

(a) For the office of governor, one million dollars;

(b) For state executive office other than the office of governor, three hundred thousand dollars;

(c) For the office of a member of the state senate, forty thousand dollars;

(d) For the office of a member of the state house of representatives, twenty-five thousand dollars.

(3) If, during the twelve months preceding the election in which the candidate is seeking office, independent expenditures by any person or persons aggregating more than an amount equal to ten percent of the base amount established in subsection (2) of this section for the office sought are made in opposition to the candidate or for any other candidate for the office sought by the candidate, the expenditure limitation applicable to the candidate (not the other candidate) shall be increased by an amount equal to the amount of the independent expenditures. The candidate (not the other candidate) may choose to apply this amount to the candidate's expenditure limitation for the primary or for the general election or may choose to apply a portion of the amount to the primary expenditure limitation and the remaining portion to the expenditure limitation for the general election.

(4) (a) If, during the election cycle in which the candidate is seeking state office, any other candidate for the office sought by the candidate receives contributions, less any loan repayments, aggregating more than the expenditure limitation applicable to that other candidate under subsection (1)(c) of this section or the sum of the expenditure limitations applicable to that other candidate under subsections (1) (a) and (b) of this section, the expenditure limitation applicable to the candidate (not the other candidate) shall be increased by an amount equal to the base amount established for the office sought; or

(b) If, during the primary period, any other candidate for the office sought by the candidate makes expenditures which exceed the expenditure limitation applicable to that other candidate under subsection (1) (a) of this section, the expenditure limitation for the candidate (not the other candidate) for the primary shall be increased by an amount equal to the base amount established for the office sought.

For the purposes of this subsection (4), the expenditure limitations applicable to such an 'other' candidate are those which could not be exceeded for that candidate to qualify for moneys from the state campaign account.

(5) If a candidate agrees to accept the expenditure limits in exchange for public matching funds under section 3 of this act by the deadline specified in section 3 of this act, but an opposing candidate does not so agree, then the expenditure limitation for the general election as it applies to the candidate (not the opposing candidate) shall be increased by an amount equal to the base amount established for the office sought. The provisions of this subsection apply only if: (a) The candidate is a major party candidate, or the candidate is an independent or minor party candidate who received more than fifteen percent of the votes cast for the office at the preceding primary; and (b) the opposing candidate is a major party candidate, or the opposing candidate is an independent or minor party candidate who received more than fifteen percent of the votes cast for the office at the preceding primary.

NEW SECTION. Sec. 5. (1) For the purposes of this subchapter:

(a) The expenditures made by and the contributions received by a candidate and the expenditures made by and the contributions received by the authorized committee of the candidate are considered to be expenditures made by and contributions received by the candidate.

(b) Payments made by a candidate to repay loans made to the candidate shall be reported but shall not be counted when determining the total expenditures made by the candidate and the candidate's authorized committee with regard to any of the expenditure limitations provided by this subchapter.

(2) The provisions of this subchapter apply to a special election conducted to fill a vacancy in a state office. However, the contributions received by a candidate and the expenditures made by a candidate for a primary or special election conducted to fill such a vacancy shall not be counted toward any of the limitations which apply to the candidate under this subchapter for any other primary or election.

NEW SECTION, Sec. 6. For a contribution received by a candidate or the candidate's authorized committee to qualify as being one which satisfies the requirements of section 3(1) of this act for raising a threshold amount of contributions or to qualify to be matched by public moneys from the state campaign account under section 9 of this act, the contribution must satisfy each of the following requirements:

(1) The contribution shall be a gift of money made by a written instrument which identifies the person making the contribution:

(2) The contribution shall be made directly to the candidate or the candidate's authorized committee. Contributions made through any other person shall not count. The provisions of this subsection do not apply to bona fide joint fund-raising efforts conducted solely for the purpose of sponsorship of a fund-raising reception, dinner, or other event, under rules prescribed by the commission, by: (a) Two or more candidates, or (b) one or more candidates and one or more national, state, or local committees of a political party acting on their own behalf;

(3) The contribution shall have come from an individual who is a resident of the state of Washington. However, the contribution shall not have come from a candidate for any office;

(4)(a) Of the total amount of all contributions made by a person to the candidate and the authorized committee of the candidate or for the benefit of the candidate, not more than the amount listed in (b) of this subsection for the office sought may be counted toward the threshold amount or be matched by moneys from the state campaign account. The provisions of this subsection shall not be construed as limiting the total amount of contributions that may be made by a person to or for the benefit of a candidate or that may be accepted by the candidate or the candidate's authorized committee from the person;

(b) The amount referred to in (a) of this subsection is: (i) For the office of governor, one thousand dollars; (ii) for state executive office other than the office of governor, five hundred dollars; and (iii) for the office of a member of the state legislature, two hundred dollars;

(c) For the purposes of this subsection (4), all contributions by one person who is controlled by any other person shall be considered to have been made by such other person;

(d) The provisions of (c) of this subsection shall not be construed as applying to the relationship between an individual and the spouse of the individual;

(e) In determining whether a person is controlled by any other person for the purposes of (c) of this subsection, the following shall, if applicable, be considered:

(i) The authority, power, or ability to hire, appoint, discipline, discharge, demote, or remove or influence the decision of an individual;

(ii) Similar patterns or contributions; and

(iii) The extent of the transfer of funds between the persons.

(5) The contribution shall be received on or after January 1 of the calendar year preceding the year in which the general election involved is held and by the date on which the general election involved is held. However, in the case of a special election for a state office, the contribution shall be received on or after the date on which the vacancy occurs in that office and by the date on which the general election involved is held.

NEW SECTION, Sec. 7. (1) A candidate who receives, either directly or through the authorized committee of the candidate, a payment from the state campaign account for use in a general election under this subchapter shall not make expenditures, during the primary period or during the general election period, for the candidate's primary or general election campaign from the personal funds of the candidate, or the funds of any member of the immediate family of the candidate, aggregating in excess of three percent of the expenditure limit established for the office sought by section 4(1) of this act. For the purposes of this subsection, a loan by a candidate or a member of the immediate family of the candidate to the campaign of the candidate shall be considered to be an expenditure by the candidate.

(2) A candidate who receives, either directly or through the authorized committee of the candidate, a payment from the state campaign account for use in a general election under this subchapter and the authorized committee of the candidate shall not make expenditures for the general election which in the aggregate exceed the expenditure limit applicable to the candidate under section 4(1)(b) or (c) of this act.

(3) For the purposes of this subchapter, a contribution received within the twelve-month period following a general election for a state office shall be considered to be a contribution during the election cycle for the state office. This subsection only applies to the extent the contribution is used to pay any debt or obligation incurred to influence the outcome on that election.

NEW SECTION. Sec. 8. The threshold amounts established in section 3(1) of this act, the base amounts established in section 4(2) of this act, the campaign contribution limitations established in section 18 of this act, and the contribution limitation established in section 23 of this act, shall be increased or decreased by the commission by rule at the beginning of each calendar year based on changes in economic conditions as reflected in the inflationary index used by the commission under RCW 42.17.370. The base year to be used for revisions made under this section is 1988.

NEW SECTION. Sec. 9. (1) Except as provided in subsections (3) and (4) of this section, an eligible candidate is entitled to payments from the state campaign account equal to:

(a) One dollar for each qualifying dollar received by the candidate as a contribution for the election campaign of the candidate if the expenditure limitation applicable to the candidate is not increased under section 4 (4) or (5) of this act; or

(b) Four dollars for each qualifying dollar received by the candidate as a contribution for the election campaign of the candidate if the expenditure limitation applicable to the candidate is so increased.

A qualifying dollar is one which satisfies all of the provisions of section 6 of this act regarding contributions.

(2) Payments received by a candidate under this section shall be deposited as required in section 3(4)(d) of this act and shall be used to pay for goods and services furnished during the election period for which the payments were received. Such payments shall not be used:

(a) To make any payments, directly or indirectly, to the candidate or to any member of the immediate family of the candidate;

(b) To make any expenditure other than expenditures to further the election of the candidate; or

(c) To repay any loan to any person except to the extent the proceeds of such loan were used to further the general election of the candidate.

(3) A candidate shall not be eligible to receive payments from the state campaign account for a general election for an office unless:

(a) At least two major party candidates qualify under state law for the same general election ballot for the same office; or

(b) One major party candidate and one or more independent or minor party candidates qualify under state law for the same general election ballot for the same office and at least one of those independent or minor party candidates received more than fifteen percent of the votes cast for the office at the preceding primary.

(4) (a) Except as provided in (b) of this subsection, the sum of all payments from the state campaign account to a candidate for a general election may not exceed the following amounts for the office sought:

(i) For the office of governor, thirty thousand dollars;

(ii) For state executive office other than the office of governor, ten thousand dollars;

(iii) For the office of a member of the state senate, one thousand five hundred dollars;

(iv) For the office of a member of the state house of representatives, one thousand dollars.

(b) If the expenditure limitation applicable to the candidate is increased under section 4 (4) or (5) of this act, the sum of all payments from the state campaign account to that candidate for the general election may not exceed the following amounts for the office sought:

(i) For the office of governor, six hundred thousand dollars;

(ii) For state executive office other than the office of governor, two hundred thousand dollars;

(iii) For the office of a member of the state senate, thirty thousand dollars;

(iv) For the office of a member of the state house of representatives, twenty thousand dollars.

NEW SECTION. Sec. 10. A candidate desiring payments from the state campaign account shall file a request with the commission which shall contain:

(1) Such information and be made in accordance with such procedures as the commission may provide by rule; and

(2) A verification signed by the candidate and the treasurer of the authorized committee of the candidate stating that the information furnished in support of the request, to the best of the knowledge of each, is correct and fully satisfies the requirements of this subchapter.

No later than two business days after an eligible candidate files a request with the public disclosure commission to receive payments under this section, the commission shall determine whether the candidate is eligible to receive payments from the state campaign account and, if the candidate is eligible to receive such payments, disburse to the candidate from the account the full amount to which the candidate is entitled.

A candidate is not limited to filing only one request for payments under this section during each election cycle. After filing an original request, a candidate may file one or more supplemental requests to receive the payments to which the candidate is entitled.

NEW SECTION. Sec. 11. Within two days after the date of making an independent expenditure, the person making the expenditure shall file with the commission a report, on a form prescribed by the commission, providing the date and amount of the expenditure; what the

expenditure purchased; the name of the candidate supported or opposed; the office sought by that candidate; and any other information which the commission believes will assist it in carrying out its responsibilities under this chapter.

NEW SECTION. Sec. 12. (1) The commission shall decide all applications for payment from the state campaign account. Each application shall be decided as quickly as possible in accordance with rules adopted by the commission, and the commission's decision on the application shall be final unless appealed as provided in subsection (2) of this section. The commission's review of applications, and all actions taken by the commission on applications, shall be exempt from chapter 34.04 RCW.

(2) Any person adversely affected by the commission's decision and who believes the decision to be unlawful may appeal to the superior court of Thurston county by petition setting forth his or her reasons why the decision is unlawful. A copy of the petition on appeal together with a notice that an appeal has been taken shall be served upon the commission, upon the attorney general, and upon each candidate for the office sought by the applicant. The decision of the superior court shall be final. Such appeal shall be heard without costs to either party.

NEW SECTION. Sec. 13. The state election campaign account is hereby established in the state treasury. Notwithstanding RCW 43.84.090, all earnings of investments of balances in the account shall be credited to the account. Moneys in the account shall be disbursed, subject to legislative appropriation, by the commission in the form of payments to eligible candidates as authorized by this subchapter.

NEW SECTION. Sec. 14. (1) After each general election, the commission shall conduct such examinations and audits of the campaign accounts of eligible candidates who received payments from the state campaign account for the general election and of authorized committees as are sufficient to determine, among other things, whether candidates have complied with the expenditure limits and other conditions of eligibility and requirements of this subchapter.

(2) If any portion of the payments made to a candidate under this subchapter was in excess of the amount to which the candidate was entitled, the candidate shall pay to the commission an amount equal to the excess.

(3) If any amount of any payment made to a candidate under this subchapter was not used as provided for in this subchapter, the candidate shall pay to the commission the amount improperly used.

(4) If any candidate who has received payments under this subchapter has made expenditures which in the aggregate exceed the limitation under section 4(1) of this act, the candidate shall pay to the commission an amount equal to the amount of the excess expenditure.

(5) Within sixty days after the date of the general election for which the payment was received, the candidate shall return to the commission any unexpended funds received by the candidate under this subchapter. The commission may adopt exceptions to this requirement for instances where debts are in dispute.

(6) Notification shall not be made by the commission under this section with respect to a general election more than three years after the date of such an election.

(7) The attorney general shall be responsible for collecting amounts due the state under this section. The attorney general may institute legal action or take whatever measures the attorney general considers appropriate to carrying out this responsibility. The commission shall not conduct any hearings to determine whether an amount is due under this section, but shall provide for sharing with the attorney general information showing that amounts may be due under this section. All amounts recovered under this section shall be deposited in the state campaign account.

(8) This section does not affect or impair the authority to impose or enforce civil remedies and sanctions under other provisions of this chapter.

NEW SECTION. Sec. 15. (1) It is a violation of this chapter for any candidate to accept public payments under this subchapter which are in excess of the aggregate payments to which the candidate is entitled.

(2) It is a violation of this chapter for any candidate who has received public payments under this subchapter or for any officer, member, employee, or agent of a political committee for the candidate:

- (a) To use or transfer funds for any purpose prohibited by section 9(2) of this act;
 - (b) To make expenditures which he or she knows exceed the expenditure limitation applicable under section 4 of this act;
 - (c) To provide false information under section 3 (1), (2), or (3) of this act; or
 - (d) To violate the agreement under section 3(4) of this act.
- (3) It is a violation of this chapter for any person:
- (a) To furnish to the commission under this subchapter any evidence, books, or information (including any certification, verification, notice, or report), which is false, fictitious, or fraudulent, or to include in any evidence, books, or information so furnished any misrepresentation of a material fact, or to falsify or conceal any evidence, books, or information relevant to a payment by the commission or an examination and audit by the commission under this subchapter; or

(b) To fail to furnish to the commission any records, books, or information requested by it for purposes of this subchapter.

(4) It is a violation of this chapter for any person to accept any payment if the person knows, or has reason to know, that the payment is in violation of section 9(2) of this act.

NEW SECTION. Sec. 16. (1) The commission shall, as soon as practicable after each election, submit a full report to the governor and the legislature setting forth:

(a) The expenditures shown in such detail as the commission determines appropriate made by each eligible candidate and the authorized committee of each candidate;

(b) The amounts paid by the commission under section 10 of this act to each eligible candidate;

(c) The amount of repayments, if any, required under section 14 of this act, and the reasons for each payment required; and

(d) The balance in the state campaign account.

(2) The commission is authorized to prescribe such rules in accordance with chapter 34.04 RCW, to conduct such examinations and investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this subchapter.

CAMPAIGN CONTRIBUTION LIMITATIONS

NEW SECTION. Sec. 17. The definitions in section 2 of this act apply to this subchapter (sections 17 through 21 of this act).

The definitions in RCW 42.17.020 apply to this subchapter to the extent that they are consistent with the definitions in section 2 of this act.

NEW SECTION. Sec. 18. (1) No person, other than a multi-candidate political committee, may make contributions during an election cycle which in the aggregate exceed: (a) One thousand dollars to any candidate for state legislative office; (b) five thousand dollars to any candidate for governor; or (c) two thousand five hundred dollars to any candidate for any state executive office other than the office of governor. No candidate and no authorized committee of a candidate may accept contributions from a person which exceed the contribution limitations provided by this subsection for that person.

(2) No person, other than a multi-candidate political committee, may make contributions during a recall campaign which in the aggregate exceed: (a) One thousand dollars to any state legislator against whom recall charges have been filed or to any political committee having the expectation of making expenditures in support of the recall of any state legislator; (b) five thousand dollars to a governor against whom recall charges have been filed or to any political committee having the expectation of making expenditures in support of the recall of the governor; or (c) two thousand five hundred dollars to any state executive officer other than governor against whom recall charges have been filed or to any political committee having the expectation of making expenditures in support of the recall of such other state executive officer. No state official against whom recall charges have been filed, no authorized committee of such an official, and no political committee having the expectation of making expenditures in support of the recall of any state official may accept contributions from a person which exceed the contribution limitation provided by this subsection for that person.

(3) No multi-candidate political committee may make contributions during an election cycle which in the aggregate exceed: (a) Three thousand dollars to any candidate for state legislative office; (b) fifteen thousand dollars to any candidate for governor; or (c) seven thousand five hundred dollars to any candidate for any state executive office other than the office of governor. No candidate and no authorized committee of a candidate may accept contributions from a multi-candidate political committee which exceed the contribution limitation provided by this subsection for that multi-candidate political committee.

(4) No multi-candidate political committee may make contributions during a recall campaign which in the aggregate exceed: (a) Three thousand dollars to any state legislator against whom recall charges have been filed or to any political committee having the expectation of making expenditures in support of the recall of any state legislator; (b) fifteen thousand dollars to a governor against whom recall charges have been filed or to any political committee having the expectation of making expenditures in support of the recall of the governor; or (c) seven thousand five hundred dollars to any state executive officer other than governor against whom recall charges have been filed or to any political committee having the expectation of making expenditures in support of the recall of such other state executive officer. No state official against whom recall charges have been filed, no authorized committee of such an official, and no political committee having the expectation of making expenditures in support of the recall of any state official may accept contributions from a multi-candidate political committee which exceed the contribution limitation provided by this subsection for that multi-candidate political committee.

(5) For the purposes of this subchapter, a contribution to the authorized political committee of a candidate, or of a state official against whom recall charges have been filed, shall be considered to be a contribution to the candidate or state official.

(6) Any contribution received within the twelve-month period following a general election for a state office or for a recall election concerning a state office, shall be considered to be a

contribution during the election cycle for the state office or during the recall campaign. This subsection only applies to the extent the contribution is used to pay any debt or obligation incurred to influence the outcome of that election.

(7) (a) The contributions allowed by subsection (2) of this section are in addition to those allowed by subsection (1) of this section, and the contributions allowed by subsection (4) of this section are in addition to those allowed by subsection (3) of this section.

(b) The provisions of this subchapter apply to a special election conducted to fill a vacancy in a state office. However, the contributions made to a candidate or received by a candidate for a primary or special election conducted to fill such a vacancy shall not be counted toward any of the limitations which apply to the candidate or to contributions made to the candidate under this subchapter for any other primary or election.

NEW SECTION. Sec. 19. Children under eighteen years of age may make contributions to the extent authorized in section 18 of this act only if:

(1) The decision to contribute is made knowingly and voluntarily by the child;

(2) The funds, goods, or services contributed are owned or controlled exclusively by the child, such as income earned by the child, the proceeds of a trust for which the child is the beneficiary, or a savings account opened and maintained exclusively in the child's name; and

(3) The contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another individual.

NEW SECTION. Sec. 20. (1) For purposes of the contribution limitations in section 18 of this act: All contributions by any person who is controlled by any other person shall be considered to have been made by such other person. The provisions of this section shall not be construed as applying to the relationship between an individual and the spouse of the individual or to the relationship between a bona fide political party and any district or county organization of that party or a caucus of the state legislature of the members of that party.

(2) Without in any manner limiting its scope and effect, the general rule under subsection (1) of this section means that:

(a) Any contribution by a subsidiary, branch, division, department, or local unit of any association shall be considered to have been made by the association; and

(b) Any contribution by a political committee controlled by any person shall be considered to be a contribution by that person.

(3) In determining whether a person is controlled by any other person for the purposes of subsection (1) of this section, the following shall, if applicable, be considered:

(a) Ownership of a controlling interest in voting shares or securities;

(b) Provisions of bylaws, articles of incorporation, charters, constitutions, or other documents by which one person has the authority, power, or ability to direct another;

(c) The authority, power, or ability to hire, appoint, discipline, discharge, demote, or remove or influence the decision of the officers or members of an entity;

(d) Similar patterns of contributions; and

(e) The extent of the transfer of funds between the persons.

NEW SECTION. Sec. 21. All contributions made by a person, either directly or indirectly, to a candidate, to a state official against whom recall charges have been filed, or to political committee expecting to make expenditures in support of the recall of a state official shall be considered to be contributions from such person to the candidate, state official, or political committee, as shall contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to the candidate, state official, or political committee. For purposes of this section, 'earmarked' means a designation, instruction, or encumbrance, whether direct or indirect, express or implied, or oral or written, which is intended to result in or which does result in all or any part of a contribution being made to a certain candidate or state official. If a conduit or intermediary exercises any direction or control over the choice of the recipient candidate or state official, the contribution shall be considered to be by both the original contributor and the conduit or intermediary.

NEW SECTION. Sec. 22. A new section is added to chapter 42.17 RCW to read as follows:

A contribution received by a candidate or political committee which is returned to the contributor within five days of the date on which it is received by the candidate or committee is not a contribution for the purposes of this chapter.

NEW SECTION. Sec. 23. A new section is added to chapter 42.17 RCW to read as follows:

(1) Except as provided in subsection (2) of this section: No person may make contributions to a political committee, for the purpose of promoting the election or defeat of any candidate or candidates, during a calendar year which in the aggregate exceed five thousand dollars; and no political committee may accept contributions from a person which in the aggregate exceed five thousand dollars during a calendar year.

(2) The provisions of subsection (1) of this section do not apply to contributions to: The political committee of a candidate for any office; the political committee of any elected official against whom recall charges have been filed; or a political committee having the expectation of making expenditures in support of the recall of an elected official.

NEW SECTION. Sec. 24. A new section is added to chapter 42.17 RCW to read as follows:

A candidate or the political committee of the candidate shall transmit to each other candidate for the office sought by the candidate the following: A copy of each report which the candidate or the political committee of the candidate must file with the commission under this chapter; a copy of any statement filed under section 3 of this act by the candidate or the political committee of the candidate; and a copy of each request filed under section 10 of this act by the candidate or the political committee of the candidate. If the report, statement, or request is mailed to the commission, a copy shall be mailed to each of the other candidates at the same time that it is mailed to the commission. If the report, statement, or request is delivered to the commission in any other manner, a copy shall immediately thereafter be delivered to each other candidate.

NEW SECTION, Sec. 25. A new section is added to chapter 42.17 RCW to read as follows:

When part-time personal services of the sort commonly performed by volunteer campaign workers and exempted from the definition of 'contribution', under RCW 42.17.020 and section 2 of this act, are performed in support of a candidate for state legislative office and are performed by a person who resides in a county which is not within, in whole or in part, the legislative district of the candidate, the receipt of the services shall be reported by the candidate. The name and address of the person providing the services and the number of days that the services were provided by the person shall be reported to the commission at the same time that reports are filed with the commission by the candidate or the political committee of the candidate under RCW 42.17.065 or 42.17.080. The information shall be reported in a form prescribed by the commission by rule.

NEW SECTION, Sec. 26. A new section is added to chapter 42.17 RCW to read as follows:

The employer of each individual who contributes more than two hundred dollars in the aggregate to a political committee during a calendar year or to a candidate during an election cycle, as defined in section 2 of this act, shall be disclosed by the candidate or committee. The name of the employer shall be listed with the name and address of the person making the contribution in the reports of contributions and expenditures filed under this chapter with the commission by the candidate or the political committee.

NEW SECTION, Sec. 27. On the first business day of January each year, the state treasurer shall transfer from the general fund to the state election campaign account created in section 13 of this act an amount of money equal to two dollars times the number of persons responding 'yes' to the question placed on the ballot under section 30 of this act during the most recent presidential general election.

Sec. 28. Section 1, chapter 176, Laws of 1983 as last amended by section 2, chapter 228, Laws of 1986 and RCW 42.17.105 are each amended to read as follows:

(1) Campaign treasurers shall prepare and deliver to the commission a special report regarding any contribution which:

- (a) Exceeds five hundred dollars;
- (b) Is from a single person or entity;
- (c) Is received before a primary or general election; and

(d) Is received: (i) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (ii) within twenty-one days preceding that general election.

(2) Any political committee making a contribution which exceeds five hundred dollars shall also prepare and deliver to the commission the special report if the contribution is made before a primary or general election and: (a) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (b) within twenty-one days preceding that general election.

(3) Except as provided in subsection (4), the special report required by this section shall be delivered in written form, including but not limited to mailgram, telegram, or nightletter. The special report required by subsection (1) shall be delivered to the commission within forty-eight hours of the time, or on the first working day after, the contribution is received by the candidate or campaign treasurer. The special report required by subsection (2) of this section and RCW 42.17.175 shall be delivered to the commission, and the candidate or political committee to whom the contribution is made, within twenty-four hours of the time, or on the first working day after, the contribution is made.

(4) The special report may be transmitted orally by telephone to the commission to satisfy the delivery period required by subsection (3) if the written form of the report is also mailed to the commission and postmarked within the delivery period established in subsection (3).

(5) The special report shall include at least:

- (a) The amount of the contribution;
- (b) The date of receipt;
- (c) The name and address of the donor;
- (d) The name and address of the recipient; and
- (e) Any other information the commission may by rule require.

(6) Contributions reported under this section shall also be reported as required by other provisions of this chapter.

(7) The commission shall publish daily a summary of the special reports made under this section and RCW 42.17.175.

~~((8) It is a violation of this chapter for any person to make, or for any candidate or political committee to accept from any one person, contributions reportable under RCW 42.17.090 in the aggregate exceeding fifty thousand dollars for any campaign for state-wide office or exceeding five thousand dollars for any other campaign subject to the provisions of this chapter within twenty-one days of a general election. This subsection does not apply to contributions made by, or accepted from, a major political party as defined in RCW 29.01.090.))~~

Sec. 29, Section 39, chapter 1, Laws of 1973 and RCW 42.17.390 are each amended to read as follows:

(1) One or more of the following civil remedies and sanctions may be imposed by court order in addition to any other remedies provided by law:

(a) If the court finds that the violation of any provision of this chapter by any candidate or political committee probably affected the outcome of any election, the result of said election may be held void and a special election held within sixty days of such finding. Any action to void an election shall be commenced within one year of the date of the election in question. It is intended that this remedy be imposed freely in all appropriate cases to protect the right of the electorate to an informed and knowledgeable vote.

(b) If any lobbyist or sponsor of any grass roots lobbying campaign violates any of the provisions of this chapter, his registration may be revoked or suspended and he may be enjoined from receiving compensation or making expenditures for lobbying: PROVIDED, HOWEVER, That imposition of such sanction shall not excuse said lobbyist from filing statements and reports required by this chapter.

(c) Any person who violates any of the provisions of this chapter may be subject to a civil penalty of not more than ten thousand dollars for each such violation. However, for the following violations, the penalty shall be as follows:

(i) For violations of section 15(1) of this 1988 act, up to the greater of ten thousand dollars or the amount in excess of the aggregate payments to which the candidate is entitled;

(ii) For violations of section 15(2)(a) of this 1988 act, up to the greater of ten thousand dollars or the amount used or transferred for a prohibited purpose;

(iii) For violations of section 15(2)(b) of this 1988 act, up to the greater of ten thousand dollars or the amount of the expenditures in excess of the applicable expenditure limitation;

(iv) For violations of section 15(4) of this 1988 act, up to the greater of ten thousand dollars or the amount of the payment in violation of section 9(2) of this 1988 act; and

(v) For violations of section 18 or 23 of this 1988 act, up to the greater of ten thousand dollars or the amount of the contribution illegally made or accepted.

(d) Any person who fails to file a properly completed statement or report within the time required by this chapter may be subject to a civil penalty of ten dollars per day for each day each such delinquency continues.

(e) Any person who fails to report a contribution or expenditure may be subject to a civil penalty equivalent to the amount he failed to report.

(f) The court may enjoin any person to prevent the doing of any act herein prohibited, or to compel the performance of any act required herein.

NEW SECTION, Sec. 30. A new section is added to chapter 29.04 RCW to read as follows:

During each general election in which the office of president of the United States appears on the ballot, the secretary of state shall cause the following question to appear on the ballot:

'Do you want two dollars per year allocated to the state election campaign account which provides matching moneys for those state candidates who agree to limit their campaign spending?'

The question shall be presented so that each voter may respond 'yes' or 'no' to the question. The secretary of state shall certify to the governor, the state treasurer, and the legislature not later than the thirtieth day following such election, the total number of persons responding 'yes' on this question.

NEW SECTION, Sec. 31. A new section is added to chapter 34.04 RCW to read as follows:

This chapter shall not apply to any action taken by the public disclosure commission under section 12 of this act on applications for payments from the state campaign account.

NEW SECTION, Sec. 32. Contributions made and received prior to the effective date of this section shall not be considered to be contributions under the provisions of sections 2 through 21 of this act.

NEW SECTION, Sec. 33. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 34. Section 30 of this act shall take effect on July 1, 1988. All other provisions of this act shall take effect on January 1, 1989.

NEW SECTION, Sec. 35. Sections 2 through 16 and 27 of this act shall be added to chapter 42.17 RCW as a subchapter and codified with the subchapter heading of 'campaign expenditure limitations and matching funds.'

NEW SECTION. Sec. 36. Sections 17 through 21 of this act shall be added to chapter 42.17 RCW as a subchapter and codified with the subchapter heading of "campaign contribution limitations."

POINT OF PARLIAMENTARY INQUIRY

Mr. Lewis: Is the striking amendment to the second substitute bill meant to be a referendum to the people? I am drawing your attention, Mr. Speaker, to section 30, page 28, where it states that "During each general election in which the office of president of the United States appears on the ballot..." I am asking about the language in the Constitution which states in Article II, Section 1, Amendment 72, that every petition to the people has to be...

The Speaker: The Speaker does not rule on the constitutionality of matters before us.

Mr. Barnes moved adoption of the following amendment to the amendment:

On page 4, line 29 of the amendment, after "more," insert "Independent expenditure shall also mean any editorial broadcasted on television or radio or appearing in a newspaper, magazine or journal which clearly supports or opposes a candidate. For purposes of the 1988 act only, an editorial is deemed to value five hundred dollars."

Mr. Barnes spoke in favor of the amendment to the amendment, and Representatives Fisher and Ebersole opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Barnes to the amendment to Second Substitute House Bill No. 1284, and the amendment to the amendment was not adopted by the following vote: Yeas, 27; nays, 68; absent, 1; excused, 2.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Heavey, Holland, May, McLean, Miller, Moyer, Nealey, Prince, Sanders, Silver, Sommers D, Walker, Williams B - 27.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cooper, Crane, Day, Dellwo, Dom, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 68.

Absent: Representative Cole - 1.

Excused: Representatives Allen, Smith C - 2.

Mr. Butterfield moved adoption of the following amendment by Representatives Butterfield, Amondson, D. Sommers, Patrick, Bumgarner, Fuhrman, McLean, Barnes, May, Moyer, Sanders, Schmidt, Silver, Brooks, Beck, Doty, Schoon, Lewis, Nealey and Chandler to the amendment:

On page 1, following line 22, insert:

"(5) The legislature finds the idea of spending public dollars on political campaigns to be offensive, and finds any proposal to divert scarce public dollars from human services, education, transportation, economic development and the environment to candidate election efforts, to be morally wrong.

NEW SECTION. Sec. 2. The agreement to abide by certain conditions and limitations on campaign expenditures which is set forth in section (3) of this act, shall become binding on the candidate who signs the agreement to be bound, if and only if, all other candidates on the ballot for the same position agree to be bound to the same conditions and limitations. The establishment of this legally enforceable contract by and between the candidates, results in limits that are nonstatutory but rather contractual, and no public dollars are necessary to bind a contract. Any and all references to public financing of political campaigns in this act are hereby declared to be null and void."

Renumber remaining sections consecutively and remove all references to public financing of political campaigns.

Mr. Butterfield spoke in favor of adoption of the amendment to the amendment.

Mr. May demanded an electric roll call vote on all amendments to the amendment by Ms. Fisher, and the demand was sustained.

Ms. Fisher spoke against adoption of the amendment to the amendment, and Mr. Patrick spoke in favor of it.

POINT OF INQUIRY

Mr. Butterfield yielded to question by Mr. Heavey.

Mr. Heavey: Representative Butterfield, the quote "The legislature finds...any proposal to divert scarce public dollars from human services, education, transportation, economic development and the environment to candidate election efforts, to be morally wrong." Would this include tax exemptions, also, and tax deferrals?

Mr. Butterfield: Yes.

Representatives Silver, Lewis, Walker, Padden, and Brough spoke in favor of adoption of the amendment to the amendment, and Representatives Cole, Fisher, Ebersole, Cooper, Nelson, Pruitt, and R. King opposed it.

Mr. Crane demanded the previous question, and the demand was not sustained.

POINT OF INQUIRY

Mr. Patrick asked Mr. Heavey to yield to a question, and Mr. Heavey would not yield.

Mr. Patrick again spoke in favor of the amendment to the amendment.

Mr. Basich demanded the previous question, and the demand was sustained.

Ms. Fisher spoke against adoption of the amendment to the amendment, and Mr. Butterfield spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Butterfield and others to the amendment to Second Substitute House Bill No. 1284, and the amendment to the amendment was not adopted by the following vote: Yeas, 36; nays, 60; excused, 2.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 36.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 60.

Excused: Representatives Allen, Smith C - 2.

STATEMENT FOR THE JOURNAL

During the debate on this amendment, I yielded to a question by Representative Heavey, who asked if I thought tax exemptions and tax deferrals which took money away from human services, education, transportation, economic development and the environment were morally wrong.

My answer was, and remains, "yes."

I would note that I am not aware of any current tax deferral or tax exemption program that is not for the purpose of supporting one or more of the goals above and, therefore, would not agree that any current deferral or exemption is morally wrong.

STAN BUTTERFIELD, 18th District.

Ms. Brough moved adoption of the following amendments by Representatives Brough and Patrick to the amendment:

On page 7, following line 5, insert:

"(a) Will not accept contributions from any person if any portion of the funds used to make the contribution were received by the person as a contribution from a source other than an individual. Candidates accepting a contribution shall disclose, in a manner established by the commission, whether or not any portion of the contribution was funded by a transferred contribution of funds received from a source other than an individual."

On page 21, following line 16, insert:

"(8) No candidate for state office may accept contributions from any person if any portion of the funds used to make the contribution were received by the person as a contribution from a source other than an individual. Candidates accepting a contribution shall disclose, in a manner established by the commission, whether or not any portion of the contribution was funded by a transferred contribution of funds received from a source other than an individual."

Re-number remaining subsections.

Representatives Brough, Patrick and Heavey spoke in favor of adoption of the amendments to the amendment, and Representatives Fisher, Ebersole, Nelson and Appelwick opposed them.

Representatives Brough and Patrick again spoke in favor of adoption of the amendments to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Brough and Patrick to the amendment to Second Substitute House Bill No. 1284, and the amendments to the amendment were not adopted by the following vote: Yeas, 38; nays, 58; excused, 2.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Heavey, Holland, Lewis, Locke, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D. Taylor, Valle, Walker, Williams B, Williams J, Wilson S, Winsley - 38.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Allen, Smith C - 2.

Mr. Lewis moved adoption of the following amendment by Representatives Lewis and Amondson to the amendment:

On page 8, line 4, strike "Sec. 4." and insert:

"NEW SECTION. Sec. 4. (1)(a) The expenditure limit for a primary for a candidate for state office who agrees to the limitations established in this subchapter shall consist of a base amount of fifty cents per registered voter.

(b) The expenditure limit for a general election for a candidate for state office who agrees to the limitations established in this subchapter shall consist of a base amount of fifty cents per registered voter.

(c) In the case of a special election to fill a vacancy in a state office for which a primary is prohibited under RCW 29.13.075, the expenditure limit for the election cycle for a candidate for the office shall consist of a base amount of one dollar per registered voter.

(2) The base amount referred to in subsection (1) of this section shall be determined by reference to the number of registered voters eligible to vote in the district, or state in statewide races, at the general election held in the year prior to the election for the office being sought. The Secretary of State shall publish the official number of registered voters in each legislative district and in the state who were eligible to vote in that year's general election on or before December 1, of each year.

(3) If, during the twelve months preceding the election in which the candidate is seeking office, independent expenditures by any person or persons aggregating more than an amount equal to ten percent of the base amount established in subsection (2) of this section for the office sought are made in opposition to the candidate or for any other candidate for the office sought by the candidate, the expenditure limitation applicable to the candidate (not the other candidate) shall be increased by an amount equal to the amount of the independent expenditures.

The candidate (not the other candidate) may choose to apply this amount to the candidate's expenditure limitation for the primary or for the general election or may choose to apply a portion of the amount to the primary expenditure limitation and the remaining portion to the expenditure limitation for the general election."

Mr. Lewis spoke in favor of adoption of the amendment to the amendment, and Ms. Fisher opposed it.

Mr. Lewis again spoke in favor of adoption of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Lewis and Amondson to the amendment to Second Substitute House Bill No. 1284, and the amendment to the amendment was not adopted by the following vote: Yeas, 35; nays, 61; excused, 2.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 35.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 61.

Excused: Representatives Allen, Smith C - 2.

Mr. Prince moved adoption of the following amendments to the amendment:

On page 13, line 8, following "election," insert:

"No contribution received after a general election may be used to pay any debt or obligation incurred to influence the outcome of that election, except that contributions from persons who were disclosed prior to the election as contributors to the campaign may be accepted to retire debt so long as the contribution after the election is no larger than the pre-election contribution and the total contribution is within the contribution limits."

On page 21, line 4, following "election," insert:

"No contribution received after a general election may be used to pay any debt or obligation incurred to influence the outcome of that election, except that contributions from persons who were disclosed prior to the election as contributors to the campaign may be accepted to retire debt so long as the contribution after the election is no larger than the pre-election contribution and the total contribution is within the contribution limits."

Representatives Prince and Doty spoke in favor of adoption of the amendments to the amendment, and Ms. Fisher opposed them.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Prince to the amendment to Second Substitute House Bill No. 1284, and the amendments to the amendment were not adopted by the following vote: Yeas, 36; nays, 60; excused, 2.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Heavey, Holland, Jacobsen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Winsley - 36.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Hine, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 60.

Excused: Representatives Allen, Smith C - 2.

Ms. Miller moved adoption of the following amendment by Representatives Miller and Fisher to the amendment:

On page 21, following line 16, insert:

"(8) No state legislator, or political committee for such legislator, may during the course of any legislative session, accept any campaign contribution from any person registered with the commission as a lobbyist or from any person who employs such a lobbyist."

Representatives Miller, Fisher and Jacobsen spoke in favor of adoption of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Miller and Fisher to the amendment to Second Substitute House Bill No. 1284, and the amendment to the amendment was adopted by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough,

Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Mr. Patrick moved adoption of the following amendment to the amendment:

On page 28, line 11, following "question," insert:

"Unless the total number of 'yes' votes is larger than the total number of 'no' votes, the state treasurer shall not transfer funds from the general fund to the state election campaign account as is provided in section 27 of this act and all language in this act related to public financing shall be null and void."

Representatives Patrick, Silver, Ballard and Bumgarner spoke in favor of adoption of the amendment to the amendment, and Mr. Ebersole opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Patrick to the amendment to Second Substitute House Bill No. 1284, and the amendment to the amendment was not adopted by the following vote: Yeas, 36; nays, 60; excused, 2.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 36.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 60.

Excused: Representatives Allen, Smith C - 2.

Mr. May moved adoption of the following amendment by Representatives May and Walker to the amendment:

On page 28, line 25, strike "Sec. 34." and insert:

"**NEW SECTION.** Sec. 34. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 35. In order to provide for the emergency application of this act to the elections of 1988 the following special provisions shall supersede any conflicting provisions of this act:

(1) The 1988 election cycle shall begin on the day this act becomes law.

(2) The base spending amounts for candidates for statewide office in 1988 shall be one million dollars in the primary and one million dollars in the general election. The base limits for legislative candidates in 1988 shall be twenty thousand dollars in the primary and twenty thousand dollars in the general election cycle, except that house candidates in districts designated A or B shall have limits one half the amount of other legislators. Persons running against incumbents will have a base ten percent higher than those noted above.

(3) Monies collected before the effective date of this act are subject to the expenditure limitations of this act, if the candidate who controls them is limited. Monies held by a candidate before this act became law will not be eligible for any public matching funds."

Renumber remaining sections.

Mr. May spoke in favor of adoption of the amendment to the amendment, and Mr. Appelwick opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives May and Walker to the amendment to Second Substitute House Bill No. 1284, and the amendment to the amendment was not adopted by the following vote: Yeas, 37; nays, 59; excused, 2.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Heavey, Holland, Lewis, Lux, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 37.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 59.

Excused: Representatives Allen, Smith C - 2.

The Speaker stated the question before the House to be the adoption of the amendment by Ms. Fisher as amended.

Representatives Fisher, Braddock, Jacobsen, Unsoeld and Ebersole spoke in favor of adoption of the amendment by Ms. Fisher as amended, and Representatives Taylor, Brough, Silver, Schoon and Heavey opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Ms. Fisher as amended to Second Substitute House Bill No. 1284, and the amendment as amended was adopted by the following vote: Yeas, 62; nays, 34; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Amondson, Ballard, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 34.

Excused: Representatives Allen, Smith C - 2.

With consent of the House, the following amendments by Ms. Fisher to the title were adopted:

On page 1, line 4 of the title, after "42.17 RCW;" insert "adding a new section to chapter 29.04 RCW;"

On page 1, line 5 of the title, strike "an effective date" and insert "effective dates"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole and Appelwick spoke in favor of passage of the bill, and Representatives Amondson, Lewis and Patrick opposed it.

POINT OF ORDER

Mr. Ebersole: Mr. Speaker, would you remind the gentleman regarding the rule of impugning the motives of members of the body?

The Speaker: Consider yourself so reminded, Representative Patrick.

Mr. Taylor spoke against passage of the bill, and Ms. Valle spoke in favor of it.

POINT OF ORDER

Mr. Padden: Mr. Speaker, I know the debate has gotten heated on both sides of the aisle. I would urge you to admonish the members to remember Reed's Rule 212.

The Speaker: The members are so reminded, Representative Padden.

Mr. Barnes spoke against passage of the bill, and Mr. Grimm spoke in favor of it.

Mr. Crane demanded the previous question, and the demand was not sustained.

Ms. Miller spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1284, and the bill passed the House by the following vote: Yeas, 54; nays, 42; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Haugen, Hine, Holm, Jacobsen, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 54.

Voting nay: Representatives Amondson, Ballard, Barnes, Beck, Betzozoff, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Heavey, Holland, Jesernig, Kremen, Lewis, May, McLean, Miller, Moyer, Neadley, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Zellinsky - 42.

Excused: Representatives Allen, Smith C - 2.

Engrossed Second Substitute House Bill No. 1284, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Representative O'Brien to preside.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1691 on second reading. The motion was carried.

HOUSE BILL NO. 1691, by Representatives Walk, Grimm and Belcher

Regulating billboards in commercial and industrial zones.

The bill was read the second time.

Ms. Brough moved adoption of the following amendments by Representatives Brough, Schmidt and Walk:

On page 4, after line 3, insert the following:

"Sec. 2, Section 7, chapter 62, Laws of 1971 ex. sess. as last amended by section 3, chapter 271, Laws of 1975 1st ex. sess. and RCW 47.42.062 are each amended to read as follows:

Signs within six hundred and sixty feet of the nearest edge of the right of way which are visible from the main traveled way of the primary system within commercial and industrial areas and whose size, lighting, and spacing are consistent with the customary use of property for the effective display of outdoor advertising as set forth in this section may be erected and maintained: PROVIDED, That this section shall not serve to restrict type 3 signs located along any portion of the primary system within an incorporated city or town or within any commercial or industrial area.

(1) General: Signs shall not be erected or maintained which (a) imitate or resemble any official traffic sign, signal, or device; (b) are erected or maintained upon trees or painted or drawn upon rocks or other natural features and which are structurally unsafe or in disrepair; or (c) have any visible moving parts.

(2) Size of signs:

(a) The maximum area for any one sign shall be six hundred seventy-two square feet with a maximum height of twenty-five feet and maximum length of fifty feet inclusive of any border and trim but excluding the base or apron, supports and other structural members: PROVIDED, That cut-outs and extensions may add up to twenty percent of additional sign area.

(b) For the purposes of this subsection, double-faced, back-to-back, or V-type signs shall be considered as two signs.

(c) Signs which exceed three hundred twenty-five square feet in area may not be double-faced (abutting and facing the same direction).

(3) Spacing of signs:

(a) Signs may not be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.

(b) On limited access highways established pursuant to chapter 47.52 RCW no two signs shall be spaced less than one thousand feet apart, and no sign may be located within three thousand feet of the center of an interchange, a safety rest area, or information center, or within one thousand feet of an intersection at grade. Double-faced signs shall be prohibited. Not more than a total of five sign structures shall be permitted on both sides of the highway per mile.

(c) On noncontrolled access highways inside the boundaries of incorporated cities and towns not more than a total of four sign structures on both sides of the highway within a space of six hundred sixty feet shall be permitted with a minimum of one hundred feet between sign structures. In no event, however, shall more than four sign structures be permitted between platted intersecting streets or highways. On noncontrolled access highways outside the boundaries of incorporated cities and towns minimum spacing between sign structures on each side of the highway shall be ~~((five hundred))~~ two thousand feet.

(d) For the purposes of this subsection, a back-to-back sign and a V-type sign shall be considered one sign structure.

(e) Official signs, and signs advertising activities conducted on the property on which they are located shall not be considered in determining compliance with the above spacing requirements. The minimum space between structures shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply to signs located on the same side of the highway.

(4) Lighting: Signs may be illuminated, subject to the following restrictions:

(a) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather, or similar information.

(b) Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the highway and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

(c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, or signal.

(d) All such lighting shall be subject to any other provisions relating to lighting of signs presently applicable to all highways under the jurisdiction of the state."

Remember the section following consecutively.

On page 4, after line 23, insert

"(4) Signs visible from the main traveled way of the primary system lawfully erected along uncontrolled access highways outside the boundaries of incorporated cities and towns before July 1, 1988, shall be permitted to remain and be maintained. Such signs shall be included in the determination of spacing requirements for additional signs."

Ms. Brough spoke in favor of adoption of the amendments, and they were adopted.

On motion of Ms. Brough, the following amendment to the title was adopted:

In line 2 of the title, after "47.42.020" insert ", 47.42.062."

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1691, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsöld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Engrossed House Bill No. 1691, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1694, by Representatives Betrozoff, Peery, Holland, Rasmussen and P. King; by request of Superintendent of Public Instruction

Specifying some of the personal qualifications that are prerequisites to applying for a teaching certificate.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1694, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungamer, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D. Sommers H. Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

House Bill No. 1694, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1695, by Representatives Dorn, Betrozoff, Peery, Cole, Rust, Taylor, Rasmussen, Valle, Spanel, Holland, Rayburn, P. King and Winsley; by request of Superintendent of Public Instruction

Extending the time period for the superintendent of public instruction to adopt evaluation standards.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dorn and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1695, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungamer, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D. Sommers H. Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

House Bill No. 1695, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

Mr. Dellwo moved that the House defer consideration of House Bill No. 1706 and that the bill hold its place on the second reading calendar. The motion was carried.

Mr. Dellwo moved that the House immediately consider House Bill No. 1722 on second reading. The motion was carried.

HOUSE BILL NO. 1722, by Representatives Ferguson, Dellwo, Bristow, Miller, Moyer and Lux

Providing for insurance coverage for habilitative and rehabilitative services for dependent children.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1722 was substituted for House Bill No. 1722, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1722 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ferguson, Lux and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1722, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1722, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1729, by Representatives Wang, Patrick and Locke

Changing provisions relating to corporate takeovers.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1729 was substituted for House Bill No. 1729, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1729 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill, and Representatives Patrick and Chandler opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1729, and the bill passed the House by the following vote: Yeas, 57; nays, 39; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Belcher, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Vaile, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 57.

Voting nay: Representatives Amondson, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Grant, Holm, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Zellinsky - 39.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1729, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1739, by Representatives Sayan, Grimm, Ballard, Basich, Walker, Walk, B. Williams, Baugher, Anderson, Bristow, Day, Jones, Kremen, Winsley, Schoon, Dellwo and Sanders

Assisting the Washington state guard in civil affairs.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1739 was substituted for House Bill No. 1739, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1739 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Hanks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1739, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hanks, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1739, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1745, by Representatives Peery, Holm, Taylor, Rasmussen, Betzoff, Cole, Haugen, Holland, P. King, Schoon, D. Sommers, Dorn and Ebersole

Specifying when school directors officially start their terms of office.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 1745 was substituted for House Bill No. 1745, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1745 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1745, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hanks, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1745, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1752, by Representatives Spanel, S. Wilson, Haugen, Sayan, Fox, Hargrove, Cole, Kremen, Amondson, Braddock, Schmidt, Sanders and Cooper

Authorizing one day not-for-profit smelt fishing derbies.

The bill was read the second time. On motion of Ms. K. Wilson, Substitute House Bill No. 1752 was substituted for House Bill No. 1752, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1752 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Spanel, S. Wilson, Hargrove and Cooper spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1752, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1752, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1833, by Representatives Dorn, Butterfield, Jones, Nealey, Rayburn, Rasmussen, Fox, Hine, Haugen, Sanders, Ferguson and D. Sommers

Revising provisions for a mayor pro tempore.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dorn and Butterfield spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1833, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

House Bill No. 1833, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1845, by Representatives Anderson, Brough, Wineberry, Winsley, Moyer, H. Sommers and Brekke

Revoking concealed pistol licenses of persons carrying them while under the influence of drugs or alcohol.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1845 was substituted for House Bill No. 1845, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1845 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Anderson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Anderson yielded to question by Mr. Prince.

Mr. Prince: One of the things that is important in my district would be to know this: Let's say that you don't have a concealed weapon. Let's say that you have a rifle which is in full view. You are pulled over for a DWI. Can they confiscate that weapon?

Mr. Anderson: I'm not sure. This bill only deals with concealed weapons and people carrying concealed weapons permits.

POINT OF INQUIRY

Mr. Heavey yielded to question by Mr. Prince.

Mr. Prince: Representative Heavey, can you answer that question?

Mr. Heavey: Thank you, Mr. Speaker. I had a case similar to this. If it is loaded, I believe the answer is "yes." If it is not loaded, the car would be secured and the weapon would be left inside.

Mr. Prince: So this would not affect someone with a pickup who would have weapons in the rear window which is common practice in a lot of areas?

Mr. Heavey: I believe this only affects concealed weapons.

Representatives Lewis, Vekich, Bumgarner, S. Wilson and Schoon spoke against passage of the bill, and Representatives Haugen, Hankins, Heavey and Cole spoke in favor of it.

The Speaker resumed the Chair.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1845, and the bill passed the House by the following vote: Yeas, 73; nays, 23; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betrozoff, Braddock, Brekke, Brough, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Leonard, Locke, Lux, McLean, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams J, Wilson K, Wineberry, Winsley, and Mr. Speaker - 73.

Voting nay: Representatives Amondson, Baugher, Bristow, Brooks, Bumgarner, Butterfield, Chandler, Dary, Fuhrman, Grant, Holland, King P, Kremen, Lewis, May, Meyers, Padden, Schoon, Sommers D, Vekich, Williams B, Wilson S, Zellinsky - 23.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1845, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

Mr. Peery moved that the House immediately consider House Bill No. 1852 on second reading. The motion was carried.

HOUSE BILL NO. 1852, by Representatives Sayan and H. Sommers

Modifying membership of the deferred compensation committee.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1852 was substituted for House Bill No. 1852, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1852 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sayan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1852, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1876, by Representatives Wang, Patrick, R. King and Walker

Limiting drug and alcohol testing.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1876 was substituted for House Bill No. 1876, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1876 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Patrick and R. King:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. PURPOSE. The legislature finds that drug testing programs adopted by employers and licensing agencies raise serious concerns over the potential for abuse in the areas of employee, licensee, and applicant privacy; standards of testing; confidentiality of records; and disciplinary action based on test results. The legislature also recognizes that drug use exists in the workplace and that employers have an obligation to provide a safe working environment. The purpose of this chapter is to limit the potential for abuse by regulation of workplace drug testing and to provide remedies for violations. This chapter shall be construed liberally for the accomplishment of its purpose.

NEW SECTION, Sec. 2. DEFINITIONS. As used in this chapter, the terms in this section have the meanings indicated unless the context clearly requires otherwise.

(1) 'Applicant' means a person who applies to become an employee of an employer or who applies to a licensing agency to become a licensee.

(2) 'Confirmation test' means a second substance abuse test performed on a second portion of the original test sample through the use of gas chromatography-mass spectrometry or other at least equally reliable scientifically accepted method that provides specific data to verify the presence of a drug in the test sample as indicated by an initial positive screening test result.

(3) 'Drug' means a controlled substance under chapter 69.50 RCW.

(4) 'Drug or alcohol test' means the procedure of taking and analyzing body fluids or materials from the body for the purpose of detecting the presence of a drug, alcohol,

metabolite, or other related substances in the sample tested, but does not include tests designed to determine blood-alcohol concentrations from a sample of a person's breath.

(5) 'Employee' means any person working for salary, wages, or commissions within the state.

(6) 'Employee assistance program' means a program to assist employees or licensees with an alcohol, drug, or other health or behavioral problem, using professionals to conduct confidential evaluations and refer employees or licensees to the most appropriate resources available. An employee assistance program does not provide treatment or rehabilitation, but provides initial treatment referral and followup contact with the employee or licensee using the employee assistance program.

(7) 'Employer' means the state, an agency or political subdivision thereof, a municipal corporation, or a person, firm, corporation, partnership, or other organization or group of persons, however organized, located or doing business within the state or recruiting employees within the state, that employs personnel for salaries, wages, or commissions, or any person acting as an agent of such an organization. 'Employer' does not include a person or entity who contracts with an independent contractor with respect to the employees of the independent contractor.

(8) 'Licensee' means a person who, as required by Title 18 RCW or other applicable provision of law, holds a license to engage in an occupation or profession in the state.

(9) 'Licensing agency' means the state, an agency or political subdivision thereof, or a municipal corporation, that is authorized by Title 18 RCW or other applicable provision of law to issue occupational or professional licenses to individuals to permit them to engage in an occupation or profession in the state.

(10) 'Negative test result' means a test result that indicates that:

(a) A drug or metabolite is not present in the tested sample; or

(b) A drug or metabolite is present in the tested sample in a concentration below the threshold level.

(11) 'Positive test result' means a result on a confirmation test that indicates the presence of a drug, alcohol, or their metabolites in the tested sample at or above the specified threshold level.

(12) 'Rehabilitation program' means a clinically supervised program approved under chapter 69.54 or 70.96A RCW for the treatment of drug or alcohol addiction, as recommended by an employee assistance program.

(13) 'Screening test' means an initial drug or alcohol test performed on a test sample through the use of an immunoassay technology or other equally reliable scientifically accepted method that is used as a preliminary step in detecting the presence of a drug or metabolite in the test sample.

(14) 'Threshold level' means the minimum amount of a substance that must be present in a test sample to be considered a positive test result.

NEW SECTION. Sec. 3. LIMITATIONS ON DRUG AND ALCOHOL TESTING. (1) An employer or licensing agency shall not request or require an employee, licensee, or applicant to undergo drug or alcohol testing unless the requirements of this chapter are met.

(2) Except as provided in subsection (4) of this section, an employer or licensing agency shall not request or require an employee or licensee to undergo drug or alcohol testing unless the employer or agency has a reasonable suspicion arising from observable behavior that the employee or licensee is under the influence of drugs or alcohol in the course of employment. For the purposes of this section, 'reasonable suspicion' means knowledge of specific facts, circumstances, physical evidence, or physical signs and symptoms that would cause a reasonable person to conclude that an employee or licensee may be under the influence of drugs or alcohol. The grounds for requiring a drug or alcohol test under this subsection shall be documented.

(3) An employer or licensing agency shall not request or require an applicant for employment or licensing to undergo drug or alcohol testing or a preemployment or prelicensing physical examination that includes drug or alcohol testing unless the same test or examination is requested or required of all applicants who are finalists for employment in the same position. The employer or licensing agency shall provide at least twenty-four hours' notice prior to the drug or alcohol test or physical examination that a test or examination is required. Disclosure of the test or examination requirement shall be included in any notice or advertisement soliciting applicants for employment or licensing or in the application for employment or licensing.

(4) Random or mandatory drug or alcohol testing of employees or licensees is prohibited except for employees or licensees who refuse rehabilitation or who are found fit to return to work as provided in (a) of this subsection, for employees or licensees who are undergoing rehabilitation as provided in (b) of this subsection, as part of a routine annual physical examination as provided in (c) of this subsection, or in conjunction with a work-related accident as provided in (d) of this subsection.

(a) An employer or licensing agency may require an employee or licensee who has received a positive test result to submit to up to six subsequent drug or alcohol tests performed at randomly selected times over a one-year period as a condition of continued employment:

(i) If the employee or licensee chooses not to undergo rehabilitation or fails to complete successfully rehabilitation determined appropriate by the employee assistance program; or (ii) after the employee assistance program or rehabilitation program determines that the employee or licensee is fit to return to work.

(b) While the employee or licensee is participating in a rehabilitation program either as a result of voluntary contact with or mandatory referral to the employee assistance program or after a positive test result, drug or alcohol testing may be conducted by the rehabilitation or treatment provider as required, requested, or suggested by that provider.

(i) Drug or alcohol testing conducted as part of such a rehabilitation or treatment program is not subject to the provisions of this chapter regulating drug and alcohol testing, except for section 18 of this act.

(ii) An employer or licensing agency shall not request or require that any drug or alcohol test be administered to an employee or licensee while the employee or licensee is undergoing such rehabilitation or treatment, except as provided in subsection (2) or (4)(a) of this section.

(iii) The results of a drug or alcohol test administered to an employee or licensee as part of such a rehabilitation or treatment program shall not be released to the employer or licensing agency.

(c) An employer or licensing agency shall not request or require an employee or licensee to undergo drug or alcohol testing as part of a routine physical examination unless: (i) The examination is required for all employees or licensees within the employee's or licensee's class; (ii) the examination is a comprehensive health evaluation including a review of systems and laboratory tests as indicated by symptoms or required by chapter 49.17 RCW; (iii) the conditions under which the testing is conducted are not more intrusive than those required for the physical examination; and (iv) the results of the examination, including any drug or alcohol testing, are evaluated by the examining health professional. The drug or alcohol test shall not be requested or required more than once annually and the employee or licensee shall be given at least forty-eight hours' written notice of the examination date, including notice that a drug or alcohol test may be requested or required as part of the physical examination.

(d) An employer or licensing agency may require an employee or licensee to undergo drug or alcohol testing if the employee or licensee is directly involved in a significant work-related accident. Any testing under this subsection (d) shall be reported to the department of labor and industries pursuant to section 24 of this act. For the purposes of this subsection (d), 'significant work-related accident' means an accident involving property damage of more than one thousand dollars or personal injury, including fatality, that requires reporting and investigation or recording under chapter 49.17 RCW, but the application of this definition is not limited by the employer's size. However, employers and licensing agencies are prohibited from using drug or alcohol testing to deter the filing of an industrial accident or injury report.

NEW SECTION, Sec. 4. EXCLUSIONS. (1) This chapter does not apply to:

(a) Drug or alcohol testing of health care professionals when testing is conducted pursuant to a substance abuse monitoring program approved by the disciplining authority as authorized by law;

(b) Drug or alcohol testing required as a condition of probation, court-ordered rehabilitation or other court order; or

(c) Drug or alcohol testing of law enforcement personnel whose job assignment specifically requires the enforcement of the uniform controlled substances act or laboratory examination and analysis of controlled substances.

(2) Except as provided under subsection (3) of this section, the protections provided under this chapter do not apply to employees, licensees, and applicants where the specific work performed requires those employees, licensees, or applicants to be subject to drug or alcohol testing pursuant to:

(a) Federal regulations that specifically preempt state regulation of drug or alcohol testing with respect to those employees, licensees, or applicants;

(b) Federal regulations or requirements necessary to operate federally regulated facilities;

(c) Criteria established by United States nuclear regulatory commission regulations, policy statements, or other official commission action; or

(d) Federal contracts that require drug or alcohol testing to be conducted for security, safety, or protection of sensitive or proprietary data.

(3) Employers, licensing agencies, and testing laboratories shall comply with the protections provided in this chapter with respect to employees, licensees, or applicants otherwise excluded under subsection (2) of this section to the extent that the provisions of this chapter are not inconsistent with or specifically preempted by the federal regulations, contract, or requirements applicable to drug or alcohol testing.

NEW SECTION, Sec. 5. TESTING TO BE PERFORMED DURING WORK TIME—COSTS. (1) Any drug or alcohol testing by an employer shall occur during or immediately after the regular work period of current employees and shall be deemed work time for purposes of compensation and benefits.

(2) An employer or licensing agency shall pay all costs of testing for drugs or alcohol required by the employer or agency, including the cost of the employee's or licensee's transportation to the testing site if other than the work site.

(3) For testing of employment or licensing applicants, the employer or licensing agency shall pay the costs of drug or alcohol tests required by the employer or agency.

NEW SECTION, Sec. 6. WRITTEN POLICY OF EMPLOYER OR LICENSING AGENCY. Before establishing any drug or alcohol testing program, an employer or licensing agency shall develop a written policy in compliance with this chapter providing for:

(1) The procedure and consequences of an employee's or licensee's voluntary admission of a substance abuse problem and any available assistance, including the availability and procedure of the employee assistance program;

(2) The employees, licensees, or applicants subject to testing under the policy;

(3) The circumstances under which drug or alcohol testing may be requested or required;

(4) The right of an employee, licensee, or applicant to refuse to undergo drug or alcohol testing and the consequences of failing to undergo testing;

(5) Any disciplinary or other adverse personnel action that may be taken based on a positive test result;

(6) The right of an employee, licensee, or applicant to explain a positive test result or to request and pay for a confirmatory retest;

(7) Requirements for the collection of samples, including:

(a) The collection of any sample for use in a drug or alcohol test shall be conducted in a medical facility, which may include a temporary or permanent work-site medical facility, or a facility approved under chapter 69.54 or 70.96A RCW to provide drug or alcohol treatment, and shall be supervised by trained medical personnel or trained personnel approved under chapter 69.54 or 70.96A RCW to provide drug or alcohol treatment;

(b) The collection of a urine sample shall not be observed, directly or indirectly, except by medical personnel of the respective sex of the person being tested;

(c) Samples shall be stored before testing under conditions sufficient to avoid deterioration of the sample; and

(d) Chain of custody procedures shall be established sufficient to protect the samples from tampering and to verify the identity of each sample and test results;

(8) The drugs or metabolites for which tests may be conducted;

(9) The threshold levels for both screening and confirmation tests at which the presence of a drug or metabolite in a sample is considered a positive test result;

(10) Opportunities and procedures for rehabilitation following a positive test result;

(11) A procedure under which an employee, licensee, or applicant who receives a positive test result may appeal and contest the accuracy of that result; and

(12) Any other appeal procedures available.

An employer must consult with his or her employees, or an employee representative authorized by the employees, while developing, after the effective date of this section, a drug or alcohol testing policy under this section or any changes in an existing drug or alcohol testing policy. An employer with a drug or alcohol testing policy in existence on the effective date of this section must inform its employees and the employee representatives, if any, before effecting any changes that are designed to bring the policy into compliance with this chapter. Such changes must be posted pursuant to section 8 of this act.

NEW SECTION, Sec. 7. EMPLOYEE ASSISTANCE PROGRAM. Before establishing a drug or alcohol testing program for employees or licensees, an employer shall have or provide access to a functioning employee assistance program and a licensing agency shall adopt rules providing for referral to an assistance program meeting the standards of an employee assistance program. Employers or licensing agencies may meet the requirements of this section by participating in a cooperative assistance program that serves the employees or licensees of more than one employer or agency. The employee assistance program shall provide services with the highest possible degree of confidentiality, which shall, at a minimum, comply with section 18 of this act.

NEW SECTION, Sec. 8. NOTICE. An employer or licensing agency shall provide notice of its drug or alcohol testing policy to all affected employees and licensees upon adoption of the policy, to a previously unaffected employee or licensee upon transfer to an affected position under the policy, and to an applicant as required in section 3 of this act. An employer or licensing agency shall also post written notice in an appropriate and conspicuous location on the employer's or agency's premises that a drug and alcohol testing policy has been adopted and that copies of the policy are available for inspection in an identified and suitable location during regular business hours.

NEW SECTION, Sec. 9. WAIVER PROHIBITED. (1) No employer or licensing agency may request or require that any employee, licensee, or applicant sign or agree to any form or agreement that:

(a) Attempts to absolve the employer or agency from any potential liability arising out of the imposition of the drug or alcohol test; or

(b) Attempts to waive an employee's, licensee's, or applicant's rights or eliminate or diminish an employer's or agency's obligations under this chapter.

(2) A form or agreement prohibited by this section is void.

(3) This section does not apply to a release under a judicially approved settlement or under a negotiated settlement when the employee, licensee, or applicant is represented by legal counsel.

NEW SECTION. Sec. 10. TESTING LABORATORIES. A drug or alcohol test administered under this chapter shall be performed in a testing laboratory that complies with this section. The testing laboratory shall have the minimum qualifications specified in this section.

(1) The director of the laboratory or the director of the toxicology department:

(a) Possesses a doctoral degree in pharmacology, toxicology, or chemistry, is a physician certified by the American board of pathology, or is certified by the state in which the laboratory is located as a laboratory director in forensic or toxicological analysis;

(b) Has at least two years' experience in an analytical toxicology laboratory; and

(c) Is certified by the American board of forensic toxicology, the American board of clinical chemistry in toxicological chemistry, the American board of pathology in clinical pathology, or other comparable national accrediting board in one of the laboratory specialties.

(2) The laboratory has written testing procedures and procedures that ensure a clear chain of custody.

(3) The laboratory is certified or accredited by the national institute on drug abuse, the college of American pathology (forensic urine drug testing program), or other comparable nationally recognized accrediting program for forensic toxicology.

(4) The laboratory follows quality control procedures, including, but not limited to:

(a) The use of internal quality controls during drug and alcohol testing, including the use of blind samples and samples of known concentrations that are used to check the performance and calibration of testing equipment;

(b) Procedures for internal review and certification of test results; and

(c) Implementation of adequate sample storage and security measures by the testing laboratory.

NEW SECTION. Sec. 11. TRANSITIONAL LABORATORY PROVISIONS. (1) A drug or alcohol test administered under this chapter shall be performed in a qualified testing laboratory. A laboratory shall be qualified under this section if the laboratory meets all federal requirements and is certified for medicare reimbursement.

(2) This section shall expire on December 31, 1990.

NEW SECTION. Sec. 12. CONSTRUCTION—LABORATORY REQUIREMENTS. Sections 10 and 11 of this act shall not be construed to preclude employees, licensees, or applicants from challenging the accuracy or reliability of drug or alcohol test results or create a presumption with regard to the accuracy or reliability of test results.

NEW SECTION. Sec. 13. LABORATORY REPORTS. (1) A laboratory may report that a test sample is positive only if both the initial screening test and confirmation test are positive for the particular substance being tested. The detection of the substance being tested below the established threshold level shall be reported as a negative test result. The laboratory's report shall not contain any information indicating the presence of the substance being tested below the threshold level.

(2) The laboratory shall provide the employer or licensing agency with a written report of the drug or alcohol test result that includes the following information:

(a) The substances for which testing was conducted;

(b) The type of test conducted;

(c) The results of the screening test if the screening test is negative or, if the screening test is positive, the results of the confirmatory test;

(d) The threshold level established for both the initial screening and confirmation procedures; and

(e) The name and address of the laboratory.

(3) The laboratory shall preserve a portion of any positive sample in a condition that will permit retesting for a period of not less than ninety days after the person tested receives the result.

NEW SECTION. Sec. 14. RIGHTS OF EMPLOYEES, LICENSEES, AND APPLICANTS. (1) Before requesting or requiring an employee, licensee, or applicant to undergo drug or alcohol testing, an employer or licensing agency shall provide the employee, licensee, or applicant with a form, developed by the employer or agency, on which to acknowledge that the employee, licensee, or applicant has seen the employer's or agency's drug or alcohol testing policy. Prior to or at the time of the test, the employee, licensee, or applicant shall be given an opportunity to indicate any over-the-counter or prescription medications that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result. The information shall be sealed and may be revealed to the laboratory or other medical professional evaluating the test results only if the drug or alcohol test result of the individual providing the information is positive. The information shall not be revealed to the employer or licensing agency.

(2) Within five working days after receipt of a test result report from the testing laboratory, an employer or licensing agency shall inform in writing the employee, licensee, or applicant who has undergone drug or alcohol testing of a positive test result and, upon request, the absence of a positive test result. In the case of a positive test result, the employer or licensing agency shall also, at the time of this notice, inform the employee, licensee, or applicant in writing of the right to submit further information relative to the positive test result or to have a confirmatory retest.

(3) Within five working days after notice from the employer or licensing agency of a positive test result, the employee, licensee, or applicant may submit information to the employer or agency, in addition to any information already submitted under subsection (1) of this section, to explain that result, or may request a confirmatory retest of the original sample at the employee's, licensee's, or applicant's own expense.

(4) Within five working days after notice of the positive test result, the employee, licensee, or applicant shall notify the employer or licensing agency in writing of the employee's, licensee's, or applicant's intent to obtain a confirmatory retest. Within three working days after receipt of the notice, the employer or agency shall notify the original testing laboratory that the employee, licensee, or applicant has requested the laboratory to conduct the confirmatory retest or transfer the sample to another laboratory meeting the requirements of this chapter to conduct the confirmatory retest. The original testing laboratory shall ensure that the chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest shall use the same drug or alcohol threshold detection levels used in the original confirmatory test and shall otherwise meet the requirements of this chapter that apply to the confirmatory test. All costs related to conducting the confirmatory retest are at the employee's, licensee's, or applicant's own expense. If the confirmatory retest does not confirm the original positive test result, no disciplinary action based on the original confirmatory test may be taken against the employee, licensee, or applicant and the results of the original confirmatory test shall not be placed or maintained in the employee's personnel file.

(5) An employer or licensing agency shall provide an employee, licensee, or applicant who has a positive test result an opportunity for an informal meeting to explain the results and explain why the result may not be accurate.

(6) An employee, licensee, or applicant has the right to request and receive from the employer or licensing agency a copy of a positive test result report on any drug or alcohol test or, if the employer or agency preserves a copy, of a negative test result report on any such test.

(7) Delay in reporting of drug or alcohol test results by a laboratory shall not be interpreted as a positive or negative test by the employer or licensing agency.

NEW SECTION. Sec. 15. ADVERSE PERSONNEL ACTIONS. (1) (a) An employer shall not discharge, discipline, discriminate against, or request or require rehabilitation of an employee nor may a licensing agency deny or withdraw a license on the basis of an initial screening test that has not been verified by a confirmatory test.

(b) If an applicant has received an employment offer made contingent on the applicant passing a drug or alcohol test, the employer shall not withdraw the offer based on an initial screening test that has not been verified by a confirmatory test.

(2) Except as provided in subsection (4) of this section, an employer or licensing agency shall not take disciplinary action against an employee or licensee solely on the basis of a positive test result if the positive result was the first such result on a drug or alcohol test requested by the employer or agency unless:

(a) The employee or licensee is given an opportunity to participate in a drug or alcohol counseling or rehabilitation program or other program, as determined appropriate by the employee assistance program; and

(b) The employee or licensee has either refused to participate in the program recommended by the employee assistance program or has failed to successfully complete the program.

(3) An employer or licensing agency may temporarily suspend the tested employee or licensee or transfer an employee to another position at the same rate of pay pending the outcome of the drug or alcohol test and, if requested, the confirmatory retest, if the employer or agency believes that it is reasonably necessary to protect the health or safety of the employee, coemployees, colicensees, or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the drug or alcohol test or requested confirmatory retest is negative.

(4) An employer or licensing agency may suspend an employee or licensee on the basis of a positive test result, but only for the period that the employee or licensee is participating in an employee assistance program or rehabilitation program and is determined by the program to be unfit to return to his or her regular employment.

(5) An employer or licensing agency shall not take disciplinary action against an employee or licensee on the basis of medical history information revealed to the employer or agency under section 14 of this act unless disclosure is required by state or federal law.

(6) An employee shall be given access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process, and conclusions drawn from and actions taken based on the reports or other acquired information.

NEW SECTION, Sec. 16. OTHER DISCIPLINARY ACTION. (1) Except as expressly provided, nothing in this chapter shall add to or detract from: (a) An employer's ability to establish job performance standards or to condition employment or continued employment on satisfactory job performance; or (b) the authority conferred on licensing agencies by law to establish licensing standards or to issue, renew, suspend, or revoke licenses.

(2) Nothing in this chapter prevents an employer or licensing agency from establishing written rules related to employees' or licensees' possession or use of drugs or alcohol, including convictions for drug-related offenses, and taking disciplinary action based on a violation of any of those rules, but any drug or alcohol test that is requested, required, or used as a basis for disciplinary action shall conform to the provisions of this chapter.

(3) Nothing in this chapter prevents an employer or licensing agency from disciplinary action based on an employee's or licensee's impairment as a result of drugs or alcohol.

NEW SECTION, Sec. 17. MEDICAL EXAMINATIONS. This chapter does not prevent an employer from requiring or performing medical examinations of employees or applicants or from conducting medical screenings to monitor exposure to toxic or other harmful substances in the workplace if the screenings are limited to the specific substances reasonably believed to be present. The examinations shall not be used to avoid the restrictions of this chapter.

NEW SECTION, Sec. 18. CONFIDENTIALITY. (1) The use of information acquired by an employer, licensing agency, laboratory, or rehabilitation provider in the drug or alcohol testing process shall comply with this section.

(2) In conducting drug or alcohol testing under this chapter, the employer or licensing agency shall ensure to the extent feasible that the tests only measure and that the records of the tests only show or make use of information regarding drugs or alcohol in the body that are likely to affect the ability of the employee or licensee to perform safely his or her duties while on the job.

(3) A laboratory may only disclose to the employer or licensing agency test result data regarding the presence or absence of drugs, alcohol, or their metabolites in a sample tested at or above the specified threshold level.

(4) Test result reports and other information acquired in the drug or alcohol testing process are, with respect to private sector employees and applicants, private and confidential information and, with respect to public sector employees, licensees, and applicants, personal information as that term is used in RCW 42.17.310 and shall not be disclosed by an employer, licensing agency, or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee, licensee, or applicant. However, test results may be released to an employee assistance program or a substance abuse rehabilitation program for the purpose of the evaluation or treatment of the employee or licensee.

(5) All information, interviews, reports, statements, memoranda, or test results received by the employer or licensing agency through a drug or alcohol testing program are confidential communications and shall not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding, except that evidence of a positive test result may be: (a) Used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under chapter 34.04 RCW or other applicable state or local law, or a judicial proceeding, if the information is relevant to the hearing or proceeding; (b) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation, or order, or in accordance with compliance requirements of a federal government contract; and (c) disclosed to an employee assistance program or a substance abuse rehabilitation program for the purpose of the evaluation or treatment of the employee or licensee.

(6) The results of a drug or alcohol test may be recorded in the employee's personnel records. However, if an employee with a positive test result has undergone substance abuse evaluation and, when treatment is indicated under the evaluation, has successfully completed treatment for substance abuse, the employee's personnel records shall be expunged of any reference to the test or its results when the employee leaves employment. This subsection does not prevent retention of drug or alcohol test results in an employee's medical records.

NEW SECTION, Sec. 19. REMEDIES. (1) In a civil action alleging a violation of this chapter, the court may award, in addition to actual special and general damages:

(a) Reinstatement of the employee or licensee to his or her position of employment or licensure with full benefits; and

(b) Reasonable attorneys' fees and costs to the prevailing employee, licensee, or applicant.

(2) In addition to an award of actual damages, the court shall award a penalty in the amount of two times any lost wages or five hundred dollars, whichever is greater, to a prevailing employee, licensee, or applicant upon final judgment and written findings of the trial

judge that the employer or licensing agency intentionally or recklessly committed a violation of this chapter.

(3) Pursuant to RCW 4.84.185, the court shall award a prevailing party against whom an action has been brought for a violation of this chapter reasonable expenses and attorneys' fees upon final judgment and written findings by the trial judge that the action was frivolous and advanced without reasonable cause.

(4) In a civil action brought against an employer or licensing agency to enforce this chapter, the plaintiff has the burden of making a prima facie showing that a violation of this chapter has occurred. The employer or licensing agency has the burden of proving that the requirements of this chapter have been met. The plaintiff has the ultimate burden of proving a violation of this chapter.

(5) (a) No cause of action arises in favor of any person based on the failure of an employer or licensing agency to establish a program or policy of drug or alcohol testing.

(b) No cause of action arises in favor of any person against an employer or licensing agency who has established a policy and initiated a drug or alcohol testing program in accordance with this chapter, for any of the following:

(i) Failure to test for drugs or alcohol, or failure to test for a specific drug or other substance;

(ii) Failure to test for or, if tested for, failure to detect, any specific drug or other substance, disease, infectious agent, virus, or other physical abnormality, problem, or defect of any kind;

(iii) Failure to take disciplinary action against an employee or licensee or increase supervision of the employee or licensee on the basis of either a positive test result or knowledge of the employee's or licensee's participation in an employee assistance program or rehabilitation program. However, a cause of action shall not be barred for failure to take disciplinary action based on an act that is independent of the test result or the employer's or agency's knowledge of employee assistance program or rehabilitation program participation; or

(iv) Termination or suspension of any drug or alcohol testing program or policy.

(6) Any complaint filed pursuant to this section shall be filed within six months after the act that is alleged to have violated this chapter.

NEW SECTION. Sec. 20. COLLECTIVE BARGAINING. (1) This chapter shall not be construed to limit the parties to a collective bargaining agreement from bargaining and agreeing with respect to a drug or alcohol testing policy that meets or exceeds, and does not otherwise conflict with, the minimum standards and requirements for employee protection provided in this chapter.

(2) This chapter shall not be construed to interfere with or diminish any employee protections relating to drug or alcohol testing provided under collective bargaining agreements in effect on the effective date of this section that exceed the minimum standards and requirements for employee protection provided in this chapter.

NEW SECTION. Sec. 21. DRUG AND ALCOHOL TESTING NOT MANDATORY. This chapter does not require or encourage employers or licensing agencies to conduct drug or alcohol testing of their employees, licensees, or applicants. An employer or licensing agency that chooses to conduct such testing is limited by this chapter and by applicable constitutional constraints, but may establish policies that are supplemental to and not inconsistent with this chapter or that exceed the minimum standards for employee protection provided in this chapter.

NEW SECTION. Sec. 22. HANDICAP NOT DETERMINED SOLELY BY TEST OR PARTICIPATION IN REHABILITATION. An employee, licensee, or applicant with a positive test result on a drug or alcohol test shall not, solely on the basis of the test results or participation in an employee assistance program or rehabilitation program, be defined as a person with a 'handicap' for purposes of chapter 49.60 RCW.

NEW SECTION. Sec. 23. RETALIATION PROHIBITED. An employee or licensee shall not be discharged, disciplined, or discriminated against in any manner for filing a complaint or testifying in any proceeding or action involving violations of this chapter. An employee or licensee discharged, disciplined, or otherwise discriminated against in violation of this chapter may be awarded the amount of any lost wages and benefits arising out of the discrimination and may be reinstated to his or her previous position of employment or licensure.

NEW SECTION. Sec. 24. ACCIDENT TESTING—STUDY. All drug or alcohol testing required by an employer or licensing agency under section 3(4)(d) of this act shall be reported to the department of labor and industries under rules adopted by the department. The department's rules shall include:

(1) Requirements providing for confidentiality of drug or alcohol testing information with respect to any specific person or employer. Information obtained from the employer or licensing agency shall be private and confidential and shall not be subject to public disclosure under chapter 42.17 RCW, except that statistical information, not descriptive of any readily identifiable person or persons, business, or businesses, may be disclosed;

(2) Procedures and forms for reporting. To the extent practical, the reporting requirements shall be in conjunction with existing reports or records required by law; and

(3) Information to be reported, including but not limited to a description of the accident, the number of persons or the amount of property damage involved in the accident, the kind of

injury, the results of any drug or alcohol test or other medical or environmental testing conducted as a result of the accident and other relevant factors.

The department shall report on the information collected pursuant to this section, including other relevant accident statistics for comparison purposes, to the law and justice committee of the senate and the commerce and labor committee of the house of representatives, or the appropriate successor committees, at the beginning of the 1992 legislative session.

NEW SECTION, Sec. 25. SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 26. SECTION CAPTIONS. Section captions as used in this chapter constitute no part of the law.

NEW SECTION, Sec. 27. (1) Sections 1 through 9 and 11 through 26 of this act shall take effect January 1, 1989.

(2) Section 10 of this act shall take effect January 1, 1991.

NEW SECTION, Sec. 28. This chapter shall expire January 1, 1993.

NEW SECTION, Sec. 29. Sections 1 through 28 of this act shall constitute a new chapter in Title 49 RCW."

Representatives Wang and Patrick spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Wang, Patrick and R. King to the title was adopted:

On page 1, line 2 of the title, after "penalties;" strike the remainder of the title and insert "providing effective dates; and providing an expiration date."

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1876, and the bill passed the House by the following vote: Yeas, 92; nays, 3; absent, 1; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Brough, Fisher, Nutley - 3.

Absent: Representative Sommers H - 1.

Excused: Representatives Allen, Smith C - 2.

Engrossed Substitute House Bill No. 1876, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1885 on second reading. The motion was carried.

HOUSE BILL NO. 1885, by Representatives Nelson, Kremen, Allen, K. Wilson, Crane and P. King

Changing eligibility requirements for student loans.

The bill was read the second time.

MOTION

Mr. Ebersole moved that further consideration of House Bill No. 1885 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1888, by Representatives Holm, Jones, Sutherland, Sayan, J. Williams, R. King, P. King, Braddock, Crane, Kremen, Dorn, Rasmussen, D. Sommers, Amondson, Basich and Butterfield

Prohibiting tree spiking.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Holm and Amondson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1888, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

House Bill No. 1888, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of House Bill No. 1885 on second reading. The motion was carried.

HOUSE BILL NO. 1885, by Representatives Nelson, Kremen, Allen, K. Wilson, Crane and P. King

Changing eligibility requirements for student loans.

Mr. Jacobsen moved adoption of the following amendment by Representatives Hine and Nelson:

On page 1, after line 2, insert the following:

***NEW SECTION.** Sec. 1. A new section is added to chapter 28B.102 RCW to read as follows: The board may waive grade point requirements for an otherwise eligible individual student under special circumstances."

Renumber the remaining section consecutively.

POINT OF ORDER

Mr. Padden: Thank you, Mr. Speaker. I would like a ruling on scope and object of this amendment.

SPEAKER'S RULING

The Speaker: Representative Padden, the Speaker has examined House Bill No. 1885 and the amendment. The original House Bill No. 1885 repealed a statute which allowed a university to deny financial aid to people who had been involved in riots. The amendment amends the teacher scholarship program in a different chapter of the RCW and deals with a grade point average. The Speaker finds that your point is well taken and that the amendment is outside the scope and object of the original bill.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nelson spoke in favor of passage of the bill, and Mr. Padden opposed it.

The Speaker called on Representative Appelwick to preside.

Representatives Heavey, K. Wilson and Kremen spoke in favor of passage of the bill, and Representatives Barnes, Betrozoff and Schoon opposed it.

Mr. Nelson again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1885, and the bill passed the House by the following vote: Yeas, 59; nays, 37; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 59.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Day, Dorn, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Lewis, May, McLean, Miller, Moyer, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 37.

Excused: Representatives Allen, Smith C - 2.

House Bill No. 1885, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1892, by Representatives Ebersole, Peery, Pruitt, P. King, Rasmussen, Cole and Spanel

Authorizing pilot blended programs of learning assistance.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 1892 was substituted for House Bill No. 1892, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1892 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole and Peery spoke in favor of passage of the bill, and Mr. Betrozoff opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1892, and the bill passed the House by the following vote: Yeas, 85; nays, 11; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Brooks, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Betrozoff, Brough, Bumgarner, Chandler, Fuhrman, Lewis, McLean, Nealey, Padden, Sanders, Williams B - 11.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1892, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1898, by Representatives Nutley, J. Williams, Leonard, Barnes, Padden, Sanders, Armstrong, Todd, Patrick, Holland, Wineberry and Winsley

Establishing the Washington landlord-tenant review and advisory committee.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nutley and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1898, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

House Bill No. 1898, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1952 on second reading. The motion was carried.

HOUSE BILL NO. 1952, by Representatives Pruitt, Vekich, Heavey, Holm, Sanders and Doty

Requiring that special effort be made by the conservation corps to recruit residents with sensory, mental, or physical handicaps.

The bill was read the second time. On motion of Mr. Wineberry, Substitute House Bill No. 1952 was substituted for House Bill No. 1952, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1952 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1952, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Substitute House Bill No. 1952, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Joint Resolution No. 4231 on second reading. The motion was carried.

HOUSE JOINT RESOLUTION NO. 4231, by Representatives Fisher and Pruitt; by request of Secretary of State

Revising constitutional references to persons with mental or sensory disabilities.

The resolution was read the second time. On motion of Ms. Fisher, Substitute House Joint Resolution No. 4231 was substituted for House Joint Resolution No. 4231, and the substitute resolution was placed on the second reading calendar.

Substitute House Joint Resolution No. 4231 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Ms. Fisher spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 4231, and the resolution passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

Substitute House Joint Resolution No. 4231, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider House Concurrent Resolution No. 4435 on second reading. The motion was carried.

HOUSE CONCURRENT RESOLUTION NO. 4435, by Representatives Cantwell, Vekich, Schoon, K. Wilson, B. Williams, Heavey, Beck, Kremen, Sanders and Fisher

Considering transportation needs in policy development.

The resolution was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Cantwell, Vekich and Schoon spoke in favor of adoption of the resolution.

ROLL CALL

The Clerk called the roll on the adoption of House Concurrent Resolution No. 4435, and the resolution was adopted by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Smith C - 2.

House Concurrent Resolution No. 4435, having received the constitutional majority, was declared adopted.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1881 on second reading. The motion was carried.

HOUSE BILL NO. 1881, by Representative Appelwick

Changing provisions relating to excise taxation of electrical energy.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

The Speaker (Mr. Appelwick presiding) called on Representative O'Brien to preside.

Mr. Appelwick spoke in favor of passage of the bill, and Mr. Schoon opposed it.

MOTION

Mr. Holland moved that the remarks of Mr. Schoon be spread upon the Journal.

ROLL CALL

The Clerk called the roll on the motion by Mr. Holland that the remarks of Mr. Schoon be spread upon the Journal, and the motion was carried by the following vote: Yeas, 48; nays, 47; absent, 1; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Betrozoff, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Doty, Ferguson, Fox, Grant, Hankins, Haugen, Holland, Jacobsen, Leonard, Lewis, May, McLean, Miller, Moyer, Nealey, Nelson, Nutley, Padden, Prince, Rasmussen, Rayburn, Sanders, Schmidt, Schoon, Silver, Sommers D. Spanel, Taylor, Vekich, Wang, Williams B, Williams J, Wilson K, Wilson S - 48.

Voting nay: Representatives Basich, Baugher, Beck, Belcher, Braddock, Bristow, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fuhrman, Grimm, Hargrove, Heavey, Hine, Holm, Jesernig, Jones, King P, King R, Kremen, Locke, Lux, Meyers, O'Brien, Patrick, Peery, Pruitt, Rust, Sayan, Scott, Sommers H, Sprengle, Sutherland, Todd, Unsoeld, Valle, Waik, Walker, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 47.

Absent: Representative Gallagher - 1.

Excused: Representatives Allen, Smith C - 2.

REMARKS BY REPRESENTATIVE SCHOON

Mr. Schoon: Thank you, Mr. Speaker. I have spoken with the Speaker's attorney regarding the possible conflict of interest, and the attorney has advised me, since I don't have any personal gain coming out of this bill, that I have to vote on the piece of legislation as an elected legislator.

I serve on the Revenue Committee and, as we heard this testimony, some of the information that came up was very interesting. We're taxing a single entity. It is a single piece legislation that taxes only one company and one transaction. However, the explanation from the company I thought was very valid. They are in a joint operation with Jujo Paper of Japan on the NORPAC operation. Jujo requires very strict accounting for its transactions. As Weyerhaeuser supplies paper to NORPAC, it was necessary for them, as they sold the power, to identify it as a sole separate institution. I feel the other problem that occurs with this, as we look at it, is the very possible fact that this will impact major power sales by other PUD's from Grant, Douglas and other counties. So I am opposed to this legislation, because it does identify one company that is seeking to buy power from Cowlitz County, their PUD, and sell a portion of it to a partially owned subsidiary, NORPAC. I would urge your opposition to House Bill No. 1881.

Mr. Holland spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1881, and the bill passed the House by the following vote: Yeas, 59; nays, 37; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen,

Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Amondson, Ballard, Barnes, Basich, Beck, Betrozoff, Brough, Bumgarner, Day, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson K, Wilson S, Winsley - 37.

Excused: Representatives Allen, Smith C - 2.

House Bill No. 1881, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1383 on second reading. The motion was carried.

HOUSE BILL NO. 1383, by Representatives Leonard and Lux

Changing provisions relating to alcoholism treatment programs.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 1383 was substituted for House Bill No. 1383, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1383 was read the second time.

Ms. Brekke moved adoption of the following amendment by Representatives Brekke, H. Sommers, Winsley, Moyer and Padden:

On page 2, after line 28, insert the following:

"Sec. 3. Section 2, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.020 are each amended to read as follows:

For the purposes of this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) 'Alcoholic' means a person who ((habitually lacks self-control as to the use of alcoholic beverages, or uses alcoholic beverages to the extent that his health is substantially impaired or endangered or his social or economic function is substantially disrupted)) suffers from the disease of alcoholism, characterized by a physiological dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological and/or psychological withdrawal if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(2) 'Approved treatment facility' means a treatment agency operating under the direction and control of the department of social and health services or providing treatment under this chapter through a contract with the department under RCW 70.96A.080(6) and meeting the standards prescribed in RCW 70.96A.090(1) and approved under RCW 70.96A.090(3);

(3) 'Secretary' means the secretary of the department of social and health services;

(4) 'Department' means the department of social and health services;

(5) ~~((Director' means the director of the division of alcoholism;~~

(6)) 'Emergency service patrol' means a patrol established under RCW 70.96A.170;

~~((7))~~ (6) 'Incapacitated by alcohol' means that a person, as a result of the use of alcohol, has his or her judgment so impaired that he or she is incapable of realizing and making a rational decision with respect to ((his)) the need for treatment or care and constitutes a danger to himself or herself, to any other person, or to property;

~~((8))~~ (7) 'Incompetent person' means a person who has been adjudged incompetent by the superior court;

~~((9))~~ (8) 'Intoxicated person' means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol;

~~((10))~~ (9) 'Treatment' means the broad range of emergency, outpatient, intermediate, and inpatient and emergency services and care, including diagnostic evaluation, medical, psychiatric, psychological, and social service care, vocational rehabilitation and career counseling, which may be extended to alcoholics, persons incapacitated by alcohol, and intoxicated persons;

(10) 'Peace officer' means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(11) 'Licensed physician' means a person licensed to practice medicine or osteopathy in the state of Washington.

Sec. 4. Section 14, chapter 122, Laws of 1972 ex. sess. as last amended by section 14, chapter 439, Laws of 1987 and RCW 70.96A.140 are each amended to read as follows:

(1) When the person in charge of a treatment facility, or his or her designee, receives information alleging that a person is incapacitated as a result of alcoholism, the person in charge, or his or her designee, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the information, may file a petition for commitment of such person with the superior court or district court. If the person in charge, or his or her designee, finds that the initial needs of such person would be better served by placement within the mental health system, the person shall be referred to an evaluation and treatment facility as defined in RCW 71.05.020. If placement in an alcohol treatment facility is deemed appropriate, the petition shall allege that: The person is an alcoholic who is incapacitated by alcohol, or that the person has twice before in the preceding twelve months been admitted for ~~((the voluntary))~~ detoxification or treatment for alcoholism pursuant to RCW 70.96A.110 and is in need of a more sustained treatment program, or that the person is an alcoholic who has threatened, attempted, or inflicted physical harm on another and is likely to inflict physical harm on another unless committed. A refusal to undergo treatment, by itself, does not constitute evidence of lack of judgment as to the need for treatment. The petition shall be accompanied by a certificate of a licensed physician who has examined the person within ~~((two))~~ five days before submission of the petition, unless the person whose commitment is sought has refused to submit to a medical examination, in which case the fact of refusal shall be alleged in the petition. The certificate shall set forth the licensed physician's findings in support of the allegations of the petition. A physician employed by the petitioning facility or the department is ~~((not))~~ eligible to be the certifying physician.

(2) Upon filing the petition, the court shall fix a date for a hearing no less than ~~((three))~~ two and no more than seven days after the date the petition was filed unless the person petitioned against is presently being detained ~~((by the))~~ in a facility, pursuant to RCW 70.96A.120 or 71.05.210, as now or hereafter amended, in which case the hearing shall be held within seventy-two hours of the filing of the petition: PROVIDED, HOWEVER, That the above specified seventy-two hours shall be computed by excluding Saturdays, Sundays, and holidays: PROVIDED FURTHER, That, the court may, upon motion of the person whose commitment is sought, or upon motion of petitioner with written permission of the person whose commitment is sought, or his or her counsel and, upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of the hearing, including the date fixed by the court, shall be served by the treatment facility on the person whose commitment is sought, his or her next of kin, a parent or his or her legal guardian if he or she is a minor, and any other person the court believes advisable. A copy of the petition and certificate shall be delivered to each person notified.

(3) At the hearing the court shall hear all relevant testimony, including, if possible, the testimony, which may be telephonic, of at least one licensed physician who has examined the person whose commitment is sought. The person shall be present unless the court believes that his or her presence is likely to be injurious to him or her; in this event the court may deem it appropriate to appoint a guardian ad litem to represent him or her throughout the proceeding. If deemed advisable, the court may examine the person out of courtroom. If the person has refused to be examined by a licensed physician, he or she shall be given an opportunity to be examined by a court appointed licensed physician. If he or she refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more medical evidence is necessary, the court may make a temporary order committing him or her to the department for a period of not more than five days for purposes of a diagnostic examination.

(4) If after hearing all relevant evidence, including the results of any diagnostic examination, the court finds that grounds for involuntary commitment have been established by clear, cogent, and convincing proof, it shall make an order of commitment to an approved treatment facility. It shall not order commitment of a person unless it determines that an approved treatment facility is able to provide adequate and appropriate treatment for him or her ~~((and the treatment is likely to be beneficial))~~.

(5) A person committed under this section shall remain in the facility for treatment for a period of ~~((thirty))~~ sixty days unless sooner discharged. At the end of the ~~((thirty))~~ sixty-day period, he or she shall be discharged automatically unless the facility, before expiration of the period, files a petition for his or her recommitment upon the grounds set forth in subsection (1) of this section for a further period of ninety days unless sooner discharged. If a person has been committed because he or she is an alcoholic likely to inflict physical harm on another, the facility shall apply for recommitment if after examination it is determined that the likelihood still exists.

(6) ~~((A person recommitted under subsection (5) of this section who has not been discharged by the facility before the end of the ninety day period shall be discharged at the expiration of that period unless the facility, before expiration of the period, obtains a court order on the grounds set forth in subsection (1) of this section for recommitment for a further period not to exceed ninety days. If a person has been committed because he or she is an alcoholic likely to inflict physical harm on another, the facility shall apply for recommitment if after examination it is determined that the likelihood still exists. Only two recommitment orders under subsections (5) and (6) of this section are permitted.~~

(7)) Upon the filing of a petition for recommitment under subsection((s)) (5) ((or((6))) of this section, the court shall fix a date for hearing no less than ((three)) two and no more than seven days after the date the petition was filed: PROVIDED, That, the court may, upon motion of the person whose commitment is sought and upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of hearing, including the date fixed by the court, shall be served by the treatment facility on the person whose commitment is sought, his or her next of kin, the original petitioner under subsection (1) of this section if different from the petitioner for recommitment, one of his or her parents or his or her legal guardian if he or she is a minor, and his or her attorney and any other person the court believes advisable. At the hearing the court shall proceed as provided in subsection (3) of this section.

((6)) (7) The approved treatment facility shall provide for adequate and appropriate treatment of a person committed to its custody. A person committed under this section may be transferred from one approved public treatment facility to another if transfer is medically advisable.

((9)) (8) A person committed to the custody of a facility for treatment shall be discharged at any time before the end of the period for which he or she has been committed and he or she shall be discharged by order of the court if either of the following conditions are met:

(a) In case of an alcoholic committed on the grounds of likelihood of infliction of physical harm upon himself, herself, or another, ((that he or she is no longer an alcoholic or)) the likelihood no longer exists; or further treatment will not be likely to bring about significant improvement in the person's condition, or treatment is no longer adequate or appropriate.

(b) In case of an alcoholic committed on the grounds of the need of treatment and incapacity, that the incapacity no longer exists.

((8)) (9) The court shall inform the person whose commitment or recommitment is sought of his or her right to contest the application, be represented by counsel at every stage of any proceedings relating to his or her commitment and recommitment, and have counsel appointed by the court or provided by the court, if he or she wants the assistance of counsel and is unable to obtain counsel. If the court believes that the person needs the assistance of counsel, the court shall require, by appointment if necessary, counsel for him or her regardless of his or her wishes. The person shall, if he or she is financially able, bear the costs of such legal service; otherwise such legal service shall be at public expense. The person whose commitment or recommitment is sought shall be informed of his or her right to be examined by a licensed physician of his or her choice. If the person is unable to obtain a licensed physician and requests examination by a physician, the court shall employ a licensed physician.

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

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

(12) When in the opinion of the professional person in charge of the facility providing involuntary treatment under this chapter, the committed patient can be appropriately served by less restrictive treatment before expiration of the period of commitment, then the less restrictive care may be required as a condition for early release for a period which, when added to the initial treatment period, does not exceed the period of commitment. If the facility designated to provide the less restrictive treatment is other than the facility providing the initial involuntary treatment, the facility so designated must agree in writing to assume such responsibility. A copy of the conditions for early release shall be given to the patient, the designated county alcoholism specialist, and the court of original commitment. The facility designated to provide less restrictive care may modify the conditions for continued release when the modifications are in the best interests of the patient. If the facility providing less restrictive care and the designated county alcoholism specialist determine that a conditionally released patient is failing to adhere to the terms and conditions of his or her release, or that substantial deterioration in the patient's functioning has occurred, then the designated county alcoholism specialist shall notify the court of original commitment and request a hearing to be held no less than two and no more than seven days after the date of the request to determine whether or not the person should be returned to more restrictive care. The designated alcoholism specialist shall file a petition with the court stating the facts substantiating the need for the hearing along with the treatment recommendations. The patient shall have the same rights with respect to notice, hearing, and counsel as for the original involuntary treatment proceedings. The issues to be determined at the hearing are whether the conditionally released patient did or did not adhere to the terms and conditions of his or her release to less restrictive care or that substantial deterioration of the patient's functioning has occurred and whether the conditions of release should be modified or the person should be returned to a more restrictive facility. The hearing may be waived by the patient and his or her counsel and his or her guardian or conservator, if any, but may not be waived unless all such persons agree to the waiver. Upon waiver, the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions.*

POINT OF ORDER

Mr. Heavey: Thank you, Mr. Speaker. I would ask for a ruling on the scope and object of this amendment.

MOTIONS

Mr. Ebersole moved that further consideration of Substitute House Bill No. 1383 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately consider House Bill No. 1593 on second reading. The motion was carried.

ENGROSSED HOUSE BILL NO. 1593, by Representatives Belcher, Prince, Locke, Ebersole, H. Sommers, Grimm, Scott, Brooks, Miller, Fisher, Sayan, Cole, Holm, Wineberry, B. Williams, Winsley, Brough, May, Todd, K. Wilson, Unsoeld and Butterfield; by request of Secretary of State

Establishing the Washington 20:20 commission.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass. Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 29th Day, February 8, 1988.)

On motion of Mr. Locke, the committee amendment by Committee on Ways & Means/Appropriations was adopted.

On motion of Mr. Locke, the committee amendment by Committee on Ways & Means/Appropriations to the title was adopted.

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading consider the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill, and Ms. Silver opposed it.

The Speaker resumed the Chair.

Mr. Prince spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1593, and the bill passed the House by the following vote: Yeas, 79; nays, 17; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Brekke, Bristow, Brooks, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Amondson, Beck, Braddock, Brough, Bumgarner, Chandler, Doty, Fuhrman, Moyer, Nealey, Padden, Patrick, Sanders, Schoon, Silver, Sommers D, Winsley - 17.

Excused: Representatives Allen, Smith C - 2.

Engrossed House Bill No. 1593, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Substitute House Bill No. 1450 on second reading. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1450, by Committee on Trade & Economic Development (originally sponsored by Representatives Vekich, Schoon, Fox, Hargrove, Wineberry, B. Williams, Peery, Betzoff, P. King, Sayan, McLean, May, Fuhrman, Doty, Sutherland, D. Sommers, Walker, Sanders, Rayburn, Moyer, Cooper, O'Brien, Spanel and Day; by request of Governor Gardner)

Extending the excise tax deferral and credit programs for manufacturing and research and development activities.

The Speaker stated the question before the House to be the point of order by Mr. Vekich regarding the amendment by Mr. Holland and others.

SPEAKER'S RULING

The Speaker: Representative Vekich, the Speaker has examined Substitute House Bill No. 1450 and finds that the bill extends into the future three different programs, the sales tax deferral program, the business and occupation tax credit and the sales tax deferral program in economically distressed areas. This bill simply extends the life of those programs to July 1, 1994. I find that the amendment in all three cases expands the scope of those current programs. It just doesn't extend them into the future; it expands the scope of the programs. Representative Vekich, I find that your point is well taken and that the amendment is outside the scope and object of the bill.

Mr. Holland moved adoption of the following amendment:

On page 4, after line 26, insert:

***NEW SECTION.** Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Mr. Holland spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading consider the third, and the bill was placed on final passage.

Representatives Vekich and Schoon spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Vekich yielded to question by Ms. Hankins.

Ms. Hankins: Representative Vekich, how would this help a distressed county that isn't on the list at this time?

Mr. Vekich: Thank you, Representative Hankins. There is a definition of distressed of twenty percent above the state average unemployment level. I represent a county, Mason County, and when we first enacted this bill in the legislature, Mason County was distressed. By the time the bill was implemented and became law it fell out of the terms of distressed. No matter how much we wiggled or how much we tried to deal with it through the bureaucratic maze there was no way a county, that is not distressed under the definition, could come under the effect of this legislation. That is the answer. I think the problem we have with specific outlying counties is the point that you are really concerned about. We had a bill here before us, the border county tax bill, which gave a tax exemption to specific counties and was ruled unconstitutional. The difference between that bill and this bill is that there is a certain level of distress and the counties can change all the time. There are not seven special counties, there is not one special county, but it is the standard or test of distress that triggers the whole bill.

Mr. Hargrove spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1450, and the bill passed the House by the following vote: Yeas, 84; nays, 12; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman,

Gallagher, Grant, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Sryan, Schmidt, Schoon, Scott, Silver, Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Belcher, Braddock, Brekke, Cole, Fisher, Grimm, Locke, Nelson, Rust, Sommers H, Wang, Winsley - 12.

Excused: Representatives Allen, Smith C - 2.

Engrossed Substitute House Bill No. 1450, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker (Mr. Grimm presiding) called the House to order.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

February 13, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5538,
 SUBSTITUTE SENATE BILL NO. 6147,
 ENGROSSED SENATE BILL NO. 6151,
 ENGROSSED SENATE BILL NO. 6171,
 SUBSTITUTE SENATE BILL NO. 6219,
 SENATE BILL NO. 6227,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6316,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6342,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6363,
 SUBSTITUTE SENATE BILL NO. 6402,
 SENATE BILL NO. 6408,
 SUBSTITUTE SENATE BILL NO. 6438,
 SUBSTITUTE SENATE BILL NO. 6451,
 SUBSTITUTE SENATE BILL NO. 6498,
 SENATE BILL NO. 6515,
 SUBSTITUTE SENATE BILL NO. 6546,
 ENGROSSED SENATE BILL NO. 6563,
 SUBSTITUTE SENATE BILL NO. 6565,
 SUBSTITUTE SENATE BILL NO. 6601,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6656,
 SUBSTITUTE SENATE BILL NO. 6676,
 ENGROSSED SENATE BILL NO. 6695,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6724,
 SENATE BILL NO. 6745,
 SUBSTITUTE SENATE JOINT RESOLUTION NO. 8228,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 2036 by Representatives Appelwick, Taylor, Grimm, Haugen, Ferguson and Basich

AN ACT Relating to county sales and use tax equalization; amending RCW 82.14.200; reenacting and amending RCW 82.44.150; and providing an effective date.

Referred to Committee on Ways & Means.

E2SSB 5538 by Committee on Ways & Means (originally sponsored by Senators Owen, Warnke, Stratton, von Reichbauer, Lee, Garrett and Moore)

Creating the major crimes investigation and assistance unit.

Referred to Committee on Judiciary.

- SSB 6147 by Committee on Law & Justice (originally sponsored by Senators Pullen, Niemi, Rasmussen, Craswell and Nelson)
Revising the criminal definition of "substantial bodily harm."
Referred to Committee on Judiciary.
- ESB 6151 by Senator Pullen, Johnson, Rasmussen and Talmadge; by request of Public Disclosure Commission
Revising campaign finance reporting law.
Referred to Committee on Constitution, Elections & Ethics.
- ESB 6171 by Senators Pullen, Talmadge, McCaslin, Nelson and Saling
Revising sexual offenses.
Referred to Committee on Judiciary.
- SSB 6219 by Committee on Children & Family Services (originally sponsored by Senators Kreidler and Kiskaddon)
Changing the review standard for consent to adoption.
Referred to Committee on Human Services.
- SB 6227 by Senators Pullen, Talmadge and Halsan
Revising provisions on acknowledgments.
Referred to Committee on Judiciary.
- ESSB 6316 by Committee on Law & Justice (originally sponsored by Senators Pullen, Madsen, Zimmerman, Vognild, Bailey, Saling, Johnson, Talmadge, Metcalf, Bauer and West)
Providing for the seizure of assets in drug cases.
Referred to Committee on Judiciary.
- ESSB 6342 by Committee on Energy & Utilities (originally sponsored by Senators Lee and Talmadge)
Requiring breakdown of taxes paid in utility bills.
Referred to Committee on Energy & Utilities.
- ESSB 6363 by Committee on Law & Justice (originally sponsored by Senators Pullen, McCaslin, Rasmussen and Owen)
Permitting parents and guardians to use reasonable and moderate force to discipline a child.
Referred to Committee on Judiciary.
- SSB 6402 by Committee on Law & Justice (originally sponsored by Senators Pullen, Moore, Bluechel, Newhouse, Bauer, DeJarnatt and Hansen)
Revising venue requirements in civil actions in district court.
Referred to Committee on Judiciary.
- SB 6408 by Senators Benitz, Bender, Newhouse, Vognild and Garrett
Revising provisions on the state energy code.
Referred to Committee on Energy & Utilities.
- SSB 6438 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Stratton, Newhouse, Bluechel, Owen, Nelson, Pullen, Madsen, Williams and Talmadge)
Permitting banded rate tariffs for natural gas and electric services.
Referred to Committee on Energy & Utilities.

SSB 6451 by Committee on Law & Justice (originally sponsored by Senators Pullen and Talmadge; by request of Public Disclosure Commission)

Modifying provisions relating to lobbying, political advertising, and public office funds.

Referred to Committee on Constitution, Elections & Ethics.

SSB 6498 by Committee on Law & Justice (originally sponsored by Senators Nelson, Newhouse, Talmadge, Halsan and Hayner)

Reviewing and establishing standards for appointment of counsel for indigent persons.

Referred to Committee on Judiciary.

SB 6515 by Senators Benitz, Pullen, Smitherman and Hayner

Granting civil immunity to members of hazardous materials planning committees.

Referred to Committee on Environmental Affairs.

SSB 6546 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Madsen, Bluechel, Owen, Stratton and Williams)

Specifying restriction on use of low-level radioactive waste surveillance fees.

Referred to Committee on Energy & Utilities.

ESB 6563 by Senators Pullen, Madsen and McCaslin

Adopting the uniform federal lien registration act.

Referred to Committee on Judiciary.

SSB 6565 by Committee on Governmental Operations (originally sponsored by Senator Owen)

Prohibiting interfering with public safety radio communications.

Referred to Committee on Judiciary.

SSB 6601 by Committee on Ways & Means (originally sponsored by Senators McDonald, Talmadge, Kiskaddon, Stratton and Deccio)

Providing for caseload forecasts.

Referred to Committee on Ways & Means.

ESSB 6656 by Committee on Law & Justice (originally sponsored by Senator Pullen)

Making criminal possession of a motor vehicle a class C felony.

Referred to Committee on Judiciary.

SSB 6676 by Committee on Energy & Utilities (originally sponsored by Senators Smith, Zimmerman, West and McCaslin)

Allowing consumers to elect not to receive information delivery telephone services.

Referred to Committee on Energy & Utilities.

ESB 6695 by Senators Craswell, Smith, Bailey, Owen, Pullen, Rasmussen, Conner, Benitz, Stratton, Patterson, Metcalf, Lee and Johnson

Bringing unapproved church schools within the approval process.

Referred to Committee on Education.

E2SSB 6724 by Committee on Ways & Means (originally sponsored by Senators Barr and Hansen)

Revising provisions on water resources.

Referred to Committee on Natural Resources.

SB 6745 by Senators Williams and Benitz

Requiring disclosure of services provided by alternate operator services companies.

Referred to Committee on Energy & Utilities.

SSJR 8228 by Committee on Law & Justice (originally sponsored by Senators Pullen, Madsen, Zimmerman, Rasmussen and Gaspard; by request of Attorney General)

Proposing a constitutional amendment creating crime victim's rights.

Referred to Committee on Judiciary.

MOTION

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Tuesday, February 16, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Tuesday, February 16, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Sayan, Schoon, Smith and Unsoeld. Representatives Sayan, Schoon and Smith were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jean Studley and Nicholas Aldrich. Prayer was offered by LeRoy Malmberg, Bishop of the Church of Jesus Christ of Latter Day Saints.

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

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

SECOND READING

The Speaker assumed the Chair.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Substitute House Bill No. 1383 on second reading from the previous day. (See Journal, 36th Day, February 15, 1988.) The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1383, by Committee on Human Services (originally sponsored by Representatives Leonard and Lux)

Changing provisions relating to alcoholism treatment programs.

The Speaker stated the question before the House to be the point of order by Mr. Heavey regarding the amendment by Ms. Brekke and others.

SPEAKER'S RULING

The Speaker: Representative Heavey, the Speaker has examined Substitute House Bill No. 1383 and the floor amendment. Substitute House Bill No. 1383 gives DSHS the authority to conduct training and competency evaluations for drug counselors. The amendment amends the involuntary treatment act to change the commitment period and change certain definitions in the act. I find that your point is well taken and that the amendment is outside the scope and object of the original bill.

The Speaker would remind the members of what floor amendments are designed to do and that is to perfect the bill, not to broaden the scope of the bill, but to perfect the bill, to bring matters underneath the broad umbrella of the purpose of the bill.

The Clerk read the following amendment by Representatives Brekke, H. Sommers and Winsley:

On page 2, after line 28, insert the following:

"Sec. 3. Section 294, page 187, Laws of 1854 as last amended by section 1501, chapter 212, Laws of 1987 and by section 11, chapter 439, Laws of 1987 and RCW 5.60.060 are each reenacted and amended to read as follows:

(1) A husband shall not be examined for or against his wife, without the consent of the wife, nor a wife for or against her husband without the consent of the husband; nor can either during marriage or afterward, be without the consent of the other, examined as to any communication made by one to the other during marriage. But this exception shall not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other, nor to a criminal action or proceeding against a

spouse if the marriage occurred subsequent to the filing of formal charges against the defendant, nor to a criminal action or proceeding for a crime committed by said husband or wife against any child of whom said husband or wife is the parent or guardian, nor to a proceeding under chapter 70.96A or 71.05 RCW: PROVIDED, That the spouse of a person sought to be detained under chapter 70.96A or 71.05 RCW may not be compelled to testify and shall be so informed by the court prior to being called as a witness.

(2) An attorney or counselor shall not, without the consent of his or her client, be examined as to any communication made by the client to him or her, or his or her advice given thereon in the course of professional employment.

(3) A member of the clergy or a priest shall not, without the consent of a person making the confession, be examined as to any confession made to him or her in his or her professional character, in the course of discipline enjoined by the church to which he or she belongs.

(4) Subject to the limitations under section 6 of this 1988 act or RCW 71.05.250, a physician or surgeon or osteopathic physician or surgeon shall not, without the consent of his or her patient, be examined in a civil action as to any information acquired in attending such patient, which was necessary to enable him or her to prescribe or act for the patient, except as follows:

(a) In any judicial proceedings regarding a child's injury, neglect, or sexual abuse or the cause thereof; and

(b) Ninety days after filing an action for personal injuries or wrongful death, the claimant shall be deemed to waive the physician-patient privilege. Waiver of the physician-patient privilege for any one physician or condition constitutes a waiver of the privilege as to all physicians or conditions, subject to such limitations as a court may impose pursuant to court rules.

(5) A public officer shall not be examined as a witness as to communications made to him or her in official confidence, when the public interest would suffer by the disclosure.

Sec. 4. Section 2, chapter 447, Laws of 1985 as amended by section 1, chapter 212, Laws of 1986 and RCW 5.62.020 are each amended to read as follows:

Non-registered nurse providing primary care or practicing under protocols, whether or not the physical presence or direct supervision of a physician is required, may be examined in a civil or criminal action as to any information acquired in attending a patient in the registered nurse's professional capacity, if the information was necessary to enable the registered nurse to act in that capacity for the patient, unless:

(1) The patient consents to disclosure or, in the event of death or disability of the patient, his or her personal representative, heir, beneficiary, or devisee consents to disclosure; or

(2) The information relates to the contemplation or execution of a crime in the future, or relates to the neglect or the sexual or physical abuse of a child, or of a vulnerable adult as defined in RCW 74.34.020, or to a person subject to proceedings under chapter 70.96A, 71.05, or 71.34 RCW.

Sec. 5. Section 11, chapter 305, Laws of 1955 as last amended by section 12, chapter 439, Laws of 1987 and RCW 18.83.110 are each amended to read as follows:

Confidential communications between a client and a psychologist shall be privileged against compulsory disclosure to the same extent and subject to the same conditions as confidential communications between attorney and client, but this exception is subject to the limitations under section 6 of this 1988 act and RCW 71.05.250.

NEW SECTION. Sec. 6. A new section is added to chapter 70.96A RCW to read as follows:

Communications otherwise deemed privileged under the laws of this state are deemed to be waived in proceedings under this chapter when a court of competent jurisdiction in its discretion determines that the waiver is necessary to protect either the detained person or the public. The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person, or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical, nursing, or psychological records of detained persons so long as the requirements of RCW 5.45.020 are met, except that portions of the record that contain opinions as to whether the detained person is an alcoholic must be deleted from the records unless the person offering the opinions is available for cross-examination."

With consent of the House, Ms. Brekke withdrew the amendment.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard, Winsley and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1383, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Unsoeld - 1.

Excused: Representatives Sayan, Schoon, Smith C - 3.

Substitute House Bill No. 1383, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker (Mr. Braddock presiding) called the House to order.

Representatives Sayan, Schoon and Unsoeld appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1903 on second reading. The motion was carried.

HOUSE BILL NO. 1903, by Representatives Todd and Crane

Providing commitment proceedings for certain persons with developmental disabilities.

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

Mr. Todd spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1903, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Braddock - 1.

Excused: Representative Smith C - 1.

House Bill No. 1903, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1303 on second reading. The motion was carried.

HOUSE BILL NO. 1303, by Representatives Kremen, Haugen, Fuhrman, Hargrove, Braddock, Jones, Spanel and Bristow

Providing for a distribution from the liquor revolving fund to border areas.

The bill was read the second time. On motion of Mr. Grimm, Second Substitute House Bill No. 1303 was substituted for House Bill No. 1303, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1303 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kremen and Fuhrman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1303, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Second Substitute House Bill No. 1303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1454 on second reading. The motion was carried.

HOUSE BILL NO. 1454, by Representatives Wang and Belcher

Changing requirements for qualification for unemployment compensation relating to marital status or domestic responsibilities.

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

Representatives R. King, Cole and Vekich spoke in favor of passage of the bill, and Representatives Patrick, Ferguson and Betzoff opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1454, and the bill passed the House by the following vote: Yeas, 61; nays, 36; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 61.

Voting nay: Representatives Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Grant, Hankins, Haugen, Holland, Lewis, Mary, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Zellinsky - 36.

Excused: Representative Smith C - 1.

House Bill No. 1454, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1554 on second reading. The motion was carried.

HOUSE BILL NO. 1554, by Representatives H. Sommers, B. Williams, Brekke, Fuhrman, Silver, Brough, Moyer, May and D. Sommers

Authorizing the sale of bonds at a discount.

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

Representatives H. Sommers and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1554, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Bill No. 1554, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1636 on second reading. The motion was carried.

HOUSE BILL NO. 1636, by Representatives Spanel, Vekich, Rust, Taylor, Walker, Lux, Braddock, K. Wilson, Fox, Todd and May

Providing for the retention of records by energy recovery or incineration facilities.

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

Representatives Spanel and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1636, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Bill No. 1636, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1652, by Representatives Cooper, Ferguson, Haugen, Beck, Sayan, Holm, Nealey, Zellinsky, D. Sommers, Nutley, Butterfield, Sutherland, Spanel, Peery and Baugher

Providing for the investment of public funds.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1652 was substituted for House Bill No. 1652, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1652 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cooper and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1652, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D. Sommers H. Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1652, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1676, by Representatives Leonard, Hine, Lewis, Pruitt, R. King, Brekke, Lux, Fisher, Rasmussen, Cooper, Anderson, P. King and Todd

Revising provisions relating to community action agencies.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 1676 was substituted for House Bill No. 1676, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1676 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard and Lewis spoke in favor of passage of the bill, and Representatives Winsley and D. Sommers opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1676, and the bill passed the House by the following vote: Yeas, 84; nays, 13; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers H. Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barnes, Beck, Bristow, Brooks, Chandler, Fuhrman, Heavey, Nealey, Padden, Sanders, Sommers D. Walker, Winsley - 13.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1676, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1689, by Representatives Haugen, Beck, Cooper, Zellinsky, D. Sommers, Butterfield, Sutherland, Bristow, Nutley, Nealey, Jones, Prince, Ballard and Rayburn

Revising the distribution and payment of investment earnings on property tax receipts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1689 was substituted for House Bill No. 1689, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1689 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1689, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1689, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1552, by Representatives Wang, Fisher, Sayan, Cole, Patrick, Dellwo, Gallagher, O'Brien, P. King, Winsley, Crane, Hargrove, Scott, Ebersole, Appelwick, Jacobsen, R. King, Leonard, Locke and Unsoeld

Establishing employer obligations for relocation, termination, or sale of a business or part of a business.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 19th Day, January 29, 1988.)

Mr. Wang moved adoption of the committee amendment by Committee on Commerce & Labor and spoke in favor of it. The committee amendment was adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Sayan, Heavey and Jesernig:

Strike everything after the enacting clause and insert the following:

***NEW SECTION, Sec. 1.** The legislature finds that:

(1) Employment is vitally important to an individual's economic well-being and self-respect. The employees of a business invest their skills and efforts into a business and have a vital stake in its continued operation and their continued employment. When their employment with a business is terminated due to the closure, transfer of ownership, or relocation of the business, they suffer a heavy economic and personal loss.

(2) When an employer closes or relocates, particularly in cases in which the employer employs a large number of employees in a locality or within an industry, it is difficult, and sometimes impossible, for the former employees to find comparable employment with another employer.

(3) When an employer closes or relocates or when employees are terminated as the result of a transfer of ownership of the business, long-time employees lose the seniority, benefits, and

unaccrued pension credits they have earned during their many years of service. Employment offering comparable wages and benefits is unavailable to many. Some older employees will be unable to find alternative employment.

(4) The potentially disastrous effects of the sudden elimination of an employee's employment, through no fault of the employee, should be shared by the employer, who has made the decision that closure, sale, or relocation of the business is an economic advantage. Moreover, continuity of employment is a desirable goal, which vitally affects the well-being of thousands of individuals and the public as a whole, and should be encouraged.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Employer' includes any individual, partnership, association, corporation, business trust, or other entity which employs eight or more persons.

(2) 'Employee' includes any individual employed by an employer.

(3) 'Relocation' of a business or part of a business means removal of all or substantially all operations of the business, a separate facility or branch, or a distinct division or department of a business to a location at least sixty miles away from their original location.

(4) 'Termination' of a business or part of a business means cessation of all or substantially all operations of the business, a separate facility or branch, or a distinct division or department of a business and the business or part of the business is permanently closed.

(5) 'Transfer of ownership' of a business or part of a business includes any transfer of ownership in a business, a separate facility or branch, or a distinct division or department of a business, including sale of stock, a sale of assets, a foreclosure or other form of repossession by creditors, a gift, a devise, or any other means of transfer of ownership.

(6) 'One month's pay' means the average monthly compensation paid to an employee by an employer based on the amount of compensation received by the employee during the preceding twelve months.

(7) 'Years of service' shall include all years during which the employee was employed by the employer, or any owner, subsidiary, division, or entity otherwise related to the employer, or during which the employee was employed in the same operation or facility while it was owned by a predecessor to the employer.

(8) 'Successor employer' means an employer to whom the ownership of a business or a part of a business has been transferred.

(9) 'Predecessor employer' means an employer who has transferred the ownership of a business or a part of a business to another.

(10) 'Comparable position' means a position that requires comparable education, skills, experience, and effort and is performed under similar working conditions.

NEW SECTION. Sec. 3. Any employer that relocates, terminates, or transfers the ownership in a business or any part of a business shall be liable to the employees for severance pay at the rate of one month's pay for each year of service by the employee, not to exceed twelve months' pay. The employer is liable to employees who have been employed by the employer for at least one pay period but less than one year for severance pay in the amount of one month's pay. The severance pay owing shall be in addition to any final wage payment to the employee and shall be paid within one regular pay period after the employee's last day of work. An employer's liability for severance pay under this section shall be limited to the value of the business at the time of the relocation, termination, or transfer of the ownership of the business or any part of the business.

NEW SECTION. Sec. 4. An employer shall not be liable for severance pay under this chapter to an employee if:

(1) The employee is covered by an express contract providing for severance pay; or

(2) The employee accepts employment with the new owner of the business or with the predecessor employer at a different facility or location that provides the same wages and benefits as the employee received prior to the relocation, termination, or transfer of ownership of the business.

NEW SECTION. Sec. 5. A successor employer has an obligation to offer a position to each employee who was employed by the predecessor employer during the twelve months preceding the transfer of ownership. The employee shall be offered the position that employee held for the predecessor employer prior to the transfer of ownership if a substantial portion of the work performed by that employee continues to be performed by the business. If the work performed by an employee is no longer performed by the business, the employer must offer the employee a comparable position or, if no comparable position is available, any available position for which the employee is qualified. The wages, benefits, and other conditions of employment offered or provided to the former employees of the predecessor employer may not be inferior to the wages, benefits, and other conditions of employment provided to new employees filling the same or comparable positions with the successor employer.

A former employee of a predecessor employer who accepts a job with a successor employer may not be discharged, except for misconduct connected with the employee's work, for one year after the employee's date of hire by the successor employer.

NEW SECTION. Sec. 6. Section 5 of this act does not apply to a former employee of a predecessor employer if:

(1) There is no work available which the employee is qualified to perform: PROVIDED, That all employees of a predecessor employer shall be offered employment before new employees are hired; or

(2) The former employee held a managerial position with the predecessor employer in which the employee was responsible for setting fundamental company policy, and it is necessary for the successor employer to replace the employee in order to implement its management plan: PROVIDED, That the employee shall be offered an alternative position for which the employee is qualified.

NEW SECTION. Sec. 7. An employer may not avoid the obligation under section 3 of this act by discharging or laying off employees prior to the relocation, termination, or transfer of ownership of the business or any part of the business. A successor employer's obligation under section 5 of this act is not affected if the predecessor employer discharges or lays off employees prior to the relocation, termination, or transfer of ownership of the business or any part of the business. An employer or a successor employer is relieved of obligations to an employee employed during the twelve months prior to the relocation, termination, or transfer of ownership only if the employer or successor employer proves by clear and convincing evidence that the employee's discharge or layoff was not a result of the expected relocation, termination, or transfer of ownership of the business or any part of the business.

NEW SECTION. Sec. 8. Any employee may bring suit in superior court to enforce the employee's rights under this chapter. The courts are authorized to direct specific performance of the successor employer's obligation under section 5 of this act to offer employment to an employee of its predecessor.

NEW SECTION. Sec. 9. The director of labor and industries is authorized to take assignments of claims for severance pay under section 3 of this act and prosecute actions for the collection of severance pay under the same conditions provided for the assignment and prosecution of claims for unpaid wages under RCW 49.48.040.

NEW SECTION. Sec. 10. Any individual who successfully prosecutes a claim for severance pay or a claim to enforce the successor employer's duty to offer employment to the predecessor's employees shall be awarded costs and attorney's fees, including costs and attorney's fees necessary to collect a judgment.

NEW SECTION. Sec. 11. (1) A person with a claim for severance pay against an employer or a claim for an offer of employment from a successor employer shall have a lien for moneys owing under this chapter on: (a) All of the property used in the operation of the business or part of the business that has been relocated, terminated, or transferred creating an obligation under this chapter, and (b) all proceeds of the sale or transfer of ownership of the property.

(2) A notice of the claim shall be filed within sixty days of the employee's termination of employment with the auditor of the county in which the affected business or part of the business is or was located. The notice of claim shall contain a statement of the employee's demands, the name and address of the employer, the name and address of the successor employer (if applicable), and the date of the employee's last service. A copy of this notice shall be served or mailed to the employer and, if applicable, to the successor employer at the time it is filed.

(3) The lien may be enforced within the same time and in the same manner as mechanics' liens are enforced when the lien is upon real property, or in the same manner as chattel liens are enforced when the lien is upon personal property.

(4) This lien shall be preferred to any encumbrance that may attach after the relocation, termination, or transfer of ownership that created the obligation under this chapter and to any encumbrance that may have attached prior to that time but was not filed or recorded so as to create constructive notice of the encumbrance.

NEW SECTION. Sec. 12. This chapter does not apply to an employee who is terminated:

(1) Following a determination by the department of employment security that the employer has undergone a bona fide restructuring of the employer's business for the purposes of efficiency and improvements in the productivity of the business;

(2) Because the employer has gone into receivership or bankruptcy;

(3) Because of the employer's termination of a business due to death, serious illness, or an act of God;

(4) Because the employer's business is not profitable. To qualify for this exemption, an employer must provide the employee with written notice of the expected termination, relocation, or transfer of the ownership of the business due to loss of profits at least six months prior to termination of the employee, and shall make the books of the employer open for inspection by the employee for the purpose of verifying the loss of profits; or

(5) If the employer had provided the employee with twelve months' written notice of the intent to terminate the business.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 14. Sections 2 through 13 of this act shall constitute a new chapter in Title 49 RCW."

Representatives Wang and Patrick spoke in favor of adoption of the amendment, and Representatives B. Williams and Schoon opposed it.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Sanders.

Mr. Sanders: Representative Wang, during public testimony we received letters from the Washington State Labor Council on the original bill and also the Association of Washington Business. I have them here in my files which I brought down from the hearing room. Do these letters still apply? Since there has not been a public hearing on this amendment, do these letters still apply?

Mr. Wang: The Labor Council still supports the bill. As you may recall, there was no public testimony in opposition to the bill.

Mr. Sanders: How about the letter from the Association of Washington Business dated January 25, where they had some problems with the bill? Have these all been resolved, or do we still have the same problems?

Mr. Wang: Although I have no direct evidence, I would certainly conjecture that the Association of Washington Business may still have problems with the bill.

Mr. Sanders: In other words where it says that AWB strongly opposes both of these bills, it still applies to this amendment. Thank you very much.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Wang and others to House Bill No. 1552, and the amendment was adopted by the following vote: Yeas, 76; nays, 21; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Beck, Betzoff, Brooks, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Moyer, Nealey, Padden, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 21.

Excused: Representative Smith C - 1.

The bill was ordered engrossed. On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang, Heavey, R. King and Sayan spoke in favor of passage of the bill, and Representatives Patrick, Schoon, Silver, Nealey and Barnes opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1552, and the bill passed the House by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Baugher, Belcher, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Heavey, Hine, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 51.

Voting nay: Representatives Allen, Amondson, Armstrong, Ballard, Barnes, Basich, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Haugen, Holland, Holm, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Zellinsky - 46.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 1552, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House immediately consider House Bill No. 1728 on second reading. The motion was carried.

HOUSE BILL NO. 1728, by Representatives Wang, Patrick, R. King, P. King, Winsley and Cooper

Establishing office of information and assistance within the department of labor and industries.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1728 was substituted for House Bill No. 1728, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1728 was read the second time.

On motion of Mr. Meyers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill, and Representatives B. Williams and Silver opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1728, and the bill passed the House by the following vote: Yeas, 61; nays, 36; excused, 1.

Voting yea: Representatives Allen, Amondson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P., King R., Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K., Wineberry, Winsley, and Mr. Speaker - 61.

Voting nay: Representatives Amondson, Ballard, Barnes, Beck, Betzoff, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D., Sommers H., Taylor, Walker, Williams B., Williams J., Wilson S., Zellinsky - 36.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1728, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House immediately consider House Bill No. 1754 on second reading. The motion was carried.

HOUSE BILL NO. 1754, by Representatives Appelwick, Winsley, Grimm, Holland, Braddock, Belcher and Prince

Revising administrative provisions on taxes.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1754 was substituted for House Bill No. 1754, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1754 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1754, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough,

Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1754, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Meyers, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 1585, by Representatives Leonard, Anderson, Crane, P. King, O'Brien and Rust

Revising provisions for juvenile dependency proceedings.

MOTION

Mr. Ebersole moved that the rules be suspended and that the bill be returned to second reading for purpose of amendment. The motion was carried.

Ms. Leonard moved adoption of the following amendments by Representatives Leonard and Padden:

On page 1, line 7, after "court" strike ", at any stage of a proceeding under this chapter, may" and insert "(~~at any stage of a proceeding under this chapter, may~~) shall"

On page 1, line 9, after "proceedings" strike ". A guardian ad litem who is an attorney or who has access to an attorney shall be appointed within thirty days of filing of the dependency petition for each child who is the subject of a dependency proceeding unless a court, for good cause, finds the appointment is not necessary" and insert "in all contested proceedings under this chapter. An attorney and/or guardian ad litem may be appointed at the discretion of the court in uncontested proceedings"

Representatives Leonard and Padden spoke in favor of adoption of the amendments, and they were adopted.

Ms. Leonard moved adoption of the following amendment by Representatives Leonard and Padden:

On page 1, line 25, after "neglect" strike "and in which a petition for dependency has been filed"

Ms. Leonard spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1585, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 1585, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Substitute House Bill No. 1416 on third reading. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1416, by Committee on Agriculture & Rural Development (originally sponsored by Representatives McLean, Haugen, Rayburn, Ballard, Betzoff, D. Sommers, Sanders, Nealey and Ferguson)

Revising provisions relating to private ways of necessity.

MOTION

Mr. Ebersole moved that the rules be suspended and that the bill be returned to second reading for purpose of amendment. The motion was carried.

Mr. McLean moved adoption of the following amendments by Representatives McLean, Armstrong, Rayburn, Heavey and Padden:

On page 1, beginning on line 4, strike all of Sec. 1 and renumber the remaining sections consecutively.

On page 2, line 10, after "Nonagricultural" and before "land" insert "and nonsilvicultural"

On page 2, beginning on line 27, strike all of the rest of Sec. 4 and insert the following:

"In any action brought under the provisions of this chapter for the condemnation of land for a private way of necessity, reasonable attorneys' fees and expert witness costs may be allowed by the court to reimburse the condemnee unless the court finds that the unreasonable refusal of the condemnee to negotiate in good faith has necessitated the action."

Representatives McLean and Armstrong spoke in favor of adoption of the amendments, and they were adopted.

On motion of Mr. Ebersole, the following amendment to the title was adopted:

On page 1, beginning on line 2, strike "8.24.010 and"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1416, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 1416, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1669 on third reading. The motion was carried.

HOUSE BILL NO. 1669, by Representatives Wang, Patrick, Ebersole, O'Brien, Locke, Sayan and Winsley

Requiring successor employers to observe existing collective bargaining agreements.

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

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1669, and the bill passed the House by the following vote: Yeas, 86; nays, 11; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Barnes, Beck, Bumgarner, Grant, Nealey, Padden, Sanders, Schmidt, Taylor, Williams J, Wilson S - 11.

Excused: Representative Smith C - 1.

House Bill No. 1669, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Ebersole, the House reverted to the sixth order of business.

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1612 on second reading. The motion was carried.

HOUSE BILL NO. 1612, by Representatives Todd, Sayan, Belcher, Valle, Crane, Winsley, Lux, B. Williams, Walk, Barnes, Leonard, Gallagher, Lewis and Ferguson

Prescribing penalties for failure to post disabled parking signs.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1612 was substituted for House Bill No. 1612, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1612 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1612, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1612, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1630, by Representatives Walk, Schmidt and Gallagher; by request of Department of Licensing

Requiring insurance for continued registration of tow truck operators.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 5, 1988.)

Mr. Walk moved adoption of the committee amendment by Committee on Transportation and spoke in favor of it. The committee amendment was adopted.

On motion of Mr. Walk the amendment by Committee on Transportation to the title was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1630, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 1630, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1633, by Representatives Appelwick and Sanders

Exempting contracts for neighborhood improvement projects from bidding and prevailing wage requirements.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1633 was substituted for House Bill No. 1633, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1633 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1633, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1633, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1510 on second reading. The motion was carried.

HOUSE BILL NO. 1510, by Representatives Fox, Ferguson, Haugen, Bumgarner and Spanel

Amending provisions for annexation by water and sewer districts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1510 was substituted for House Bill No. 1510, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1510 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fox and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1510, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1510, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Representative O'Brien to preside.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1511 on second reading. The motion was carried.

HOUSE BILL NO. 1511, by Representatives Bumgarner, Haugen, Beck, Ferguson and Braddock

Amending provisions for water and sewer districts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1511 was substituted for House Bill No. 1511, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1511 was read the second time.

Ms. Haugen moved adoption of the following amendment by Representatives Haugen, Ferguson, Nutley, Cooper and Butterfield:

On page 11, after line 16, insert the following:

*Sec. 12. Section 2, chapter 57, Laws of 1983 and RCW 56.16.135 are each amended to read as follows:

Upon obtaining the approval of the county treasurer, the board of commissioners of a sewer district with more than twenty-five hundred customers may designate by resolution some other person having experience in financial or fiscal matters as the treasurer of the district. Such a treasurer shall possess all of the powers, responsibilities, and duties ~~((that))~~ of, and shall be subject to the same restrictions as provided by law for, the county treasurer ~~((and auditor possess for a sewer district related to creating and maintaining funds, issuing warrants,~~

~~and investing surplus district funds)) with regard to a sewer district, and the county auditor with regard to sewer district financial matters. Such treasurer shall be bonded for not less than twenty-five thousand dollars. Approval by the county treasurer authorizing such a sewer district to designate its treasurer shall not be arbitrarily or capriciously withheld.~~

Sec. 13. Section 4, chapter 57, Laws of 1983 and RCW 57.20.135 are each amended to read as follows:

Upon obtaining the approval of the county treasurer, the board of commissioners of a water district with more than twenty-five hundred customers may designate by resolution some other person having experience in financial or fiscal matters as the treasurer of the district. Such a treasurer shall possess all of the powers, responsibilities, and duties ~~((that)) of, and shall be subject to the same restrictions as provided by law for, the county treasurer ((and auditor possess for a water district related to creating and maintaining funds, issuing warrants, and investing surplus district funds)) with regard to a water district, and the county auditor with regard to water district financial matters. Such treasurer shall be bonded for not less than twenty-five thousand dollars. Approval by the county treasurer authorizing such a water district to designate its treasurer shall not be arbitrarily or capriciously withheld.~~

NEW SECTION, Sec. 14. Any action taken by a sewer district treasurer or water district treasurer prior to the effective date of this section and consistent with sections 12 and 13 of this act is ratified and confirmed."

Renumber the sections consecutively.

Representatives Haugen, Bumgarner and Butterfield spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendments to the title were adopted:

On page 1, line 2 of the title, after "57.08.016," insert "56.16.135, 57.20.135,"

On page 1, line 5 of the title, after "57.40 RCW;" insert "creating a new section."

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bumgarner, Ferguson and Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1511, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 1511, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1851 on second reading. The motion was carried.

HOUSE BILL NO. 1851, by Representatives Sayan, Zellinsky, Leonard, Ballard, Scott, Patrick, Braddock, S. Wilson, Cole, Grimm, Locke, Brooks, D. Sommers, Moyer, Grant, K. Wilson, Sprenkle, Rust, Dorn, Cooper, Rasmussen, Jones, Meyers, Sutherland, Nutley, Spanel, Appelwick, Lux, Fuhrman, Pruitt, Hine, Nealey, Ebersole, Brekke, Todd, Nelson, Cantwell, B. Williams, Miller, H. Sommers, Rayburn, Anderson, Butterfield, Winsley, Schoon, Silver, Sanders, Basich, Dellwo, Brough and O'Brien

Removing age restrictions for certain state residential schools.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 5, 1988.)

Ms. Brekke moved adoption of the committee amendment by Committee on Human Services and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sayan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1851, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsöld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 1851, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker called the House to order.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

February 15, 1988

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5378,
 SUBSTITUTE SENATE BILL NO. 5436,
 SENATE BILL NO. 6117,
 SENATE BILL NO. 6201,
 SUBSTITUTE SENATE BILL NO. 6203,
 SUBSTITUTE SENATE BILL NO. 6216,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6221,
 SENATE BILL NO. 6259,
 SENATE BILL NO. 6260,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6275,
 SUBSTITUTE SENATE BILL NO. 6284,
 SENATE BILL NO. 6313,
 SENATE BILL NO. 6354,
 SUBSTITUTE SENATE BILL NO. 6357,
 SUBSTITUTE SENATE BILL NO. 6376,
 SUBSTITUTE SENATE BILL NO. 6379,

SENATE BILL NO. 6405,

SENATE BILL NO. 6418,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6433,

SUBSTITUTE SENATE BILL NO. 6435,

SUBSTITUTE SENATE BILL NO. 6439,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6441,

ENGROSSED SENATE BILL NO. 6447,

SUBSTITUTE SENATE BILL NO. 6470,

SUBSTITUTE SENATE BILL NO. 6491,

SUBSTITUTE SENATE BILL NO. 6493,

SUBSTITUTE SENATE BILL NO. 6518,

SENATE BILL NO. 6523,

SUBSTITUTE SENATE BILL NO. 6530,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6538,

SUBSTITUTE SENATE BILL NO. 6548,

SUBSTITUTE SENATE BILL NO. 6568,

SENATE BILL NO. 6578,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6605,

SENATE BILL NO. 6638,

SUBSTITUTE SENATE BILL NO. 6670,

SENATE BILL NO. 6671,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6672,

SUBSTITUTE SENATE BILL NO. 6736,

SENATE CONCURRENT RESOLUTION NO. 8431,

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8432,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

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

INTRODUCTIONS AND FIRST READING

HJM 4046 by Representatives Vekich, Zellinsky, Saryan, Meyers, Pruitt and Schmidt

Petitioning for the battleship USS Missouri to be based in Bremerton.

Referred to Committee on Trade & Economic Development.

2SSB 5378 by Committee on Health Care & Corrections (originally sponsored by Senators Wojahn and Kreidler)

Licensing laboratories conducting prenatal test.

Referred to Committee on Health Care.

SSB 5436 by Committee on Commerce & Labor (originally sponsored by Senator Warnke)

Revising unemployment compensation provisions on individuals with multiple employers.

Referred to Committee on Commerce & Labor.

SB 6117 by Senator Kiskaddon

Creating a pilot program of volunteer support for families with a developmentally disabled child.

Referred to Committee on Human Services.

SB 6201 by Senators Rasmussen, Johnson and Saling

Expanding eligibility for special license plates for surviving spouses of deceased prisoners of war.

Referred to Committee on Transportation.

- SSB 6203 by Committee on Health Care & Corrections (originally sponsored by Senators Deccio, Niemi, Kreidler and Smith)
 Requiring a report on state care of developmentally disabled persons.
 Referred to Committee on Human Services.
- SSB 6216 by Committee on Ways & Means (originally sponsored by Senators Gaspard and von Reichbauer)
 Providing compensated leave for Olympic athletes and officials.
 Referred to Committee on State Government.
- E2SSB 6221 by Committee on Ways & Means (originally sponsored by Senators Deccio, Kreidler, Johnson, Niemi, Smith, Wojahn, Zimmerman, Hayner, Vognild and Talmadge)
 Modifying provisions relating to sexually transmissible diseases.
 Referred to Committee on Health Care
- SB 6259 by Senators Smith, Patterson, DeJarnatt and Metcalf
 Providing for a limited steelhead punchcard for five dollars.
 Referred to Committee on Natural Resources.
- SB 6260 by Senators Warnke, Smitherman, Garrett and Conner; by request of Pharmacy Board
 Changing requirements relating to sales of poisons.
 Referred to Committee on Commerce & Labor.
- E2SSB 6275 by Committee on Ways & Means (originally sponsored by Senators Smitherman, West, Fleming, Deccio, McMullen, Saling, Conner and Anderson)
 Providing for small business loans.
 Referred to Committee on Trade & Economic Development.
- SSB 6284 by Committee on Ways & Means (originally sponsored by Senators Bender, West, Lee, Conner, Anderson, McMullen, Warnke, Smitherman, Saling and Johnson)
 Establishing the office of capital projects.
 Referred to Committee on Commerce & Labor.
- SB 6313 by Senators McDonald, Gaspard, Bailey, Zimmerman, Kreidler and Lee
 Providing for retirement of loans from the resource management cost account to the forest development account.
 Referred to Committee on Ways & Means.
- SB 6354 by Senators Lee, Smitherman and McMullen; by request of Department of Labor and Industries
 Changing the definition of wages for industrial insurance purposes.
 Referred to Committee on Commerce & Labor.
- SSB 6357 by Committee on Economic Development & Labor (originally sponsored by Senators Lee and Smitherman; by request of Department of Labor and Industries)
 Clarifying provisions relating to contractors' bonds and securities.
 Referred to Committee on Commerce & Labor.
- SSB 6376 by Committee on Transportation (originally sponsored by Senators Nelson, McMullen, Metcalf and Bender; by request of Governor)
 Extending one element of the motor vehicle excise tax.
 Referred to Committee on Transportation.

SSB 6379 by Committee on Ways & Means (originally sponsored by Senators Hayner, Halsan, Smith, Rasmussen, Lee, Sellar, Zimmerman, Johnson, Craswell, Barr, Kiskaddon, Bauer, Bender, Hansen, McMullen, Gaspard, Stratton, Garrett and Vognild; by request of Governor)

Extending the excise tax deferral and credit programs for manufacturing and research and development activities.

Referred to Committee on Trade & Economic Development.

SB 6405 by Senators Lee, Halsan, Zimmerman and Garrett; by request of Department of Community Development

Revising provisions on state and local government bond issuance information.

Referred to Committee on Local Government.

SB 6418 by Senators Halsan and Sellar

Requiring a proposal for a senior development program for local government managers.

Referred to Committee on Local Government.

ESSB 6433 by Committee on Financial Institutions & Insurance (originally sponsored by Senators Rinehart, Johnson, Moore, Deccio and von Reichbauer)

Requiring health care insurance coverage for the food supplements necessary for the treatment of phenylketonuria.

Referred to Committee on Financial Institutions & Insurance.

SSB 6435 by Committee on Economic Development & Labor (originally sponsored by Senators Lee and Owen)

Changing provisions relating to disclosure by contractors.

Referred to Committee on Commerce & Labor.

SSB 6439 by Committee on Law & Justice (originally sponsored by Senators Pullen and Talmadge)

Studying the consolidation of district and municipal courts.

Referred to Committee on Judiciary.

ESSB 6441 by Committee on Children & Family Services (originally sponsored by Senator Kiskaddon)

Providing for training in positive discipline for day care providers and foster parents.

Referred to Committee on Human Services.

ESB 6447 by Senators Owen, Warnke, Barr, Moore, Nelson and Smith

Strengthening the custodial interference law.

Referred to Committee on Judiciary.

SSB 6470 by Committee on Health Care & Corrections (originally sponsored by Senators Deccio, Niemi, Kreidler and Johnson; by request of Department of Licensing)

Providing a voluntary substance abuse program for health care licensees.

Referred to Committee on Health Care.

SSB 6491 by Committee on Ways & Means (originally sponsored by Senators McDonald, Warnke, Bailey, Fleming, Lee, Kiskaddon, von

Reichbauer, Wojahn, Bender, Johnson, Niemi, Smith, Zimmerman, Smitherman, Conner, Talmadge, Deccio, Stratton and Bauer)

Authorizing unclaimed lottery prizes to be deposited in the housing trust fund.

Referred to Committee on Housing.

SSB 6493 by Committee on Governmental Operations (originally sponsored by Senators McCaslin, Lee, Conner, Warnke, Smitherman and Garrett)

Requiring cities to review need for manufactured homes.

Referred to Committee on Housing.

SSB 6518 by Committee on Health Care & Corrections (originally sponsored by Senators Deccio, Fleming, Johnson, Garrett, Niemi and Smith)

Requiring a study of regulations governing adult family homes.

Referred to Committee on Health Care.

SB 6523 by Senators Kiskaddon, Kreidler, Williams and Bauer

Permitting naturopaths to continue manual manipulation.

Referred to Committee on Health Care.

SSB 6530 by Committee on Law & Justice (originally sponsored by Senators Pullen, Halsan, Nelson and Garrett; by request of Department of Labor and Industries)

Revising procedures for explosives licensing.

Referred to Committee on Commerce & Labor.

ESSB 6538 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Smitherman, Anderson and Rasmussen; by request of Employment Security Department)

Establishing a computerized labor market information system.

Referred to Committee on Commerce & Labor.

SSB 6548 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Warnke, Smitherman, Rasmussen and Fleming; by request of Employment Security Department)

Authorizing fees for administration of the federal targeted jobs tax credit program.

Referred to Committee on Commerce & Labor.

SSB 6568 by Committee on Economic Development & Labor (originally sponsored by Senator McCaslin)

Requiring minimum payment to employees for reporting to work.

Referred to Committee on Commerce & Labor.

SB 6578 by Senators Lee, Vognild and Warnke

Permitting certain sales of nonliquor food products by licensed wine and beer wholesalers.

Referred to Committee on Commerce & Labor.

ESSB 6605 by Committee on Ways & Means (originally sponsored by Senators Hayner, Rasmussen, Nelson, Moore, Saling, Smitherman, Newhouse, Vognild, von Reichbauer, Craswell and Bailey)

Modifying pension portability provisions.

Referred to Committee on Ways & Means.

SB 6638 by Senators Niemi, Johnson, Deccio, Wojahn, Smith and Kreidler

Providing conditional scholarships for nursing students.

Referred to Committee on Health Care.

SSB 6670 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Owen, Warnke and Smith)

Revising provisions on public works projects involving certain trench excavations.

Referred to Committee on Commerce & Labor.

SB 6671 by Senator Lee

Specifying funds that may be retained for administration of the housing trust fund.

Referred to Committee on Housing.

ESSB 6672 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Conner, Warnke, Smitherman, McMullen, Deccio and Zimmerman)

Requiring the development of comprehensive international trade strategies.

Referred to Committee on Trade & Economic Development.

SSB 6736 by Committee on Law & Justice (originally sponsored by Senators Pullen, Talmadge, Nelson, Halsan and McMullen)

Changing jurisdiction over tribal lands.

Referred to Committee on Judiciary.

SCR 8431 by Senators Lee, Conner, Warnke, Smitherman, McMullen, Deccio and Fleming

Creating a joint select committee on workforce training and retraining.

Referred to Committee on Commerce & Labor.

SSCR 8432 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Conner, Warnke, Smitherman, McMullen, Deccio, Fleming and Zimmerman)

Directing a joint legislative study of state programs for development of international trade, tourism, and investment.

Referred to Committee on Trade & Economic Development.

MOTION

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 1:15 p.m., Wednesday, February 17, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-EIGHTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wednesday, February 17, 1988

The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding).

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

MESSAGE FROM THE SENATE

February 16, 1988

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5156,
 SUBSTITUTE SENATE BILL NO. 5558,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5669,
 SUBSTITUTE SENATE BILL NO. 6173,
 SENATE BILL NO. 6182,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6191,
 SUBSTITUTE SENATE BILL NO. 6238,
 SUBSTITUTE SENATE BILL NO. 6240,
 SUBSTITUTE SENATE BILL NO. 6252,
 SUBSTITUTE SENATE BILL NO. 6263,
 SENATE BILL NO. 6265,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6277,
 SENATE BILL NO. 6297,
 SUBSTITUTE SENATE BILL NO. 6318,
 SUBSTITUTE SENATE BILL NO. 6319,
 ENGROSSED SENATE BILL NO. 6320,
 SENATE BILL NO. 6321,
 SENATE BILL NO. 6339,
 SENATE BILL NO. 6340,
 SUBSTITUTE SENATE BILL NO. 6350,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6394,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6410,
 SENATE BILL NO. 6412,
 SUBSTITUTE SENATE BILL NO. 6430,
 SUBSTITUTE SENATE BILL NO. 6432,
 SUBSTITUTE SENATE BILL NO. 6437,
 SUBSTITUTE SENATE BILL NO. 6452,
 ENGROSSED SENATE BILL NO. 6460,
 SUBSTITUTE SENATE BILL NO. 6462,
 SUBSTITUTE SENATE BILL NO. 6466,
 SUBSTITUTE SENATE BILL NO. 6474,
 SENATE BILL NO. 6476,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6495,
 ENGROSSED SENATE BILL NO. 6519,
 ENGROSSED SENATE BILL NO. 6531,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6534,
 SENATE BILL NO. 6562,
 SENATE BILL NO. 6574,
 SUBSTITUTE SENATE BILL NO. 6575,
 SECOND SUBSTITUTE SENATE BILL NO. 6623,
 SUBSTITUTE SENATE BILL NO. 6643,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6653,
 SENATE BILL NO. 6674,
 SUBSTITUTE SENATE BILL NO. 6693,
 SUBSTITUTE SENATE BILL NO. 6703,
 SENATE BILL NO. 6717,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6741,
 SENATE JOINT MEMORIAL NO. 8031,

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 8230,
 and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

SSB 5156 by Committee on Parks & Ecology (originally sponsored by Senators Bluechel, Kreidler and Garrett)

Exempting class AA counties from state flood controls.

Referred to Committee on Environmental Affairs.

SSB 5558 by Committee on Higher Education (originally sponsored by Senators Gaspard, Bauer, Bailey, Smitherman, Benitz, Barr, McDonald, Bender, Craswell, Conner, Rasmussen, Kreidler, Williams, Hayner, Nelson, West and von Reichbauer)

Studying the provisions of Washington state scholars attending independent colleges or universities.

Referred to Committee on Higher Education.

ESSB 5669 by Committee on Health Care & Corrections (originally sponsored by Senators Wojahn and Deccio)

Providing for certification of dietitians and nutritionists.

Referred to Committee on Health Care.

SSB 6173 by Committee on Health Care & Corrections (originally sponsored by Senators Kiskaddon, Wojahn, Deccio, Stratton, Johnson and Barr)

Creating a department of health.

Referred to Committee on State Government.

SB 6182 by Senator McCaslin

Denying registration if contractor has previous unsatisfied judgment.

Referred to Committee on Commerce & Labor.

E2SSB 6191 by Committee on Ways & Means (originally sponsored by Senators Craswell, Wojahn and Garrett)

Establishing local citizen substitute care review boards for juveniles.

Referred to Committee on Human Services.

SSB 6238 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf and Owen; by request of Department of Ecology)

Changing provisions relating to the authority of state agencies to administer part C of the federal safe drinking water act.

Referred to Committee on Environmental Affairs.

SSB 6240 by Committee on Environment & Natural Resources (originally sponsored by Senators Warnke and Metcalf)

Establishing a wild mushroom harvesting program.

Referred to Committee on Natural Resources.

- SSB 6252 by Committee on Law & Justice (originally sponsored by Senators Halsan and Talmadge)
Revising enforcement provisions for failure to comply with traffic infraction laws.
Referred to Committee on Judiciary.
- SSB 6263 by Committee on Governmental Operations (originally sponsored by Senators McCaslin, Garrett, Zimmerman, Owen and Stratton)
Changing procedures in first class cities for municipal utility hookup by private contractors.
- SB 6265 by Senators Metcalf, Kreidler and Lee
Establishing environmental excellence awards for solid waste reduction and recycling.
Referred to Committee on Environmental Affairs.
- E2SSB 6277 by Committee on Ways & Means (originally sponsored by Senators Warnke, Smitherman, Fleming, Williams, Conner and Lee)
Establishing the business and job retention program.
Referred to Committee on Trade & Economic Development.
- SB 6297 by Senators von Reichbauer, Moore, Kreidler and Johnson; by request of Department of Labor and Industries
Revising investment policies for funds of the department of labor and industries.
Referred to Committee on Commerce & Labor.
- SSB 6318 by Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Moore, Garrett and Rasmussen; by request of Insurance Commissioner)
Revising provisions on the cancellation and renewal of insurance policies.
Referred to Committee on Financial Institutions & Insurance.
- SSB 6319 by Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Moore, Rasmussen, Kiskaddon and Zimmerman; by request of Insurance Commissioner)
Authorizing notice to certain life insurance policyowners of the nonforfeiture benefits available.
Referred to Committee on Financial Institutions & Insurance.
- ESB 6320 by Senators von Reichbauer, Moore and Rasmussen; by request of Insurance Commissioner
Revising insurance form and rate filing requirements.
Referred to Committee on Financial Institutions & Insurance.
- SB 6321 by Senators Zimmerman, DeJarnatt, Bauer, McCaslin and von Reichbauer
Increasing the threshold for requiring a building permit.
Referred to Committee on Local Government.
- SB 6339 by Senators Kiskaddon, Stratton, Craswell, Wojahn, Garrett, Kreidler, Bailey and McDonald; by request of Department of Social and Health Services
Clarifying certain provisions governing the relinquishment and adoption of children.
Referred to Committee on Human Services.

- SB 6340 by Senators McDonald, Talmadge and Newhouse
Revising transfer tax provisions.
Referred to Committee on Ways & Means.
- SSB 6350 by Committee on Law & Justice (originally sponsored by Senators Smith, Halsan, Zimmerman, West and Bauer)
Establishing a civil penalty for killing or injuring a guide or service dog.
Referred to Committee on Judiciary.
- ESSB 6394 by Committee on Education (originally sponsored by Senators Craswell and Bailey)
Providing for the option to elect school district directors by director district.
Referred to Committee on Education.
- ESSB 6410 by Committee on Law & Justice (originally sponsored by Senators Smith, Halsan, McCaslin, Patterson, Newhouse, Craswell, Hayner, Nelson, Barr, Zimmerman and Kiskaddon)
Denying driving privileges to teenagers convicted of alcohol or drug offenses.
Referred to Committee on Judiciary.
- SB 6412 by Senators von Reichbauer and Moore
Providing for the publication of the maximum interest rate that may be charged on retail installment contracts for the purchase of motor vehicles.
Referred to Committee on Financial Institutions & Insurance.
- SSB 6430 by Committee on Ways & Means (originally sponsored by Senators McDonald, Gaspard and Patterson)
Revising provisions on property taxes.
Referred to Committee on Ways & Means.
- SSB 6432 by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Halsan, Benitz and Bauer)
Amending provisions for agricultural livestock liens.
Referred to Committee on Judiciary.
- SSB 6437 by Committee on Ways & Means (originally sponsored by Senators Deccio, Kreidler, Sellar, Fleming and Johnson)
Changing provisions relating to the investment allowance for nursing homes.
Referred to Committee on Ways & Means.
- SSB 6452 by Committee on Education (originally sponsored by Senators Rinehart, Bailey and Lee)
Providing for the study of American sign language to meet foreign language graduation requirements.
Referred to Committee on Education.
- ESB 6460 by Senators Smith, Bailey, Kiskaddon, Benitz, Craswell, Lee and Anderson
Prohibiting the use of tobacco on school property.
Referred to Committee on Education.
- SSB 6462 by Committee on Law & Justice (originally sponsored by Senator Nelson; by request of Sentencing Guidelines Commission)
Making technical corrections on procedures for sentencing adult felons.
Referred to Committee on Judiciary.

- SSB 6466 by Committee on Ways & Means (originally sponsored by Senator Vognild)
Revising retirement benefit calculation for certain county employees.
Referred to Committee on Ways & Means.
- SSB 6474 by Committee on Economic Development & Labor (originally sponsored by Senator McCaslin)
Requiring continuing education for real estate brokers and salespeople.
Referred to Committee on Commerce & Labor.
- SB 6476 by Senators McCaslin, Halsan, Zimmerman and Garrett
Revising provisions for abandoned property held by local governments.
Referred to Committee on Local Government.
- ESSB 6495 by Committee on Ways & Means (originally sponsored by Senators McDonald and Kreidler)
Revising administrative provisions on taxes.
Referred to Committee on Ways & Means.
- ESB 6519 by Senators Anderson, Smitherman, Deccio, Rasmussen, Hayner, Conner, Zimmerman, Craswell, Gaspard, Wojahn, Stratton, Johnson, Kiskaddon, von Reichbauer and Garrett
Changing provisions relating to the method of determining the depreciation base of certain nursing homes.
Referred to Committee on Ways & Means.
- ESB 6531 by Senators Niemi, Kiskaddon, Stratton, Garrett, Bauer, Fleming, McMullen and Talmadge
Making appropriations to department of social and health services for payment rate increases for day care services and a day care subsidy program.
Referred to Committee on Human Services.
- ESSB 6534 by Committee on Education (originally sponsored by Senator Talmadge)
Authorizing school employees to perform catheterization.
Referred to Committee on Education.
- SB 6562 by Senators Bailey, Gaspard, Warnke, Patterson, Deccio, Barr and Garrett
Changing the custodian of the revolving fund for the agricultural research facility at the Rainier school farm at Washington State University.
Referred to Committee on Agriculture & Rural Development.
- SB 6574 by Senators Metcalf and Kreidler; by request of Washington State Parks and Recreation Commission
Limiting liability of the parks and recreation commission regarding winter recreation activities.
Referred to Committee on Judiciary.
- SSB 6575 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf and Kreidler; by request of Washington State Parks and Recreation Commission)
Clarifying liability of the parks and recreation commission for ski lift inspection.
Referred to Committee on Judiciary.

2SSB 6623 by Committee on Ways & Means (originally sponsored by Senators Barr, Owen, Bailey and Smith)

Revising allocations for small school district capital construction.

Referred to Committee on Education.

SSB 6643 by Committee on Ways & Means (originally sponsored by Senators Lee and Moore)

Authorizing amnesty for certain back taxes owed by nonprofit trade and professional organizations.

Referred to Committee on Ways & Means.

ESSB 6653 by Committee on Ways & Means (originally sponsored by Senators Deccio and Newhouse)

Revising provisions on the lodgings tax.

Referred to Committee on Ways & Means.

SB 6674 by Senators Lee, Bailey, Anderson, Benitz, Johnson, Zimmerman and Metcalf

Raising the state minimum wage.

Referred to Committee on Commerce & Labor.

SSB 6693 by Committee on Education (originally sponsored by Senators Pullen and Rinehart)

Providing for the allocation of moneys to the University of Washington on behalf of students attending an early entrance or transitional program.

Referred to Committee on Education.

SSB 6703 by Committee on Energy & Utilities (originally sponsored by Senators Benitz and Madsen)

Changing provisions relating to underground facilities.

Referred to Committee on Energy & Utilities.

SB 6717 by Senator Lee

Revising provisions on the housing trust fund.

Referred to Committee on Housing.

ESSB 6741 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Kreidler and Sellar)

Relating to storage tanks.

Referred to Committee on Environmental Affairs.

SJM 8031 by Senators West, Smitherman, Lee, Owen, Warnke, Gaspard, Sellar, McDonald and McMullen

Requesting that the United States Congress pass legislation allowing states to collect sales tax on out-of-state mail order business.

Referred to Committee on Ways & Means.

ESSJR 8230 by Committee on Financial Institutions & Insurance (originally sponsored by Senators West and Moore)

Reducing the liability for that portion of debt covered by the Washington life and disability insurance guarantee association.

Referred to Committee on Financial Institutions & Insurance.

MOTION

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

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

MOTIONS

On motion of Mr. Wang, Substitute Senate Bill No. 6024 was referred from Committee on Natural Resources to Committee on Agriculture & Rural Development.

On motion of Mr. Wang, Substitute Senate Bill No. 6284 was referred from Committee on Commerce & Labor to Committee on Trade & Economic Development.

On motion of Mr. Wang, Senate Bill No. 6291 was referred from Committee on Judiciary to Committee on State Government.

On motion of Mr. Wang, Substitute Senate Bill No. 6491 was referred from Committee on Housing to Committee on Ways & Means.

On motion of Mr. Wang, Senate Bill No. 6638 was referred from Committee on Health Care to Committee on Higher Education.

On motion of Mr. Wang, Substitute Senate Concurrent Resolution No. 8403 was referred from Committee on Commerce & Labor to Committee on State Government.

MOTION

On motion of Mr. Wang, the House adjourned until 1:15 p.m., Thursday, February 18, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-NINTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Thursday, February 18, 1988

The House was called to order at 1:15 p.m. by the Speaker.

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

INTRODUCTION AND FIRST READING

SSB 6263 by Committee on Governmental Operations (originally sponsored by Senators McCaslin, Garrett, Zimmerman, Owen and Stratton)

Changing procedures in first class cities for municipal utility hookup by private contractors.

Held on First Reading from 2-17-88.

REPORTS OF STANDING COMMITTEES

February 17, 1988

SSB 5586 Prime Sponsor, Committee on Economic Development & Labor: Changing provisions relating to hours of labor. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 12, after "employees," insert "The overtime provisions of RCW 49.28.020 shall not apply to the hours, up to forty hours per week, worked pursuant to agreements entered into under this section."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, Patrick, Sanders and Walker.

Absent: Representatives O'Brien, Sayan and Smith.

Passed to Committee on Rules for second reading.

February 17, 1988

SB 6295 Prime Sponsor, Senator Garrett: Updating the Model Traffic Ordinance. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Heavey, Jacobsen, Jones, Meyers, Patrick, Prince, D. Sommers, Todd, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Haugen, Kremen, Schmidt, Smith, Sutherland, Vekich and J. Williams.

Passed to Committee on Rules for second reading.

February 17, 1988

SB 6296 Prime Sponsor, Senator Nelson: Authorizing the state patrol to operate ports of entry jointly with other states. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Heavey, Jacobsen, Jones, Meyers, D. Sommers, Todd, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Haugen, Kremen, Schmidt, Smith, Sutherland, Vekich and J. Williams.

Passed to Committee on Rules for second reading.

February 17, 1988

SSB 6399 Prime Sponsor, Committee on Transportation: Exempting farmers, contractors, and loggers from certain special fuel reporting requirements. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Heavey, Jacobsen, Jones, Meyers, Patrick, Prince, D. Sommers, Todd, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Haugen, Jones, Kremen, Schmidt, Smith, Sutherland, Vekich and J. Williams.

Passed to Committee on Rules for second reading.

February 17, 1988

ESB 6440 Prime Sponsor, Senator Kreidler: Providing for the clean-up of hazardous wastes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Ferguson, Jesernig, May, Pruitt, Schoon, D. Sommers, Sprengle and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Valle, Vice Chair; Brekke, Lux and Unsoeld.

Absent: Representative Allen.

Referred to Committee on Ways & Means.

February 17, 1988

SB 6516 Prime Sponsor, Senator Patterson: Funding bridge replacement on rural arterials. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Heavey, Jacobsen, Jones, Meyers, Patrick, Prince, Schmidt, D. Sommers, Todd, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Haugen, Kremen, Smith, Sutherland, Todd, Vekich, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

February 17, 1988

SSB 6536 Prime Sponsor, Committee on Economic Development & Labor: Limiting employer liability for unemployment benefits paid as a result of a natural disaster. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, Patrick, Sanders and Walker.

Absent: Representatives O'Brien, Sayan and Smith.

Passed to Committee on Rules for second reading.

February 17, 1988

SSJM 8027 Prime Sponsor, Committee on Environment & Natural Resources: Urging the reduction of plastic wastes in the Pacific Ocean. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, Pruitt, Sprengle, Unsoeld and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives May and Schoon.

Voting nay: Representatives May, Schoon and D. Sommers.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

MOTIONS

On motion of Mr. Ebersole, Substitute Senate Bill No. 6498 was referred from Committee on Judiciary to Committee on Ways & Means.

On motion of Mr. Ebersole, Senate Bill No. 6608 was referred from Committee on Judiciary to Committee on Agriculture & Rural Development.

On motion of Mr. Ebersole, Senate Bill No. 6638 was referred from Committee on Higher Education to Committee on Health Care.

MOTION

On motion of Mr. Ebersole, the House adjourned until 1:15 p.m., Friday, February 19, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTIETH DAY

AFTERNOON SESSION

House Chamber, Olympia, Friday, February 19, 1988

The House was called to order at 1:15 p.m. by the Speaker (Mr. Dellwo presiding).

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

INTRODUCTIONS AND FIRST READING

HB 2037 by Representatives Bristow, Silver, Grimm and Belcher

AN ACT Relating to general obligation bonds; amending RCW 46.08.172 and 79.24-.060; and creating new sections.

Referred to Committee on Ways & Means.

SSB 6263 by Committee on Governmental Operations (originally sponsored by Senators McCaslin, Garrett, Zimmerman, Owen and Stratton)

Changing procedures in first class cities for municipal utility hookup by private contractors.

Held on First Reading from 2-17-88.

MOTION

On motion of Mr. Ebersole, the bill on today's first reading calendar was considered first reading under the fourth order of business and referred to the committee so designated.

REPORTS OF STANDING COMMITTEES

February 18, 1988

SB 5667 Prime Sponsor, Senator Warnke: Revising procedures for disposition of personal property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 8, strike "in the judgment of the chief of police."

On page 2, line 12, strike "((and))" and insert "and"

On page 4, line 6, strike "in the judgment of the county sheriff."

On page 4, line 11, strike "((and))" and insert "and"

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Brough, Hargrove, P. King, Meyers, Padden, Patrick, Schmidt, Scott and Wang.

Absent: Representatives Appelwick, Belcher, Lewis, Locke, Moyer and Wineberry.

Passed to Committee on Rules for second reading.

February 18, 1988

SSB 5844 Prime Sponsor, Committee on Transportation: Requiring bonds from motor freight brokers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Sutherland, Todd, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Baugher, Vice Chair; Allen, Jones, Smith, D. Sommers, Sutherland, Todd, Vekich and S. Wilson.

Passed to Committee on Rules for second reading.

February 17, 1988

ESB 5953 Prime Sponsor, Senator Gaspard: Providing reduced work load options for certain tenured community college faculty members. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Unsoeld and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Heavey, Vice Chair and Silver.

Absent: Representatives Allen, Jesernig and Prince.

Passed to Committee on Rules for second reading.

February 18, 1988

SSB 6096 Prime Sponsor, Committee on Financial Institutions & Insurance: Prohibiting a pattern of equity skimming. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Day, Dellwo and Grimm.

Passed to Committee on Rules for second reading.

February 18, 1988

ESB 6108 Prime Sponsor, Senator Pullen: Revising provisions relating to defense of persons or property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Brough, Hargrove, P. King, Padden, Patrick, Schmidt, Scott and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Meyers.

Voting nay: Representatives Meyers and Wang.

Absent: Representatives Appelwick, Belcher, Lewis, Locke and Moyer.

Passed to Committee on Rules for second reading.

February 18, 1988

SB 6113 Prime Sponsor, Senator Pullen: Making technical corrections to quasi-community property laws. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Brough, Hargrove, P. King, Meyers, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Appelwick, Belcher, Lewis, Locke and Moyer.

Passed to Committee on Rules for second reading.

February 17, 1988

SSB 6145 Prime Sponsor, Committee on Higher Education: Establishing a program to promote collaborative relationships between various educational faculty and staff. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen and Miller.

Referred to Committee on Ways & Means.

February 18, 1988

SSB 6212 Prime Sponsor, Committee on Law & Justice: Revising membership eligibility of retirement boards for fire fighters and law enforcement officers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14, after "one" insert "active or retired"

On page 1, line 15, after "one" insert "active or retired"

On page 4, line 4, after "one" insert "active or retired"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representatives Fisher, Sayan and Smith.

Passed to Committee on Rules for second reading.

February 18, 1988

SSB 6264 Prime Sponsor, Committee on Environment & Natural Resources: Requiring a report on the management of infectious wastes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, May, Pruitt, Schoon, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, Ferguson, Lux and D. Sommers.

Passed to Committee on Rules for second reading.

February 18, 1988

SB 6371 Prime Sponsor, Senator Pullen: Correcting the double amendment to the motor vehicle excise tax distribution section. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Hearvey, Jacobsen, Kremen, Meyers, Patrick, Prince, Schmidt, Todd, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Jones, Smith, D. Sommers, Sutherland, Todd, Vekich and S. Wilson.

Passed to Committee on Rules for second reading.

February 18, 1988

SB 6373 Prime Sponsor, Senator Pullen: Correcting obsolete statutory references. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Day, Dellwo and Grimm.

Passed to Committee on Rules for second reading.

February 18, 1988

SB 6537 Prime Sponsor, Senator West: Limiting applicability of administrative rulings relating to individual unemployment claims to other legal actions. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representatives Fisher, Sayan and Smith.

Passed to Committee on Rules for second reading.

February 18, 1988

SSB 6548 Prime Sponsor, Committee on Economic Development & Labor: Authorizing fees for administration of the federal targeted jobs tax credit program. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan and Walker.

Absent: Representatives Sayan and Smith.

Referred to Committee on Ways & Means.

February 17, 1988

SSB 6561 Prime Sponsor, Committee on Ways & Means: Exempting from use tax certain property acquired by institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen and Jesernig.

Referred to Committee on Ways & Means.

February 17, 1988

SSB 6602 Prime Sponsor, Committee on Higher Education: Encouraging the donation of modern equipment to institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen, Basich and Jesernig.

Referred to Committee on Ways & Means.

February 17, 1988

ESB 6684 Prime Sponsor, Senator Zimmerman: Establishing a pilot project of early outreach programs for middle school or high school students. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Referred to Committee on Ways & Means.

February 17, 1988

SJM 8026 Prime Sponsor, Senator Rinehart: Requesting that Congress exempt tuition waivers from federal income tax. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen and Jesernig.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and the memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4734, by Representatives Day, Taylor, Bristow, Silver, Moyer, Dellwo, Padden, D. Sommers and Bumgarner

WHEREAS, Momentum 88 is a community-based effort represented by business, education, labor, city and county governments and area church groups; and

WHEREAS, Momentum 88 is dedicated to a self-help, economic development program for Spokane County and the Inland Northwest; and

WHEREAS, The Inland Northwest is experiencing little or no growth due to depressed natural resource industries; and

WHEREAS, Momentum 88 has raised five million three-hundred thousand dollars to promote programs designed to create new jobs and increase the average disposable household income; and

WHEREAS, Momentum 88 is answering the challenge with a ten-point strategic program to help the area economically move forward; and

WHEREAS, The goals include enhancing tourism, addressing tax reform issues, establishing a higher education center, diversifying the economy, attracting industry and providing economic opportunities for small business; and

WHEREAS, Momentum 88 is supported by businesses all over Washington State;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commend Momentum 88 for its contributions to economic development and its commitment to growth; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives recognize that all the citizenry in Washington State will benefit from the efforts of Momentum 88; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to Paul Redmond, President of Momentum 88 on behalf of its representatives; The Honorable Vicki McNeill, Mayor of Spokane, on behalf of the City Council Members; and County Commissioners John McBride, Keith Shepard and Patricia Mummy.

On motion of Mr. Day, the resolution was adopted.

MOTIONS

On motion of Mr. Ebersole, Substitute Senate Bill No. 6128 was referred from Committee on Natural Resources to Committee on Local Government.

On motion of Mr. Ebersole, Substitute Senate Bill No. 6252 was referred from Committee on Judiciary to Committee on Transportation.

On motion of Mr. Ebersole, Senate Bill No. 6313 was referred from Committee on Ways & Means to Committee on Natural Resources.

On motion of Mr. Ebersole, Substitute Senate Bill No. 6565 was referred from Committee on Judiciary to Committee on State Government.

On motion of Mr. Ebersole, the following bills were referred from the second reading calendar to Committee on Rules 2:

HOUSE BILL NO. 635,
HOUSE BILL NO. 972,
HOUSE BILL NO. 1268,
HOUSE BILL NO. 1326,
HOUSE BILL NO. 1349,
HOUSE BILL NO. 1406,
HOUSE BILL NO. 1527,
HOUSE BILL NO. 1597,
HOUSE BILL NO. 1604,
HOUSE BILL NO. 1648,
HOUSE BILL NO. 1706,
HOUSE BILL NO. 1801,
HOUSE BILL NO. 1807,
HOUSE BILL NO. 1966,
HOUSE BILL NO. 1970,

HOUSE JOINT RESOLUTION NO. 4226.

On motion of Mr. Ebersole, the following bills were referred from the third reading calendar to Committee on Rules 3:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 144,
HOUSE BILL NO. 744.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, February 22, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Monday, February 22, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bristow, Cantwell, Locke, Schoon, Taylor, Vekich, K. Wilson and Wineberry. Representatives Cantwell, Schoon and Vekich were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages David Silver and Tamara Nealey. Prayer was offered by The Reverend Philip Norris, Minister of The Lacey Community Church.

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

INTRODUCTION AND FIRST READING

SSB 6263 by Committee on Governmental Operations (originally sponsored by Senators McCaslin, Garrett, Zimmerman, Owen and Stratton)

Changing procedures in first class cities for municipal utility hookup by private contractors.

The Speaker (Mr. O'Brien presiding) referred Substitute Senate Bill No. 6263 to Committee on Energy & Utilities.

MOTION

Ms. Brough moved that Substitute Senate Bill No. 6263 be referred to Committee on Local Government.

Representatives Brough and May spoke in favor of the motion, and Representatives Ebersole and Nelson opposed it.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion by Ms. Brough to refer Substitute Senate Bill No. 6263 to Committee on Local Government, and the motion was lost by the following vote: Yeas, 35; nays, 55; absent, 5; excused, 3.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Sommers D, Walker, Williams B, Williams J, Wilson S, Winsley - 35.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Absent: Representatives Bristow, Locke, Taylor, Wilson K, Wineberry - 5.

Excused: Representatives Cantwell, Schoon, Vekich - 3.

REPORTS OF STANDING COMMITTEES

February 19, 1988

ESB 5229 Prime Sponsor, Senator Kreidler: Revising the membership and duties of the state advisory committee to the department of social and health services. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:
Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 13, chapter 189, Laws of 1971 ex. sess. as amended by section 2, chapter 259, Laws of 1984 and RCW 43.20A.370 are each amended to read as follows:

There is hereby created a state advisory committee to the department of social and health services which shall serve in an advisory capacity to the secretary of the department of social and health services. The committee shall be composed of not less than nine nor more than ~~((#teen))~~ twenty members, to be appointed by the governor, who shall appoint a chairman, who shall serve as such at the governor's pleasure. In selecting members of the committee, the governor shall provide for a reasonable age, sex, ~~((and))~~ ethnic, and geographic balance from throughout the state. A broad range of interests, including business owners, professions, labor, local government, and consumers should be considered for membership. ~~((A representative from each of the regional advisory committees established under RCW 43.20A.360 shall serve as a member of the state advisory committee.))~~ The members of the committee shall serve ~~((four))~~ three years ~~((except the terms of the regional advisory committee representatives shall be for a duration specified by the secretary not to exceed four years to facilitate their participation)).~~ Appointments to fill a vacant unexpired term shall be only for the remainder of the unexpired term for which the vacancy occurs. No member shall serve more than two consecutive full terms. An unexpired term is considered a full term when one-half or more of the regular term is served. A member of the state advisory committee with two unexcused absences in a twelve-month period shall be deemed to have vacated the position held on the state advisory committee.

Sec. 2. Section 14, chapter 189, Laws of 1971 ex. sess. as amended by section 3, chapter 259, Laws of 1984 and RCW 43.20A.375 are each amended to read as follows:

The state advisory committee shall have the following powers and duties:

(1) To serve in an advisory capacity to the secretary on all matters pertaining to the department of social and health services.

(2) To acquaint themselves fully with the operations of the department and periodically recommend such changes to the secretary as they deem advisable.

(3) To ~~((biennially))~~ review and make recommendations as to the continued operation, possible consolidation, or elimination of department advisory committees ((other than those provided for) including those required by federal law or specifically created by statute. The review shall include review of the statement of purpose for each advisory committee and the time frames during which the committee is accountable to achieve its stated purposes. The state advisory committee shall conduct the review ((using the criteria specified in RCW 43.131-.070 and other appropriate criteria)) and report to the appropriate legislative committees no later than January 1, 1989.

(4) To encourage public awareness and understanding of the department of social and health services and the department's programs and services.

~~((4))~~ (5) To develop agendas to foster periodic meetings with and communication between representatives of program-specific advisory committees ~~((other than those provided for by federal law)).~~

(6) To encourage each regional advisory committee established under RCW 43.20A.360 to send a representative to regular state advisory committee meetings to foster communication between the regional advisory committees and: (a) The state advisory committee, and (b) headquarters of the department."

Signed by Representatives Brekke, Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Winsley.

Absent: Representatives Scott, Vice Chair; and Sutherland.

Passed to Committee on Rules for second reading.

February 17, 1988

RESB 5475 Prime Sponsor, Senator Gaspard: Establishing the Washington fund for excellence in higher education program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 3, after "reporting" insert ", evaluations"

On page 3, line 5, after "(7)" strike everything through "program" on line 10 and insert "To report biennially to the governor and the higher education committees of the house of representatives and the senate."

Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen, Barnes and Miller.

Referred to Committee on Ways & Means.

February 17, 1988

SSB 5558

Prime Sponsor, Committee on Higher Education: Studying the provisions of Washington state scholars attending independent colleges or universities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. A new section is added to chapter 28B.80 RCW to read as follows:

(1) Recipients of the Washington scholars award under RCW 28A.58.820 through 28A.58.830 choosing to attend an independent college or university in this state, as defined in subsection (4) of this section, may receive grants under this section if moneys are available. The higher education coordinating board shall distribute grants to eligible students under this section from moneys appropriated for this purpose. The individual grants shall not exceed, on a yearly basis, the yearly, full-time, resident, undergraduate tuition and service and activities fees in effect at the state-funded research universities. Grants shall be contingent upon the private institution matching on at least a dollar-for-dollar basis, either with actual money or by a waiver of fees, the amount of the grant received by the student from the state. The higher education coordinating board shall establish procedures, by rule, to disburse the awards as direct grants to the students.

(2) To qualify for the grant, recipients shall enter the independent college or university within three years of high school graduation and maintain a minimum grade point average at the college or university equivalent to 3.30. Students shall be eligible for grants for a maximum of twelve quarters or eight semesters of undergraduate study and may transfer among independent colleges and universities during that period and continue to receive the grant. If the student's cumulative grade point average falls below 3.30 during the first three quarters or two semesters, that student may petition the higher education coordinating board which shall have the authority to establish a probationary period until such time as the student's grade point average meets required standards.

(3) No grant shall be awarded to any student who is pursuing a degree in theology.

(4) As used in this section, 'independent college or university' means a private, nonprofit educational institution, the main campus of which is permanently situated in the state, open to residents of the state, providing programs of education beyond the high school level leading at least to the baccalaureate degree, and accredited by the northwest association of schools and colleges as of the effective date of this section and other institutions as may be developed that are approved by the higher education coordinating board as meeting equivalent standards as those institutions accredited under this section.

NEW SECTION, Sec. 2. A new section is added to chapter 28B.80 RCW to read as follows:

Students receiving grants under section 1 of this act or waivers under RCW 28B.15.543 shall be entitled to transfer between public and independent colleges or universities. Students transferring to a public institution of higher education from an independent college or university are entitled to a tuition waiver while enrolled at such institution during the period of eligibility under RCW 28B.15.543. Students transferring to an independent college or university from a public institution of higher education are entitled to a grant under section 1 of this act while enrolled at such college or university during the period of eligibility under section 1 of this act. The total grants or waivers for any one student shall not exceed twelve quarters or eight semesters of undergraduate study.

NEW SECTION, Sec. 3. Section 1 of this act shall apply to persons holding the Washington scholars award as of the effective date of this section as well as persons holding the award after the effective date of this section.

Sec. 4. Section 2, chapter 54, Laws of 1981 as amended by section 1, chapter 465, Laws of 1987 and RCW 28A.58.822 are each amended to read as follows:

There is established by the legislature of the state of Washington the Washington state scholars program. The purposes of this program annually are to:

(1) Provide for the selection of three seniors graduating from high schools in each legislative district who have distinguished themselves academically among their peers.

(2) Maximize public awareness of the academic achievement, leadership ability, and community contribution of Washington state public and private high school seniors through appropriate recognition ceremonies and events at both the local and state level.

(3) Provide a listing of the Washington scholars to all Washington state public and private colleges and universities to facilitate communication regarding academic programs and scholarship availability.

(4) Make available a state level mechanism for utilization of private funds for scholarship awards to outstanding high school seniors.

(5) Provide, on written request and with student permission, a listing of the Washington scholars to private scholarship selection committees for notification of scholarship availability.

(6) Permit a waiver of tuition and services and activities fees as provided for in RCW 28B.15.543 and grants under section 1 of this 1988 act."

On page 1, line 1 of the title, after "program;" strike the remainder of the title and insert "amending RCW 28A.58.822; adding new sections to chapter 28B.80 RCW; and creating a new section."

Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen and Jesernig.

Passed to Committee on Rules for second reading.

February 17, 1988

SB 6101 Prime Sponsor, Senator Saling: Changing eligibility requirements for members of the state board for community college education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 6, insert:

"NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2, after "members" strike "and" and on page 1, line 2, after "RCW 28B.50-.050" insert "; and declaring an emergency"

Signed by Representatives Jacobsen, Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Silver and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representatives Heavey, Vice Chair and K. Wilson.

Absent: Representatives Allen and Prince.

Passed to Committee on Rules for second reading.

February 18, 1988

SSB 6178 Prime Sponsor, Committee on Agriculture: Implementing the vinifera grape growers' assessment. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment:

On page 2, after line 10, insert:

"(3) After considering any recommendations made under subsection (2) of this section, the director shall adopt rules, in accordance with chapter 34.04 RCW, prescribing the time, place, and method for the payment and collection of the assessment levied under this section and approved under section 3 of this act."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Chandler, Doty, Holm, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Bristow, Brooks, Grant, R. King and McLean.

Passed to Committee on Rules for second reading.

February 19, 1988

SB 6182 Prime Sponsor, Senator McCaslin: Denying registration if contractor has previous unsatisfied judgment. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 3, after "18.27.040" strike ", and that ((were))" and insert "((-and that were)) that"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

February 18, 1988

SSB 6255 Prime Sponsor, Committee on Transportation: Creating a zone where interstate trip permits are not required. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8, after "into" strike all the material down to and including "state" on line 15 and insert "an agreement or arrangement with a duly authorized representative of the state of Idaho, for the purpose of granting to operators of commercial vehicles that are properly registered in the state of Idaho, the privilege of operating their vehicles in this state within a designated area near the border of their state without the need for registration as required by chapter 81.80 RCW if the state of Idaho grants a similar privilege to operators of commercial vehicles from this state. The initial designated area shall be limited to state route 195 from the Idaho border to Lewiston, and SR 12 from Lewiston to Clarkston. The utilities and transportation commission shall submit other proposed reciprocal agreements in designated border areas to the legislative transportation committee for approval"

Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Todd, J. Williams, S. Wilson and Zellinsky.

Absent: Representatives Baugher, Vice Chair; Allen, Day, Smith, D. Sommers, Sutherland, Todd, Vekich and S. Wilson.

Passed to Committee on Rules for second reading.

February 18, 1988

ESB 6262 Prime Sponsor, Senator Nelson: Extending the length of permits for I-90 construction. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Doty, Fisher, Fox, Hankins, Haugen, Heavey, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Sutherland, Todd, J. Williams, K. Wilson, S. Wilson and Zellinsky.

Absent: Representatives Baugher, Vice Chair; Allen, Day, Jones, Prince, Smith, D. Sommers, Sutherland, Todd, Vekich and S. Wilson.

Passed to Committee on Rules for second reading.

February 19, 1988

SB 6338 Prime Sponsor, Senator Kiskaddon: Revising provisions governing consultation by department of social and health services on reports of abuse. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Winsley.

Absent: Scott, Vice Chair; and Sutherland.

Passed to Committee on Rules for second reading.

February 19, 1988

SB 6339 Prime Sponsor, Senator Kiskaddon: Clarifying certain provisions governing the relinquishment and adoption of children. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Winsley.

Absent: Representatives Scott, Vice Chair; and Sutherland.

Passed to Committee on Rules for second reading.

February 19, 1988

SSB 6357 Prime Sponsor, Committee on Economic Development & Labor: Clarifying provisions relating to contractors' bonds and securities. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 6, after "county in which" strike "the"

On page 2, line 25, after "bond or" strike "assigned account" and insert "deposit"

On page 3, line 25, after "filed" insert "and served"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 19, 1988

SSB 6474 Prime Sponsor, Committee on Economic Development & Labor:
Requiring continuing education for real estate brokers and salespeople. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 18.85 RCW to read as follows:

All real estate brokers and salespersons shall furnish proof as the director may require that they have successfully completed a total of thirty clock hours of instruction every two years in real estate courses approved by the director in order to renew their licenses. Up to fifteen clock hours of instruction beyond the thirty hours in two years may be carried forward for credit in a subsequent two-year period. To count towards this requirement, a course shall be commenced within thirty-six months before the proof date for renewal. This section shall apply to renewal dates after January 1, 1991.

Sec. 2. Section 4, chapter 252, Laws of 1941 as last amended by section 2, chapter 332, Laws of 1987 and RCW 18.85.040 are each amended to read as follows:

The director, with the advice and approval of the commission, may issue rules and regulations to govern the activities of real estate brokers, associate real estate brokers and salespersons, consistent with this chapter, fix the times and places for holding examinations of applicants for licenses and prescribe the method of conducting them. The director shall enforce all laws, rules and regulations relating to the licensing of real estate brokers, associate real estate brokers, and salespersons, grant or deny licenses to real estate brokers, associate real estate brokers, and salespersons, and hold hearings ((and)). The director may impose any one or more of the following sanctions: Suspend or revoke licenses, ((or)) deny applications for licenses, ((or)) fine violators ((and may)), or require the completion of a course in a selected aspect of real estate practice relevant to the provision of this chapter or rule violated. The director may deny, suspend or revoke the authority of a broker to act as the designated broker of persons who commit violations of the real estate license law or of the rules and regulations. The director shall establish by rule standards for licensure of applicants licensed in other jurisdictions. The director shall institute a program of education for the benefit of the licensees and may institute a program of education at institutions of higher education in Washington. The director shall charge a fee, as prescribed by the director by rule, for the certification of courses of instruction, instructors, and schools.

Sec. 3. Section 7, chapter 139, Laws of 1972 ex. sess. as last amended by section 3, chapter 332, Laws of 1987 and RCW 18.85.095 are each amended to read as follows:

(1) It is hereby established that the minimum requirements for an individual to receive a salesperson's license are that the individual:

((1)) (a) Is eighteen years of age or older;

((2)) (b) Has passed a salesperson's examination; and

((3)) (c) Except as provided in RCW 18.85.097, has successfully completed a thirty clock hour course in real estate fundamentals prior to obtaining a first real estate license.

(2) Except as provided in RCW 18.85.097, no licensed salesperson shall have his or her license renewed a second time unless he or she furnishes proof, as the director may require, that he or she has successfully completed an additional thirty clock hours of instruction in real estate courses approved by the director. This subsection shall expire January 1, 1991.

Nothing in this section shall apply to persons who are licensed as salespersons under any real estate license law in Washington which exists prior to this law's enactment and whose license has not been subsequently revoked.

Sec. 4. Section 8, chapter 370, Laws of 1977 ex. sess. as last amended by section 17, chapter 332, Laws of 1987 and by section 1, chapter 514, Laws of 1987 and RCW 18.85.215 are each reenacted and amended to read as follows:

(1) Any license issued under this chapter and not otherwise revoked shall be deemed 'inactive' at any time it is delivered to the director. Until reissued under this chapter, the holder of an inactive license shall be deemed to be unlicensed.

(2) An inactive license may be renewed on the same terms and conditions as an active license, ((and)) except that a person with an inactive license need not comply with the continuing education requirements of section 1 of this 1988 act. Failure to renew shall result in cancellation in the same manner as an active license.

(3) An inactive license may be placed in an active status upon completion of an application as provided by the director and upon compliance with this chapter and the rules adopted pursuant thereto. Subject to RCW 18.85.097, if a holder has an inactive license for more than three years, the holder must show proof of successfully completing a thirty clock hour course in real estate within one year prior to the application for active status. Holders employed by the

state and conducting real estate transactions on behalf of the state are exempt from this course requirement.

(4) The provisions of this chapter relating to the denial, suspension, and revocation of a license shall be applicable to an inactive license as well as an active license, except that when proceedings to suspend or revoke an inactive license have been initiated, the license shall remain inactive until the proceedings have been completed.

Sec. 5. Section 4, chapter 25, Laws of 1979 as amended by section 9, chapter 332, Laws of 1987 and by section 15, chapter 370, Laws of 1987 and RCW 18.85.230 are each reenacted and amended to read as follows:

The director may, upon his or her own motion, and shall upon verified complaint in writing by any person, investigate the actions of any person engaged in the business or acting in the capacity of a real estate broker, associate real estate broker, or real estate salesperson, regardless of whether the transaction was for his or her own account or in his or her capacity as broker, associate real estate broker, or real estate salesperson, and may impose any one or more of the following sanctions: Suspend or revoke, ~~((or))~~ levy a fine not to exceed one thousand dollars for each offense, require the completion of a course in a selected area of real estate practice relevant to the section of this chapter or rule violated, or deny the license of any holder or applicant who is guilty of:

(1) Obtaining a license by means of fraud, misrepresentation, concealment, or through the mistake or inadvertence of the director;

(2) Violating any of the provisions of this chapter or any lawful rules or regulations made by the director pursuant thereto or violating a provision of chapter 64.36, 19.105, or 58.19 RCW or the rules adopted under those chapters;

(3) Being convicted in a court of competent jurisdiction of this or any other state, or federal court, of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud, or any similar offense or offenses: PROVIDED, That for the purposes of this section being convicted shall include all instances in which a plea of guilty or nolo contendere is the basis for the conviction, and all proceedings in which the sentence has been deferred or suspended;

(4) Making, printing, publishing, distributing, or causing, authorizing, or knowingly permitting the making, printing, publication or distribution of false statements, descriptions or promises of such character as to reasonably induce any person to act thereon, if the statements, descriptions or promises purport to be made or to be performed by either the licensee or his or her principal and the licensee then knew or, by the exercise of reasonable care and inquiry, could have known, of the falsity of the statements, descriptions or promises;

(5) Knowingly committing, or being a party to, any material fraud, misrepresentation, concealment, conspiracy, collusion, trick, scheme or device whereby any other person lawfully relies upon the word, representation or conduct of the licensee;

(6) Accepting the services of, or continuing in a representative capacity, any associate broker or salesperson who has not been granted a license, or after his or her license has been revoked or during a suspension thereof;

(7) Conversion of any money, contract, deed, note, mortgage, or abstract or other evidence of title, to his or her own use or to the use of his or her principal or of any other person, when delivered to him or her in trust or on condition, in violation of the trust or before the happening of the condition; and failure to return any money or contract, deed, note, mortgage, abstract or other evidence of title within thirty days after the owner thereof is entitled thereto, and makes demand therefor, shall be prima facie evidence of such conversion;

(8) Failing, upon demand, to disclose any information within his or her knowledge to, or to produce any document, book or record in his or her possession for inspection of the director or his or her authorized representatives acting by authority of law;

(9) Continuing to sell any real estate, or operating according to a plan of selling, whereby the interests of the public are endangered, after the director has, by order in writing, stated objections thereto;

(10) Committing any act of fraudulent or dishonest dealing or a crime involving moral turpitude, and a certified copy of the final holding of any court of competent jurisdiction in such matter shall be conclusive evidence in any hearing under this chapter;

(11) Advertising in any manner without affixing the broker's name as licensed, and in the case of a salesperson or associate broker, without affixing the name of the broker as licensed for whom or under whom the salesperson or associate broker operates, to the advertisement;

(12) Accepting other than cash or its equivalent as earnest money unless that fact is communicated to the owner prior to his or her acceptance of the offer to purchase, and such fact is shown in the earnest money receipt;

(13) Charging or accepting compensation from more than one party in any one transaction without first making full disclosure of all the facts to all the parties interested in the transaction;

(14) Accepting, taking or charging any undisclosed commission, rebate or direct profit on expenditures made for the principal;

(15) Accepting employment or compensation for appraisal of real property contingent upon reporting a predetermined value;

(16) Issuing an appraisal report on any real property in which the broker, associate broker, or salesperson has an interest unless his or her interest is clearly stated in the appraisal report;

(17) Misrepresentation of his or her membership in any state or national real estate association;

(18) Discrimination against any person in hiring or in sales activity, on the basis of race, color, creed or national origin, or violating any of the provisions of any state or federal anti-discrimination law;

(19) Failing to keep an escrow or trustee account of funds deposited with him or her relating to a real estate transaction, for a period of three years, showing to whom paid, and such other pertinent information as the director may require, such records to be available to the director, or his or her representatives, on demand, or upon written notice given to the bank;

(20) Failing to preserve for three years following its consummation records relating to any real estate transaction;

(21) Failing to furnish a copy of any listing, sale, lease or other contract relevant to a real estate transaction to all signatories thereof at the time of execution;

(22) Acceptance by a branch manager, associate broker, or salesperson of a commission or any valuable consideration for the performance of any acts specified in this chapter, from any person, except the licensed real estate broker with whom he or she is licensed;

(23) To direct any transaction involving his or her principal, to any lending institution for financing or to any escrow company, in expectation of receiving a kickback or rebate therefrom, without first disclosing such expectation to his or her principal;

(24) Failing to disclose to an owner his or her intention or true position if he or she directly or indirectly through third party, purchases for himself or herself or acquires or intends to acquire any interest in, or any option to purchase, property;

(25) In the case of a broker licensee, failing to exercise adequate supervision over the activities of his or her licensed associate brokers and salespersons within the scope of this chapter;

(26) Any conduct in a real estate transaction which demonstrates bad faith, dishonesty, untrustworthiness or incompetency;

(27) Acting as a mobile home and travel trailer dealer or salesperson, as defined in RCW 46.70.01 as now or hereafter amended, without having a license to do so;

(28) Failing to assure that the title is transferred under chapter 46.12 RCW when engaging in a transaction involving a mobile home as a broker, associate broker, or salesperson; or

(29) Violation of an order to cease and desist which is issued by the director under this chapter.

Sec. 6. Section 45, chapter 52, Laws of 1957 as amended by section 10, chapter 332, Laws of 1987 and RCW 18.85.240 are each amended to read as follows:

The director may deputize one or more assistants to perform his or her duties with reference to ~~((refusal, revocation, or suspension of licenses and imposition of fines))~~ disciplinary action.

Sec. 7. Section 23, chapter 222, Laws of 1951 as last amended by section 11, chapter 332, Laws of 1987 and RCW 18.85.251 are each amended to read as follows:

The disciplinary proceedings ~~((for revocation or suspension of a license or imposition of a fine or refusal to renew a license or accept an application for an initial license or license renewal))~~ shall be had on motion of the director or after a statement in writing verified by some person or persons familiar with the facts upon which the proposed ~~((revocation, suspension, refusal or fine))~~ disciplinary action is based has been filed with the director. Upon receipt of such statement or accusation, the director shall make a preliminary investigation of the facts charged to determine whether the statement or accusation is sufficient. If the director shall determine the statement or accusation is sufficient to require formal action, the director shall thereupon set the matter for hearing at a specified time and place. A copy of such order setting time and place and a copy of the verified statement shall be served upon the licensee or applicant involved not less than twenty days before the day appointed in the order for said hearing. The department of licensing, the licensee or applicant accused, and the person making the accusation may be represented by counsel at such a hearing. The director or an administrative law judge appointed under chapter 34.12 RCW shall hear and receive pertinent evidence and testimony.

Sec. 8. Section 25, chapter 222, Laws of 1951 as last amended by section 13, chapter 332, Laws of 1987 and RCW 18.85.271 are each amended to read as follows:

If the director shall decide, after such hearing, that the evidence supports the accusation by a preponderance of evidence, the director may ~~((revoke or suspend the license, or fine the licensee, or deny the application for, or renewal of, a license))~~ impose sanctions authorized under RCW 18.85.040. In such event the director shall enter an order to that effect and shall file the same in his or her office and immediately mail a copy thereof to the affected party at the address of record with the department. Such order shall not be operative for a period of ten

days from the date thereof. Any licensee or applicant aggrieved by a final decision by the director in a contested case whether such decision is affirmative or negative in form, is entitled to a judicial review in the superior court under the provisions of the Administrative Procedure Act, chapter 34.04 RCW. Upon instituting appeal in the superior court, the appellant shall give a cash bond to the state of Washington, which bond shall be filed with the clerk of the court, in the sum of five hundred dollars to be approved by the judge of said court, conditioned to pay all costs that may be awarded against such appellant in the event of an adverse decision, such bond and notice to be filed within thirty days from the date of the director's decision."

On page 1, line 1 of the title, after "salespersons;" strike the remainder of the title and insert "amending RCW 18.85.040, 18.85.095, 18.85.240, 18.85.251, and 18.85.271; reenacting and amending RCW 18.85.215 and 18.85.230; and adding a new section to chapter 18.85 RCW."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 17, 1988

ESSB 6591

Prime Sponsor, Committee on Higher Education: Establishing a college savings bond program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature declares that for the benefit of the people of the state of Washington, the conduct and increase of their commerce, the protection and enhancement of their welfare, the development of continued prosperity and the improvement of their health and living conditions, it is essential that this and future generations of youth be given the fullest opportunity to learn and to develop their intellectual and mental capacities and skills. The legislature further finds that to achieve these ends it is of the utmost importance that Washington residents be provided with investment alternatives to enhance their financial access to higher education in this state. The purpose of this chapter is to encourage parents and other persons to save so that future generations may attend higher education institutions and to provide an alternative low-cost method of borrowing to benefit public higher education institutions in this state.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Bonds' means general obligation bonds of the state of Washington issued under the authority of this chapter.

(2) 'Board' means the higher education coordinating board.

NEW SECTION, Sec. 3. For the purpose of providing needed capital improvements consisting of the acquisition, construction, remodeling, furnishing and equipping of state buildings and facilities for the state institutions of higher education, including facilities for the community college system, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of fifty million dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto.

No bonds may be offered for sale without prior legislative appropriation of the net proceeds of the bonds to be sold.

The bonds shall pledge the full faith and credit of the state of Washington and shall contain an unconditional promise to pay the principal thereof and interest thereon when due.

NEW SECTION, Sec. 4. The state finance committee is authorized to prescribe the form, terms, conditions, and covenants of the bonds, the time or times of sale of all or any portion of them, and the manner of their sale and issuance. However, if and to the extent that the state finance committee determines it is economically feasible and in the best interest of the state to do so, the bonds shall be sold at a 'deep discount' from their par value.

NEW SECTION, Sec. 5. The proceeds from the sale of the bonds, together with all grants, donations, transferred funds, and all other moneys which the state finance committee may direct the state treasurer to deposit therein, shall be deposited in the state building construction account of the general fund in the state treasury. All such proceeds shall be used exclusively for the purposes specified in section 3 of this act and for incidental costs and costs relating to the payment of the expenses incurred in connection with the sale and issuance of the bonds.

NEW SECTION, Sec. 6. The state higher education bond retirement fund of 1988 is hereby created in the state treasury and shall be used for the purpose of the payment of principal of and interest on the bonds.

The state finance committee, on or before June 30th of each year, shall certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and the interest coming due on the bonds and any amounts required to be set

aside in the state higher education bond retirement fund of 1988 pursuant to the bond resolution. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, or any date on which any funds are required by the bond resolution to be transferred to the state higher education bond retirement fund of 1988, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the state higher education bond retirement fund of 1988 an amount equal to the amount certified by the state finance committee to be due on the payment date or required to be set aside in the state higher education bond retirement fund of 1988.

The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

NEW SECTION. Sec. 7. The bonds shall constitute a legal investment for all state funds or for funds under state control and all funds of municipal corporations.

NEW SECTION. Sec. 8. In marketing the bonds and consistent with other provisions of law, the state finance committee shall consider methods for encouraging purchase of the bonds as a means of college savings.

NEW SECTION. Sec. 9. The state finance committee and the board shall evaluate the effectiveness of the college savings bond program created by this chapter, and report to the governor and the appropriate committees of the house and the senate about the program and any changes recommended by December 1, 1991. The board and the state finance committee shall specifically consider the advisability of offering incentives to parents to purchase college savings bonds.

NEW SECTION. Sec. 10. The board shall develop and implement an educational program and marketing strategies designed to inform parents about the options available for financing a college education, including college savings bonds, and the need to accumulate the financial resources necessary to pay for a college education.

NEW SECTION. Sec. 11. This act may be known and cited as the college savings bond act.

NEW SECTION. Sec. 12. Sections 1 through 11 of this act shall constitute a new chapter in Title 28B RCW.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "and adding a new chapter to Title 28B RCW."

Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representatives Allen and Jesernig.

Referred to Committee on Ways & Means.

February 19, 1988

SB 6745 Prime Sponsor, Senator Williams: Requiring disclosure of services provided by alternate operator services companies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Hankins, Jacobsen, Jesernig, May, Meyers, Unsoeld and S. Wilson.

Absent: Representatives Miller and Sutherland.

Passed to Committee on Rules for second reading.

February 17, 1988

ESSCR 8429 Prime Sponsor, Committee on Higher Education: Approving the master plan for higher education and establishing a study group. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 1, after "WHEREAS," strike the remainder of the concurrent resolution and insert "The Washington Higher Education Coordinating Board was created by chapter 370, Laws of 1985; and

WHEREAS, The Washington Higher Education Coordinating Board was charged with the duty of preparing a comprehensive master plan for higher education in this state; and

WHEREAS, The Washington Higher Education Coordinating Board conducted public hearings throughout the state, completed its study of Washington's higher education system, and submitted its master plan for higher education to the Legislature on December 1, 1987; and

WHEREAS, Section 4, chapter 370, Laws of 1985, requires the Legislature, by concurrent resolution, to 'approve or recommend changes' to the master plan;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, the House of Representatives concurring. That the Washington Higher Education Coordinating Board be commended for its high quality work, dedication, and commitment to the state of Washington in producing a new state master plan for higher education titled 'Building a System: To be Among The Best'; and

BE IT FURTHER RESOLVED, That the Legislature approves the following goals of the master plan:

(1) That Washington's system of higher education be among the best in the nation;
 (2) That Washington's system of higher education provide an opportunity for the pursuit of knowledge and cultural enrichment, develop social leadership, and foster economic development;

(3) That Washington's system of higher education remove discriminatory barriers that deny minority, women, and disabled persons full participation in postsecondary education;

(4) That Washington's system of higher education provide equitable and affordable access to postsecondary education programs of study, with particular attention to serve place-bound adults in urban areas;

(5) That Washington's system of higher education develop performance evaluation methods to assess how well individual institutions and the system as a whole are educating its students, to provide a basis for improvement, and to establish a system of accountability for student, faculty, legislative, and citizen expectations for postsecondary education in this state; and

(6) That Washington's system of higher education develop an admissions policy that strengthens the state's system of education while preserving multiple points of student access to postsecondary education; and

BE IT FURTHER RESOLVED, That the Legislature, aware of the proposed SAFE funding approach, endorses the concept of a stable, reliable, and predictable funding approach for higher education, but defers implementation of any new funding mechanism until the Legislature completes a study of higher education funding policies and related issues. Related issues include, but are not limited to: A state-wide enrollment policy that maintains access while insuring educational quality, appropriate quality comparison groups, state funding priorities and goals, and a process for evaluating educational service needs and establishing off-campus programs in underserved areas; and

BE IT FURTHER RESOLVED, That a special joint study group be established to review the components of the proposed SAFE funding approach and recommend a methodology for funding Washington's higher education system and addressing related matters; and

BE IT FURTHER RESOLVED, That the special study group consist of twelve members, eight members, with two from each caucus, selected by the President of the Senate and the Speaker of the House of Representatives, one member from the Office of Financial Management, and three members appointed by the Governor, one of whom shall be a member of the Higher Education Coordinating Board; and

BE IT FURTHER RESOLVED, That the committee report its findings and recommendations to the Legislature before the start of the regular legislative session in 1989.*

Signed by Representatives Jacobsen, Chair; Heavey, Vice Chair; Barnes, Basich, Fox, Jesernig, Miller, Nelson, Prince, Silver, Unsoeld and K. Wilson.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) referred the bills and resolution listed on today's committee reports under the fifth order of business to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

Representatives Bristow, Cantwell, Locke, Schoon and Wineberry appeared at the bar of the House.

MOTION

On motion of Mr. Bristow, the House adjourned until 10:00 a.m., Wednesday, February 24, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, February 24, 1988

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Belcher, Hankins and K. Wilson. Representatives Hankins and K. Wilson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jenna McFarlane and Kyle McFarlane. Prayer was offered by The Reverend Philip Norris, Minister of The Lacey Community Church.

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

INTRODUCTIONS AND FIRST READING

HB 2038 by Representatives Sprenkle, Holland, Braddock, Brooks, Peery, Grimm and Locke

AN ACT Relating to state-funded health care and state employees' insurance benefits; amending RCW 28A.58.420, 41.04.205, 41.05.050, 41.04.230, 41.40.380, 47.64.270, and 48.24.010; adding new sections to chapter 41.05 RCW; creating new sections; repealing RCW 41.05.005, 41.05.010, 41.05.025, 41.05.030, 41.05.040, 41.05.045, 41.05.060, 41.05.070, and 70.14.010; providing effective dates; and declaring an emergency.

Referred to Committee on Health Care.

HB 2039 by Representatives Locke, Grimm, Dellwo, Holland and Ferguson

AN ACT Relating to public facilities in Spokane and King counties; amending RCW 67.40.020, 67.40.025, 67.40.040, 67.40.055, 67.40.090, 82.46.010, and 82.46.030; amending section 1, chapter 8, Laws of 1987 1st ex. sess. (unmodified); adding a new section to chapter 36.38 RCW; adding new sections to chapter 67.40 RCW; adding a new section to chapter 82.14 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

The Speaker (Mr. O'Brien presiding) referred the bills listed on today's introduction sheet under the fourth order of business to the committees so designated.

REPORTS OF STANDING COMMITTEES

February 20, 1988

HB 1312 Prime Sponsor, Representative Locke: Adopting the supplemental operating budget. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Belcher, Braddock, Brekke, Dellwo, Ebersole, Grant, Hine, Locke, Peery, Rust, Sayan, H. Sommers, Spanel, Sprenkle, Valle, Wang and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Butterfield and Holland.

Voting nay: Representatives Brough, Butterfield, Holland, McLean, Nealey, Schoon and B. Williams.

Absent: Representatives Fuhrman and Taylor.

February 19, 1988

SB 5016 Prime Sponsor, Senator Newhouse: Revising terminology resulting from the Rules of Appellate Procedure. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 124, Laws of 1909 as amended by section 10, chapter 81, Laws of 1971 and RCW 2.24.050 are each amended to read as follows:

All of the acts and proceedings of court commissioners hereunder shall be subject to revision by the superior court. Any party in interest may have such revision upon demand made by written motion, filed with the clerk of the superior court, within ten days after the entry of any order or judgment of the court commissioner. Such revision shall be upon the records of the case, and the findings of fact and conclusions of law entered by the court commissioner, and unless a demand for revision is made within ten days from the entry of the order or judgment of the court commissioner, ~~((his))~~ the orders and judgments shall be and become the orders and judgments of the superior court, and ~~((from same an appeal may be taken to the supreme court or the court of appeals in all cases where an appeal will lie from))~~ appellate review thereof may be sought in the same fashion as review of like orders and judgments entered by the judge.

Sec. 2. Section 24, chapter 127, Laws of 1893 and RCW 4.32.250 are each amended to read as follows:

A notice or other paper is valid and effectual though the title of the action in which it is made is omitted, or it is defective either in respect to the court or parties, if it intelligently refers to such action or proceedings; and in furtherance of justice upon proper terms, any other defect or error in any notice or other paper or proceeding may be amended by the court, and any mischance, omission or defect relieved within one year thereafter; and the court may enlarge or extend the time, for good cause shown, within which by statute any act is to be done, proceeding had or taken, notice or paper filed or served, or may, on such terms as are just, permit the same to be done or supplied after the time therefor has expired ~~((except that the time for bringing a writ of error or appeal shall in no case be enlarged, or a party permitted to bring such writ of error or appeal after the time therefor has expired))~~.

Sec. 3. Section 3, chapter 95, Laws of 1895 as last amended by section 3, chapter 126, Laws of 1986 and RCW 4.92.030 are each amended to read as follows:

The attorney general or an assistant attorney general shall appear and act as counsel for the state. The action shall proceed in all respects as other actions. ~~((Appeals may be taken to the supreme court or court of appeals of the state))~~ Appellate review may be sought as in other actions or proceedings, but in case ~~((an appeal shall be taken on behalf of))~~ review is sought by the state, no bond shall be required of the appellant.

Sec. 4. Section 35, chapter 65, Laws of 1895 as amended by section 30, chapter 81, Laws of 1971 and RCW 7.16.350 are each amended to read as follows:

From a final judgment in the superior court, in any such proceeding, ~~((an appeal shall lie to))~~ appellate review by the supreme court or the court of appeals may be sought as in other actions.

Sec. 5. Section 680, page 171, Laws of 1869 as last amended by section 70, chapter 258, Laws of 1984 and RCW 7.20.140 are each amended to read as follows:

Either party to a judgment in a proceeding for a contempt, may ~~((appeal therefrom))~~ seek appellate review of the judgment in like manner and with like effect as from judgment in an action, but such ~~((appeal))~~ review shall not have the effect to stay the proceedings in any other action, suit or proceeding, or upon any judgment, decree or order therein, concerning which, or wherein such contempt was committed.

Sec. 6. Section 2, chapter 213, Laws of 1955 as amended by section 33, chapter 81, Laws of 1971 and RCW 8.04.070 are each amended to read as follows:

At the time and place appointed for hearing the petition, or to which the hearing may have been adjourned, if the court has satisfactory proof that all parties interested in the lands, real estate, premises or other property described in the petition have been duly served with the notice, and is further satisfied by competent proof that the contemplated use for which the lands, real estate, premises, or other property are sought to be appropriated is really necessary for the public use of the state, it shall make and enter an order, to be recorded in the minutes of the court, and which order shall be final unless appellate review thereof ~~((to the supreme court or the court of appeals of the state))~~ is ~~((taken))~~ sought within five days after entry thereof, adjudicating that the contemplated use for which the lands, real estate, premises or other property are sought to be appropriated is really a public use of the state.

Sec. 7. Section 7, chapter 74, Laws of 1891 as last amended by section 35, chapter 81, Laws of 1971 and RCW 8.04.130 are each amended to read as follows:

Upon the entry of judgment upon the verdict of the jury or the decision of the court awarding damages, the state may make payment of the damages and the costs of the proceedings by depositing them with the clerk of the court, to be paid out under the direction of the court or judge thereof; and upon making such payment into court of the damages assessed and allowed for any land, real estate, premises, or other property mentioned in the petition, and of the costs, the state shall be released and discharged from any and all further liability

therefor, unless upon appeal the owner or party interested recovers a greater amount of damages; and in that case the state shall be liable only for the amount in excess of the sum paid into court and the costs of appeal.

In the event ~~((of an appeal to the supreme court or the court of appeals of the state))~~ appellate review is sought by any party to the proceedings, the moneys paid into the superior court by the state pursuant to this section shall remain in the custody of the court until the final determination of the proceedings by the supreme court or the court of appeals.

Sec. 8. Section 9, chapter 74, Laws of 1891 as amended by section 36, chapter 81, Laws of 1971 and RCW 8.04.150 are each amended to read as follows:

Either party may ~~((appeal from))~~ seek appellate review of the judgment for damages entered in the superior court ~~((to the supreme court or the court of appeals of the state;))~~ within thirty days after the entry of judgment as aforesaid, and such ~~((appeal))~~ review shall bring before the supreme court or the court of appeals the propriety and justness of the amount of damages in respect to the parties to the ~~((appeal))~~ review: PROVIDED HOWEVER, That upon such ~~((appeal))~~ review no bond shall be required: AND PROVIDED FURTHER, That if the owner of land, the real estate or premises accepts the sum awarded by the jury, the court or the judge thereof, he shall be deemed thereby to have waived conclusively ~~((an appeal to the supreme court or the court of appeals))~~ appellate review, and final judgment by default may be rendered in the superior court as in other cases: PROVIDED FURTHER, That no ~~((appeal))~~ review shall operate so as to prevent the said state of Washington from taking possession of such property pending ~~((such appeal))~~ review after the amount of said award shall have been paid into court.

Sec. 9. Section 8, chapter 79, Laws of 1949 as amended by section 38, chapter 81, Laws of 1971 and RCW 8.08.080 are each amended to read as follows:

Either party may ~~((appeal from))~~ seek appellate review of the judgment for compensation of the damages awarded in the superior court ~~((to the supreme court or the court of appeals))~~ within thirty days after the entry of judgment as aforesaid, and such ~~((appeal))~~ review shall bring before the supreme court or the court of appeals the propriety and justice of the amount of damage in respect to the parties to the ~~((appeal))~~ review: PROVIDED, That upon such ~~((appeal))~~ review no bonds shall be required: AND PROVIDED FURTHER, That if the owner of land, real estate, or premises accepts the sum awarded by the jury or the court, he shall be deemed thereby to have waived conclusively ~~((an appeal to the supreme court or the court of appeals))~~ appellate review, and final judgment by default may be rendered in the superior court as in other cases.

Sec. 10. Section 16, chapter 84, Laws of 1893 as last amended by section 39, chapter 81, Laws of 1971 and RCW 8.12.200 are each amended to read as follows:

Any final judgment or judgments rendered by said court upon any finding or findings of any jury or juries, or upon any finding or findings of the court in case a jury be waived, shall be lawful and sufficient condemnation of the land or property to be taken, or of the right to damage the same in the manner proposed, upon the payment of the amount of such findings and all costs which shall be taxed as in other civil cases, provided that in case any defendant recovers no damages, no costs shall be taxed. Such judgment or judgments shall be final and conclusive as to the damages caused by such improvement unless ~~((appealed from))~~ appellate review is sought, and ~~((no appeal from))~~ review of the same shall delay proceedings under said ordinance, if such city shall pay into court for the owners and parties interested, as directed by the court, the amount of the judgment and costs, and such city, after making such payment into court, shall be liable to such owner or owners or parties interested for the payment of any further compensation which may at any time be finally awarded to such parties ~~((so appealing in))~~ seeking review of said proceeding, and his or her costs, and shall pay the same on the rendition of judgment therefor, and abide any rule or order of the court in relation to the matter in controversy. In case of ~~((an appeal to))~~ review by the supreme court or the court of appeals of the state by any party to the proceedings the money so paid into the superior court by such city, as aforesaid, shall remain in the custody of said superior court until the final determination of the proceedings. If the owner of the land, real estate, premises, or other property accepts the sum awarded by the jury or the court, he shall be deemed thereby to have waived conclusively ~~((an appeal to the supreme court or the court of appeals))~~ appellate review and final judgment may be rendered in the superior court as in other cases.

Sec. 11. Section 49, chapter 153, Laws of 1907 as last amended by section 40, chapter 81, Laws of 1971 and RCW 8.12.530 are each amended to read as follows:

At any time within six months from the date of rendition of the last judgment awarding compensation for any such improvement in the superior court, or if ~~((any appeal be taken))~~ appellate review is sought, then within two months after the final determination of the ~~((appeal))~~ proceeding in the supreme court or the court of appeals, any such city may discontinue the proceedings by ordinance passed for that purpose before making payment or proceeding with the improvement by paying or depositing in court all taxable costs incurred by any parties to the proceedings up to the time of such discontinuance. If any such improvement be discontinued, no new proceedings shall be undertaken therefor until the expiration of one year from the date of such discontinuance.

Sec. 12. Section 13, page 375, Laws of 1909 as amended by section 41, chapter 81, Laws of 1971 and RCW 8.16.130 are each amended to read as follows:

Either party may ~~((appeal from))~~ seek appellate review of the judgment for compensation awarded for the property taken, entered in the superior court, to the supreme court or the court of appeals of the state within sixty days after the entry of the judgment, and such ~~((appeal))~~ review shall bring before the supreme court or the court of appeals the justness of the compensation awarded for the property taken, and any error occurring on the hearing of such matter, prejudicial to the party appealing; PROVIDED, HOWEVER, That if the owner or owners of the land taken accepts the sum awarded by the jury or court, he or they shall be deemed thereby to have waived ~~((their right of appeal to the supreme court or the court of appeals))~~ appellate review.

Sec. 13. Section 7, page 299, Laws of 1890 as amended by section 42, chapter 81, Laws of 1971 and RCW 8.20.100 are each amended to read as follows:

Upon the entry of judgment upon the verdict of the jury or the decision of the court or judge thereof, awarding damages as hereinbefore prescribed, the petitioner, or any officer of, or other person duly appointed by said corporation, may make payment of the damages assessed to the parties entitled to the same, and of the costs of the proceedings, by depositing the same with the clerk of said superior court, to be paid out under the direction of the court or judge thereof; and upon making such payment into the court of the damages assessed and allowed, and of the costs, to any land, real estate, premises or other property mentioned in said petition, such corporation shall be released and discharged from any and all further liability therefor, unless upon ~~((appeal))~~ appellate review the owner or other person or party interested shall recover a greater amount of damages; and in that case only for the amount in excess of the sum paid into said court, and the costs of ~~((appeal))~~ appellate review; PROVIDED, That in case of ~~((an appeal to))~~ review by the supreme court or the court of appeals of the state by any party to the proceedings, the money so paid into the superior court by such corporation as aforesaid, shall remain in the custody of said court until the final determination of the proceedings by the said supreme court or the court of appeals.

Sec. 14. Section 9, page 300, Laws of 1890 as amended by section 43, chapter 81, Laws of 1971 and RCW 8.20.120 are each amended to read as follows:

Either party may ~~((appeal from))~~ seek appellate review of the judgment for damages entered in the superior court ~~((to the supreme court or the court of appeals of the state,))~~ within thirty days after the entry of judgment as aforesaid and such ~~((appeal))~~ review shall bring before the supreme court or the court of appeals the propriety and justness of the amount of damages in respect to the parties to the ~~((appeal))~~ review; PROVIDED, HOWEVER, That no bond shall be required of any person interested in the property sought to be appropriated by such corporation, but in case the corporation appropriating such land, real estate, premises or other property is appellant, it shall give a bond like that prescribed in RCW 8.20.130, to be executed, filed and approved in the same manner; AND PROVIDED FURTHER, That if the owner of the land, real estate, premises or other property accepts the sum awarded by the jury, the court or the judge thereof, he shall be deemed thereby to have waived conclusively ~~((an appeal to the supreme court or the court of appeals))~~ appellate review, and final judgment by default may be rendered in the superior court as in other cases.

Sec. 15. Section 7, chapter 133, Laws of 1955 as last amended by section 36, chapter 136, Laws of 1981 and RCW 9.95.060 are each amended to read as follows:

When a convicted person ~~((appeals from))~~ seeks appellate review of his or her conviction and is at liberty on bond pending the determination of the ~~((appeal))~~ proceeding by the supreme court or the court of appeals, credit on his or her sentence will begin from the date such convicted person is returned to custody. The date of return to custody shall be certified to the department of corrections, the Washington state board of prison terms and paroles, and the prosecuting attorney of the county in which such convicted person was convicted and sentenced, by the sheriff of such county. If such convicted person does not ~~((appeal from his))~~ seek review of the conviction, but is at liberty for a period of time subsequent to the signing of the judgment and sentence, or becomes a fugitive, credit on his sentence will begin from the date such convicted person is returned to custody. The date of return to custody shall be certified as provided in this section. In all other cases, credit on a sentence will begin from the date the judgment and sentence is signed by the court.

Sec. 16. Section 23, chapter 117, Laws of 1973 1st ex. sess. as amended by section 18, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.230 are each amended to read as follows:

Either party may ~~((appeal to the court of appeals))~~ seek appellate review of the judgment of any hearing held pursuant to the provisions of this chapter.

Sec. 17. Section 15, chapter 138, Laws of 1981 and RCW 10.95.150 are each amended to read as follows:

In all cases in which a sentence of death has been imposed, the ~~((appeal))~~ appellate review, if any, and sentence review to or by the supreme court of Washington shall be decided and an opinion on the merits shall be filed within one year of receipt by the clerk of the supreme court of Washington of the verbatim report of proceedings and clerk's papers filed under RCW 10.95.110. If this time requirement is not met, the chief justice of the supreme court of

Washington shall state on the record the extraordinary and compelling circumstances causing the delay and the facts supporting such circumstances. A failure to comply with the time requirements of this subsection shall in no way preclude the ultimate execution of a sentence of death.

Sec. 18. Section 11.52.016, chapter 145, Laws of 1965 as amended by section 1, chapter 80, Laws of 1972 ex. sess. and RCW 11.52.016 are each amended to read as follows:

The order of judgment of the court making the award or awards provided for in RCW 11.52.010 through 11.52.024 shall be conclusive and final, ~~except on ((appeal))~~ appellate review and except for fraud. The awards in RCW 11.52.010 through 11.52.024 provided shall be in lieu of all homestead provisions of the law and of exemptions. The said property, when set aside as herein provided, shall be exempt from all claims for the payment of any debt of the deceased or of the surviving spouse existing at the time of death, whether such debt be individual or community. Under RCW 11.52.010 through 11.52.024, the court shall not award more property than could be awarded under the law in effect at the time of the granting of the award.

Sec. 19. Section 17, chapter 31, Laws of 1985 and RCW 11.96.160 are each amended to read as follows:

Any interested party may ~~((appeal to the supreme court or the court of appeals from))~~ seek appellate review of any final order, judgment, or decree of the court, and such ~~((appeals))~~ review shall be in the manner and way provided by law for appeals in civil actions.

Sec. 20. Section 124, chapter 30, Laws of 1985 and RCW 11.110.110 are each amended to read as follows:

When the attorney general requires the attendance of any person, as provided in RCW 11.110.100, he shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least fourteen days before the date fixed for attendance. Such order shall have the same force and effect as a subpoena, and, upon application of the attorney general, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the notice were a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in the record, and shall be subject to review by the supreme court or the court of appeals ~~((by certiorari or other appropriate proceeding))~~.

Sec. 21. Section 14, chapter 125, Laws of 1929 as amended by section 56, chapter 81, Laws of 1971 and RCW 17.04.230 are each amended to read as follows:

Any interested party may appeal from the decision and order of the board of directors of such district to the superior court of the county in which such district is located, by serving written notice of appeal on the chairman of the board of directors and by filing in the office of the clerk of the superior court a copy of said notice of appeal with proof of service attached, together with a good and sufficient cost bond in the sum of two hundred dollars, said cost bond to run to such district and in all respects to comply with the laws relating to cost bonds required of nonresident plaintiffs in the superior court. Said notice must be served and filed within ten days from the date of the decision and order of such board of directors, and said bond must be filed within five days after the filing of such notice of appeal. Whenever notice of appeal and the cost bond as herein provided shall have been filed with the clerk of the superior court, the clerk shall notify the board of directors of such district thereof, and such board shall forthwith certify to said court all notices and records in said matters, together with proof of service, and a true copy of the order and decision pertaining thereto made by such board. If no appeal be perfected within ten days from the decision and order of such board, the same shall be deemed confirmed and the board shall certify the amount of such charges to the county treasurer who shall enter the same on the tax rolls against the land. When an appeal is perfected the matter shall be heard in the superior court de novo and the court's decision shall be conclusive on all persons served under this chapter: PROVIDED, That ~~((an appeal may be taken to the supreme court or the court of appeals from))~~ appellate review of the order or decision of the superior court in the manner provided by existing laws, and upon the conclusion of such ((appeal)) review, the amount of charges and costs adjudged to be paid shall be certified by the clerk of the superior court to the county treasurer and said treasurer shall proceed to enter the same on his rolls against the lands affected.

Sec. 22. Section 12, chapter 140, Laws of 1921 as amended by section 57, chapter 81, Laws of 1971 and RCW 17.16.110 are each amended to read as follows:

Any person feeling himself aggrieved at the decision and order of the board of county commissioners approving the amount of such expenses and establishing the same as a tax against the land involved may appeal therefrom to the superior court of the county, by serving a written notice of appeal on the board and by filing a copy of same with proof of service attached, together with a good and sufficient cost bond to be approved by the county clerk in

the sum of two hundred dollars, said cost bond to run to the county and in all other respects to comply with the laws relating to cost bonds required of nonresident plaintiffs in the superior court. Said notice of appeal must be served and filed within ten days from the date of the decision and order of the board approving the amount of said expense and establishing the same as a tax against the land involved, and said appeal must be brought on for hearing upon a certified copy of the records in the matter without further pleadings, at the next term of court thereafter. ~~((An appeal from))~~ Appellate review of the judgment of the superior court in the matter may be ~~((taken to the supreme court or the court of appeals of the state))~~ sought as in other cases ~~((on appeal))~~. Upon the final conclusion of any ~~((appeal))~~ review so taken, the county clerk shall certify to the county treasurer the result of such ~~((appeal))~~ review.

Sec. 23. Section 10, chapter 211, Laws of 1955 as last amended by section 185, chapter 35, Laws of 1982 and RCW 19.77.100 are each amended to read as follows:

Any person who believes he will be damaged by a registration of a trademark by the secretary of state may request cancellation of such registration by filing with the secretary of state in duplicate a verified petition setting forth the facts in support of such request, accompanied by a fee of fifty dollars payable to the revolving fund of the secretary of state. To each copy of said petition for cancellation there shall be attached a copy of each of the trademarks or trade names, or the personal name, portrait, or signature, of the petitioner, or other exhibits of like character relied on in the petition. Thereafter the secretary of state shall mail to the registrant or his agent for service of record with the secretary of state a copy of said petition, addressed to the last known address of the registrant or such agent according to the files of the secretary of state, accompanied by a notice that said registrant may, within twenty days if the registrant is a resident of the state of Washington, or within sixty days if the registrant is a non-resident of the state of Washington, file in duplicate a verified answer to said petition. Thereafter the secretary of state shall forward a copy of said answer to said petitioner, accompanied by a notice that said petitioner may, within a specified time, not less than twenty days, file in duplicate a verified statement as to any further facts which are pertinent to issues raised by said answer, and the secretary of state shall in like manner forward a copy thereof to said registrant or such agent. The secretary of state shall then fix a hearing date not less than thirty days from the last day that the petitioner may file a statement of further facts. Written notice of such hearing shall be served on the parties by the secretary of state not less than fifteen days before the hearing in the same manner as the petition and answer were forwarded. Additional relevant testimony or other evidence may be introduced by the parties, and the secretary of state may subpoena such witnesses as he deems necessary. The parties shall have the right to be represented by counsel. On conclusion of the hearing the secretary of state shall grant or deny the petitioner's request for cancellation of the registration as the facts shall warrant and shall send a copy of his decision to the petitioner and to the registrant or such agent. If the secretary of state finds that the trademark should not have been registered, or is in violation of the common law rights of the petitioner, or if the secretary of state receives no answer from the registrant within the time limits specified hereinabove, he shall cancel said registration from the register, unless a petition for review of such decision is filed as provided hereinafter.

Either the petitioner or the registrant may, within sixty days after mailing of the copy of the decision by the secretary of state, file in the superior court of the state of Washington for Thurston county, and mail to the secretary of state and the other party or such agent at his last known address according to the files of the secretary of state, a petition for review of the decision of the secretary of state. The court shall review such decision on the basis of the record before the secretary of state for the purpose of determining the reasonableness and lawfulness of such decision and, subject to ~~((the right of appeal to))~~ appellate review by the supreme court or the court of appeals of the state, the decree of the superior court shall be binding upon the secretary of state with respect to the granting or denial of the petitioner's request for cancellation. In any such petition for review the secretary of state shall be a necessary party, and the petitioner for cancellation and the registrant shall be proper parties.

Sec. 24. Section 20, chapter 139, Laws of 1959 as amended by section 66, chapter 81, Laws of 1971 and RCW 20.01.200 are each amended to read as follows:

~~((An appeal shall lie to the supreme court or the court of appeals from))~~ Appellate review of the judgment of the superior court may be sought as provided in other civil cases.

Sec. 25. Section 28, chapter 115, Laws of 1921 as amended by section 68, chapter 81, Laws of 1971 and RCW 24.32.360 are each amended to read as follows:

Every order, decision or other official act of the director of agriculture shall be subject to review, and any party aggrieved by such order, decision or act of the director of agriculture may appeal therefrom to the superior court of the county of Thurston by serving upon the director of agriculture a notice of such appeal, specifying the order, decision of act appealed from, and filing the same with the clerk of the superior court of the county of Thurston within sixty days after the date of such order, decision or official act. Whereupon the director of agriculture shall, within ten days after filing of such notice of appeal, make and certify a transcript of all the records and papers on file in his office affecting or relating to the order, decision or act appealed from, and upon the payment of the fee therefor by the appellant, the director of agriculture shall file the same in the office of the clerk of said superior court. Upon the hearing

of such appeal the burden of proof shall be upon the appellant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the director of agriculture from which appeal is taken. Any party ~~((to such appeal to the superior court who is))~~ aggrieved by the judgment of ~~((said court rendered upon such appeal may prosecute an appeal to the supreme court or the court of appeals of the state of Washington. The general laws relating to bills of exception, statements of fact and appeals to the supreme court or the court of appeals, shall apply to all appeals taken to the supreme court or the court of appeals under this chapter))~~ the superior court may seek appellate review of the judgment as in other civil cases; PROVIDED, That no supersedeas of the judgment of the superior court shall be allowed, except at the discretion of said superior court. If supersedeas is allowed, it shall be upon such bond and with such conditions as the superior court may require by its order.

Sec. 26. Section 28A.58.500, chapter 223, Laws of 1969 ex. sess. as amended by section 71, chapter 81, Laws of 1971 and RCW 28A.58.500 are each amended to read as follows:

Either party to the proceedings in the superior court may ~~((appeal))~~ seek appellate review of the decision ((to the supreme court or the court of appeals of this state)) as any other civil action ~~((is appealed))~~.

Sec. 27. Section 16, chapter 36, Laws of 1969 ex. sess. as amended by section 72, chapter 81, Laws of 1971 and RCW 28B.16.160 are each amended to read as follows:

(1) The court shall review the hearing without a jury on the basis of the transcript and exhibits, except that in case of alleged irregularities in procedure before the board not shown by the transcript the court may order testimony to be given thereon. The court shall upon request by either party hear oral argument and receive written briefs.

(2) The court may affirm the order of the board, remand the matter for further proceedings before the board, or reverse or modify the order if it finds that the objection thereto is well taken on any of the grounds stated. ~~((Appeal shall be available to the supreme court or the court of appeals from))~~ Appellate review of the order of the superior court may be sought as in other civil cases.

Sec. 28. Section 29.79.170, chapter 9, Laws of 1965 and RCW 29.79.170 are each amended to read as follows:

The decision of the superior court refusing to grant a writ of mandate, may be reviewed by the supreme court ~~((on a writ of certiorari sued out))~~ within five days after the decision of the superior court. The review shall be considered an emergency matter of public concern, and shall be heard and determined with all convenient speed, and if the supreme court decides that the petitions are legal in form and apparently contain the requisite number of signatures of legal voters, and were filed within the time prescribed in the Constitution, it shall issue its mandate directing the secretary of state to file the petition in his office as of the date of submission.

Sec. 29. Section 29.79.210, chapter 9, Laws of 1965 and RCW 29.79.210 are each amended to read as follows:

Any citizen dissatisfied with the determination of the secretary of state that an initiative or referendum petition contains or does not contain the requisite number of signatures of legal voters may, within five days after such determination, apply to the superior court of Thurston county for a citation requiring the secretary of state to submit the petition to said court for examination, and for a writ of mandate compelling the certification of the measure and petition, or for an injunction to prevent the certification thereof to the legislature, as the case may be. Such application and all proceedings had thereunder shall take precedence over other cases and shall be speedily heard and determined.

The decision of the superior court granting or refusing to grant the writ of mandate or injunction may be reviewed by the supreme court ~~((on a writ of certiorari sued out))~~ within five days after the decision of the superior court, and if the supreme court decides that a writ of mandate or injunction, as the case may be, should issue, it shall issue the writ directed to the secretary of state; otherwise, it shall dismiss the proceedings. The clerk of the supreme court shall forthwith notify the secretary of state of the decision of the supreme court.

Sec. 30. Section 29.82.160, chapter 9, Laws of 1965 as amended by section 10, chapter 170, Laws of 1984 and RCW 29.82.160 are each amended to read as follows:

The superior court of the county in which the officer subject to recall resides has original jurisdiction to compel the performance of any act required of any public officer or to prevent the performance by any such officer of any act in relation to the recall not in compliance with law.

The supreme court has like original jurisdiction in relation to state officers and revisory jurisdiction over the decisions of the superior courts. Any proceeding to compel or prevent the performance of any such act shall be begun within ten days from the time the cause of complaint arises, and shall be considered an emergency matter of public concern and take precedence over other cases, and be speedily heard and determined. ~~((Any proceeding to))~~ Appellate review of a decision of any superior court shall be begun and perfected within fifteen days after its decision in a recall election case and shall be considered an emergency

matter of public concern by the supreme court, and heard and determined within thirty days after the decision of the superior court.

Sec. 31. Section 23, chapter 208, Laws of 1941 as amended by section 81, chapter 81, Laws of 1971 and RCW 31.08.260 are each amended to read as follows:

Whenever the supervisor shall deny an application for a license or shall revoke or suspend a license issued pursuant to this chapter, or shall issue any specific order or demand, then such applicant or licensee thereby affected may, within thirty days from the date of service of notice as provided for in this chapter, appeal to the superior court of the state of Washington for Thurston county. The appeal shall be perfected by serving a copy of the notice of appeal upon the supervisor and by filing it, together with proof of service, with the clerk of the superior court of Thurston county. Whereupon the supervisor shall, within fifteen days after filing of such notice of appeal, make and certify a transcript of the evidence and of all the records and papers on file in his office relating to the order appealed from, and the supervisor shall forthwith file the same in the office of the clerk of said superior court. The reasonable costs of preparing such transcript shall be assessed by the court as part of the costs. A trial shall be had in said superior court de novo. The applicant or licensee, as the case may be, shall be deemed the plaintiff and the state of Washington the defendant. Each party shall be entitled to subpoena witnesses and produce evidence to sustain or reverse the findings and order or demand of the supervisor. During the pendency of any appeal from the order of revocation or suspension of a license, the order of revocation theretofore entered by the supervisor shall be stayed and any other order or demand appealed from may be stayed in the discretion of the court. Either party may ~~((appeal from))~~ seek appellate review of the judgment of said superior court ~~((to the supreme court or the court of appeals of the state of Washington))~~ as in other civil actions.

Sec. 32. Section 115, chapter 235, Laws of 1945 as amended by section 84, chapter 81, Laws of 1971 and RCW 33.04.060 are each amended to read as follows:

An association may petition the superior court of the state of Washington for Thurston county for the review of any decision, ruling, requirement or other action or determination of the supervisor, by filing its complaint, duly verified, with the clerk of the court and serving a copy thereof upon the supervisor. Upon the filing of the complaint, the clerk of the court shall docket the same as a cause pending therein.

The supervisor may answer the complaint and the petitioner reply thereto, and the cause shall be heard before the court as in other civil actions. Both the petitioner and the supervisor may ~~((appeal from))~~ seek appellate review of the decision of the court to the supreme court or the court of appeals of the state of Washington.

Sec. 33. Section 8, chapter 235, Laws of 1945 as last amended by section 85, chapter 81, Laws of 1971 and RCW 33.08.070 are each amended to read as follows:

The supervisor, not later than six months after receipt of the proposed articles and bylaws shall endorse upon each copy thereof the word 'approved' or 'refused' and the date thereof. In case of refusal, he shall forthwith return one copy of the articles and bylaws to the incorporators, and the refusal shall be final unless the incorporators, or a majority of them, within thirty days after the refusal, appeal to the superior court of Thurston county. The appeal may be accomplished by the incorporators preparing a notice of appeal, serving a copy of it upon the supervisor, and filing the notice with the clerk of the court, whereupon the clerk, under the direction of the judge, shall give notice to the appellants and to the supervisor of a date for the hearing of the appeal. The appeal shall be tried de novo by the court. At the hearing a record shall be kept of the evidence adduced, and the decision of the court shall be final unless ~~((an appeal therefrom is taken to the supreme court or the court of appeals))~~ appellate review is sought as in other cases.

Sec. 34. Section 113, chapter 235, Laws of 1945 as last amended by section 72, chapter 3, Laws of 1982 and RCW 33.40.120 are each amended to read as follows:

The court, upon notice and hearing, may remove the liquidator for cause. ~~((From such))~~ Appellate review of the order of removal ~~((the liquidator may appeal to the supreme court or the court of appeals by giving notice of appeal and posting bond for costs as in other appeals))~~ may be sought as in other civil cases.

During the pendency of any appeal, the director of general administration shall act as liquidator of the association, without giving any additional bond for the performance of the duties as such liquidator.

If such order of removal shall be affirmed, the director of general administration shall name another liquidator for the association, which nominee, upon qualifying as required for receivers generally, shall succeed to the position of liquidator of the association.

Sec. 35. Section 14, chapter 234, Laws of 1959 as amended by section 87, chapter 81, Laws of 1971 and RCW 34.04.140 are each amended to read as follows:

An aggrieved party may secure ~~((a))~~ appellate review of any final judgment of the superior court under this chapter by ~~((appeal to))~~ the supreme court or the court of appeals. Such ~~((appeal))~~ review shall be ~~((taken))~~ secured in the manner provided by law for ~~((appeals from the))~~ review of superior court decisions in other civil cases.

Sec. 36. Section 35.44.260, chapter 7, Laws of 1965 as amended by section 91, chapter 81, Laws of 1971 and RCW 35.44.260 are each amended to read as follows:

~~((An appeal shall lie to the supreme court or the court of appeals from))~~ Appellate review of the judgment of the superior court may be obtained as in other cases if ~~((taken))~~ sought within fifteen days after the date of the entry of the judgment in the superior court. ~~((The record and the opening brief of the appellant must be filed in the supreme court or the court of appeals within sixty days after the filing of the notice of appeal. PROVIDED, That the time for filing the record and the serving and filing of briefs may be extended by order of the superior court or by stipulation of the parties concerned.))~~

Sec. 37. Section 35.44.270, chapter 7, Laws of 1965 as amended by section 92, chapter 81, Laws of 1971 and RCW 35.44.270 are each amended to read as follows:

A certified copy of the decision of the superior court pertaining to assessments for local improvements shall be filed with the officer having custody of the assessment roll and he shall modify and correct the assessment roll in accordance with the decision. In ~~((case of appeal to the supreme court or the court of appeals))~~ the event appellate review of the decision is sought, a certified copy of ~~((the))~~ the court's order shall be filed with the officer having custody of the assessment roll and ~~((he))~~ the officer shall thereupon modify and correct the assessment roll in accordance with the order.

Sec. 38. Section 35.55.080, chapter 7, Laws of 1965 as amended by section 94, chapter 81, Laws of 1971 and RCW 35.55.080 are each amended to read as follows:

Any person who has made objections to the assessment as equalized, shall have the right to appeal from the equalization as made by the city council to the superior court of the county. The appeal shall be made by filing a written notice of appeal with the city clerk within ten days after the equalization of the assessments by the council. The notice of appeal shall describe the property and the objections of such appellant to such assessment.

The appellant shall also file with the clerk of the superior court within ten days from the time of taking the appeal a copy of the notice of appeal together with a copy of the assessment roll and proceedings thereon, certified by the city clerk and a bond to the city conditioned to pay all costs that may be awarded against appellant in such sum not less than two hundred dollars and with such security as shall be approved by the clerk of the court.

The case shall be docketed by the clerk of the court in the name of the person taking the appeal as plaintiff and the city as defendant. The cause shall then be at issue and shall be tried immediately by the court as in the case of equitable causes; no further pleadings shall be necessary. The judgment of the court shall be either to confirm, modify or annul the assessment insofar as the same affects the property of the appellant. ~~((Appeal shall lie to the supreme court or the court of appeals))~~ Appellate review of the superior court's decision may be sought as in other causes.

Sec. 39. Section 35.56.090, chapter 7, Laws of 1965 as amended by section 95, chapter 81, Laws of 1971 and RCW 35.56.090 are each amended to read as follows:

Any person who has made objections to the assessment as equalized, shall have the right to appeal from the equalization as made by the city council or commission to the superior court of the county. The appeal shall be made by filing a written notice of appeal with the city clerk within ten days after the equalization of the assessments by the council or commission. The notice of appeal shall describe the property and the objections of such appellant to such assessment.

The appellant shall also file with the clerk of the superior court within ten days from the time of taking the appeal a copy of the notice of appeal together with a copy of the assessment roll and proceedings thereon, certified by the city clerk and a bond to the city conditioned to pay all costs that may be awarded against appellant in such sum not less than two hundred dollars, and with such security as shall be approved by the clerk of the court.

The case shall be docketed by the clerk of the court in the name of the person taking the appeal as plaintiff, and the city as defendant. The cause shall then be at issue and shall be tried immediately by the court as in the case of equitable causes; no further pleadings shall be necessary. The judgment of the court shall be either to confirm, modify or annul the assessment insofar as the same affects the property of the appellant. ~~((An appeal shall lie to the supreme court or the court of appeals))~~ Appellate review of the superior court's decision may be sought as in other causes.

Sec. 40. Section 16, chapter 189, Laws of 1967 as last amended by section 8, chapter 477, Laws of 1987 and RCW 36.93.160 are each amended to read as follows:

(1) When the jurisdiction of the boundary review board has been invoked, the board shall set the date, time and place for a public hearing on the proposal. The board shall give at least thirty days' advance written notice of the date, time and place of the hearing to the governing body of each governmental unit having jurisdiction within the boundaries of the territory proposed to be annexed, formed, incorporated, disincorporated, dissolved or consolidated, or within the boundaries of a special district whose assets and facilities are proposed to be assumed by a city or town, and to the governing body of each city within three miles of the exterior boundaries of such area and to the proponent of such change. Notice shall also be given by publication in any newspaper of general circulation in the area of the proposed

boundary change at least three times, the last publication of which shall be not less than five days prior to the date set for the public hearing. Notice shall also be posted in ten public places in the area affected for five days when the area is ten acres or more. When the area affected is less than ten acres, five notices shall be posted in five public places for five days. Notice as provided in this subsection shall include any territory which the board has determined to consider adding in accordance with RCW 36.93.150(2).

(2) A verbatim record shall be made of all testimony presented at the hearing and upon request and payment of the reasonable costs thereof, a copy of the transcript of such testimony shall be provided to any person or governmental unit.

(3) The chairman upon majority vote of the board or a panel may direct the chief clerk of the boundary review board to issue subpoenas to any public officer to testify, and to compel the production by him of any records, books, documents, public records or public papers.

(4) Within forty days after the conclusion of the final hearing on the proposal, the board shall file its written decision, setting forth the reasons therefor, with the board of county commissioners and the clerk of each governmental unit directly affected. The written decision shall indicate whether the proposed change is approved, rejected or modified and, if modified, the terms of such modification. The written decision need not include specific data on every factor required to be considered by the board, but shall indicate that all standards were given consideration. Dissenting members of the board shall have the right to have their written dissents included as part of the decision.

(5) Unanimous decisions of the hearing panel or a decision of a majority of the members of the board shall constitute the decision of the board and shall not be appealable to the whole board. Any other decision shall be appealable to the entire board within ten days. Appeals shall be on the record, which shall be furnished by the appellant, but the board may, in its sole discretion, permit the introduction of additional evidence and argument. Decisions shall be final and conclusive unless within ten days from the date of said action a governmental unit affected by the decision or any person owning real property or residing in the area affected by the decision files in the superior court a notice of appeal.

The filing of such notice of appeal within such time limit shall stay the effective date of the decision of the board until such time as the appeal shall have been adjudicated or withdrawn. On appeal the superior court shall not take any evidence other than that contained in the record of the hearing before the board.

(6) The superior court may affirm the decision of the board or remand the case for further proceedings; or it may reverse the decision if any substantial rights may have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- (a) In violation of constitutional provisions, or
- (b) In excess of the statutory authority or jurisdiction of the board, or
- (c) Made upon unlawful procedure, or
- (d) Affected by other error of law, or
- (e) Unsupported by material and substantial evidence in view of the entire record as submitted, or
- (f) Arbitrary or capricious.

An aggrieved party may ~~((secure a))~~ seek appellate review of any final judgment of the superior court ~~((by appeal to the supreme court or the court of appeals. Such appeal shall be taken))~~ in the manner provided by law ~~((for appeals from the superior court))~~ as in other civil cases.

Sec. 41, Section 29, chapter 72, Laws of 1967 as amended by section 98, chapter 81, Laws of 1971 and RCW 36.94.290 are each amended to read as follows:

The decision of the board of county commissioners upon any objections made within the time and in the manner herein prescribed, may be reviewed by the superior court upon an appeal thereto taken in the following manner. Such appeal shall be made by filing written notice of appeal with the clerk of the board of county commissioners and with the clerk of the superior court within ten days after the resolution confirming such assessment roll shall have become published, and such notice shall describe the property and set forth the objections of such appellant to such assessment. Within the ten days from the filing of such notice of appeal with the clerk of the superior court, the appellant shall file with the clerk of said court, a transcript consisting of the assessment roll and his objections thereto, together with the resolution confirming such assessment roll and the record of the board of county commissioners with reference to said assessment, which transcript, upon payment of the necessary fees therefor, shall be furnished by such clerk of the board of county commissioners and by him certified to contain full, true and correct copies of all matters and proceedings required to be included in such transcript. Such fees shall be the same as the fees payable to the county clerk for the preparation and certification of transcripts on appeal to the supreme court or the court of appeals in civil actions. At the time of the filing of the notice of appeal with the clerk of the superior court a sufficient bond in the penal sum of two hundred dollars, with sureties thereon as provided by law for appeals in civil cases, shall be filed conditioned to prosecute such appeal without delay, and if unsuccessful, to pay all costs to which the county is put by reason of such appeal.

The court may order the appellant upon application therefor, to execute and file such additional bond or bonds as the necessity of the case may require. Within three days after such transcript is filed in the superior court, as aforesaid, the appellant shall give written notice to the clerk of the board of county commissioners that such transcript is filed. Said notice shall state a time, not less than three days from the service thereof, when the appellant will call up the said cause for hearing. The superior court shall, at said time or at such further time as may be fixed by order of the court, hear and determine such appeal without a jury, and such cause shall have preference over all civil causes pending in said court, except proceedings under an act relating to eminent domain in such county and actions of forcible entry and detainer. The judgment of the court shall confirm, correct, modify or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the decision of the court shall be filed with the officer who shall have the custody of the assessment roll, and he shall modify and correct such assessment roll in accordance with such decision. ~~((An appeal shall lie to the supreme court or the court of appeals from))~~ Appellate review of the judgment of the superior court(;) may be sought as in other cases(;). However, ~~((such appeal))~~ review must be ((taken) sought within fifteen days after the date of the entry of the judgment of such superior court~~((and the record and opening brief of the appellant in said cause shall be filed in the supreme court or the court of appeals within sixty days after the appeal shall have been taken by notice as provided in this section. The time for filing such record and serving and filing of briefs in this section prescribed may be extended by order of the superior court, or by stipulation of the parties concerned))~~. The supreme court or the court of appeals on such appeal may correct, change, modify, confirm or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the order of the supreme court or the court of appeals upon such appeal shall be filed with the officer having custody of such assessment roll, who shall thereupon modify and correct such assessment roll in accordance with such decision.

Sec. 42. Section 15, chapter 311, Laws of 1981 and RCW 41.64.140 are each amended to read as follows:

(1) The court shall review the hearing without a jury on the basis of the transcript and exhibits, except that in case of alleged irregularities in procedure before the board not shown by the transcript the court may order testimony to be given thereon. The court shall upon request by either party hear oral argument and receive written briefs.

(2) The court may affirm the order of the board, remand the matter for further proceedings before the board, or reverse or modify the order if it finds that the objection thereto is well taken on any of the grounds stated. ~~((Appeal shall be available to the employee to the supreme court or the court of appeals from))~~ Appellate review of the order of the superior court may be sought as in other civil cases.

Sec. 43. Section 49, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.190 are each amended to read as follows:

Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after an informal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the superior court. In all appeals involving a decision or an order of the hearings board after an informal hearing, the petition shall be filed in the superior court for the county of the petitioner's residence or principal place of business, or in the absence of a residence or principal place of business, for Thurston county. Such appeal may be perfected by filing with the clerk of the superior court a notice of appeal, and by serving a copy thereof by mail, or personally on the director, the air pollution control boards or authorities, established pursuant to chapter 70.94 RCW or on the board as the case may be. The hearings board shall serve upon the appealing party, the director, the air pollution control board or authorities established pursuant to chapter 70.94 RCW, or the board, as the case may be, and on any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's decision and order. ~~((Every appeal from))~~ Appellate review of a decision of the superior court ((shall go directly to the supreme court, notwithstanding RCW 2-06-036)) may be sought as in other civil cases. No bond shall be required on appeals to the superior court or on ~~((appeals to))~~ review by the supreme court unless specifically required by the judge of the superior court.

Sec. 44. Section 43.52.430, chapter 8, Laws of 1965 as last amended by section 10, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.430 are each amended to read as follows:

Any party in interest deeming itself aggrieved by any order of the director of the department of ecology may appeal to the superior court of Thurston county by serving upon the director and filing with clerk of said court within thirty days after the entry of the order a notice of appeal. The director shall, within ten days after service of the notice of appeal, file with the clerk of the court a return containing a true copy of the order appealed from, together with a transcript of the record of the proceeding before the director, after which the appeal shall be at issue. The appeal shall be heard and decided by the court upon the record before the director and the court may either affirm, set aside, or remand the order appealed from for further proceedings. ~~((Appeal may be had to the supreme court or the court of appeals as in the~~

case of civil appeals:)) Appellate review of the superior court's decision may be sought as in other civil cases.

Sec. 45. Section 47.32.060, chapter 13, Laws of 1961 as amended by section 180, chapter 7, Laws of 1984 and RCW 47.32.060 are each amended to read as follows:

At the time and place appointed for hearing upon the complaint, which hearing shall be by summary proceedings, if the court or judge thereof finds that due notice has been given by posting and publication and that the order of the department was duly made, and is further satisfied and finds that the state highway or portion thereof described is legally a state highway having the width of right of way specified in the order and that the structure, buildings, improvements, or other means of occupancy of the state highway or portion thereof as stated in the certificate of the department do in fact encroach, or that any portion thereof encroach, upon the state highway right of way, the court or judge thereof shall thereupon make and enter an order establishing that each of the structures, buildings, improvements, and other means of occupancy specified in the order is unlawfully maintained within the right of way and is subject to confiscation and sale and that they be forthwith confiscated, removed from the right of way, and sold, and providing that six days after the entry of the order, a writ shall issue from the court directed to the sheriff of the county, commanding the sheriff to seize and remove from the right of way of the state highway each such structure, building, improvement, or other means of occupancy specified in the order forthwith on receipt of a writ based on the order and to take and hold the property in his custody for a period of ten days, unless redelivered earlier as provided for by law, and if not then so redelivered to sell the property at public or private sale and to pay the proceeds thereof into the registry of the court within sixty days after the issuance of the writ, and further in such action, including costs of posting original notices of the department, the costs of posting and publishing notices of hearing as part thereof and any cost of removal, be paid by the clerk to the state treasurer and credited to the motor vehicle fund. The order shall be filed with the clerk of the court and recorded in the minutes of the court, and is final unless appellate review thereof is ~~((taken to the supreme court of the state))~~ sought within five days after filing of the order.

Sec. 46. Section .31.19, chapter 79, Laws of 1947 as last amended by section 13, chapter 241, Laws of 1969 ex. sess. and RCW 48.31.190 are each amended to read as follows:

(1) Proceedings under this chapter involving a domestic insurer shall be commenced in the superior court for the county in which is located the insurer's home office. Proceedings under this chapter involving other insurers shall be commenced in the superior court for Thurston county.

(2) The commissioner shall commence any such proceeding, the attorney general representing him, by an application to the court or to any judge thereof, for an order directing the insurer to show cause why the commissioner should not have the relief prayed for.

(3) Upon a showing of an emergency or threat of imminent loss to policyholders of the insurer the court may issue an ex parte order authorizing the commissioner immediately to take over the premises and assets of the insurer, the commissioner then to preserve the status quo, pending a hearing on the order to show cause, which shall be heard as soon as the court calendar permits in preference to other civil cases.

(4) In response to any order to show cause issued under this chapter the insurer shall have the burden of going forward with and producing evidence to show why the relief prayed for by the commissioner is not required.

(5) On the return of such order to show cause, and after a full hearing, the court shall either deny the relief sought in the application or grant the relief sought in the application together with such other relief as the nature of the case and the interest of policyholders, creditors, stockholders, members, subscribers, or the public may require.

(6) No ~~((appeal taken from))~~ appellate review of a superior court order, entered after a hearing, granting the commissioner's petition to rehabilitate an insurer or to carry out an insolvency proceeding under this chapter, shall stay the action of the commissioner in the discharge of his responsibilities under this chapter, pending a decision by the appellate court in the matter.

(7) In any proceeding under this chapter the commissioner and his deputies shall be responsible on their official bonds for the faithful performance of their duties. If the court deems it desirable for the protection of the assets, it may at any time require an additional bond from the commissioner or his deputies.

Sec. 47. Section 21, chapter 37, Laws of 1957 as last amended by section 24, chapter 185, Laws of 1985 and RCW 49.60.260 are each amended to read as follows:

(1) The commission shall petition the court within the county wherein any unfair practice occurred or wherein any person charged with an unfair practice resides or transacts business for the enforcement of any final order which is not complied with and is issued by the commission or an administrative law judge under the provisions of this chapter and for appropriate temporary relief or a restraining order, and shall certify and file in court the final order sought to be enforced. Within five days after filing such petition in court, the commission shall cause a notice of the petition to be sent by registered mail to all parties or their representatives.

(2) From the time the petition is filed, the court shall have jurisdiction of the proceedings and of the questions determined thereon, and shall have the power to grant such temporary relief or restraining order as it deems just and suitable.

(3) If the petition shows that there is a final order issued by the commission or administrative law judge under RCW 49.60.240 or 49.60.250 and that the order has not been complied with in whole or in part, the court shall issue an order directing the person who is alleged to have not complied with the administrative order to appear in court at a time designated in the order, not less than ten days from the date thereof, and show cause why the administrative order should not be enforced according to the terms. The commission shall immediately serve the person with a copy of the court order and the petition.

(4) The administrative order shall be enforced by the court if the person does not appear, or if the person appears and the court finds that:

(a) The order is regular on its face;

(b) The order has not been complied with; and

(c) The person's answer discloses no valid reason why the order should not be enforced, or that the reason given in the person's answer could have been raised by review under RCW 34.04.130, and the person has given no valid excuse for failing to use that remedy.

(5) The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to ((α)) appellate review by the supreme court or the court of appeals, on appeal, by either party, irrespective of the nature of the decree or judgment. ((Such appeal)) The review shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases ((of appeal to the supreme court or the court of appeals, and the record so certified shall contain all that was before the lower court)).

Sec. 48. Section 132, chapter 35, Laws of 1945 as amended by section 121, chapter 81, Laws of 1971 and RCW 50.32.160 are each amended to read as follows:

It shall be unlawful for any attorney engaged in any appeal to the courts on behalf of an individual involving the individual's application for initial determination, or claim for waiting period credit, or claim for benefits to charge or receive any fee therein in excess of a reasonable fee to be fixed by the superior court in respect to the services performed in connection with the appeal taken thereto and to be fixed by the supreme court or the court of appeals in the event of ((an appeal thereto)) appellate review, and if the decision of the commissioner shall be reversed or modified, such fee and the costs shall be payable out of the unemployment compensation administration fund. In the allowance of fees the court shall give consideration to the provisions of this title in respect to fees pertaining to proceedings involving an individual's application for initial determination, claim for waiting period credit, or claim for benefits. In other respects the practice in civil cases shall apply.

Sec. 49. Section 1, chapter 40, Laws of 1973 as last amended by section 6, chapter 109, Laws of 1982 and RCW 51.52.110 are each amended to read as follows:

Within thirty days after a decision of the board to deny the petition or petitions for review upon such appeal has been communicated to such worker, beneficiary, employer or other person, or within thirty days after the final decision and order of the board upon such appeal has been communicated to such worker, beneficiary, employer or other person, or within thirty days after the appeal is denied as herein provided, such worker, beneficiary, employer or other person aggrieved by the decision and order of the board may appeal to the superior court. If such worker, beneficiary, employer, or other person fails to file with the superior court its appeal as provided in this section within said thirty days, the decision of the board to deny the petition or petitions for review or the final decision and order of the board shall become final.

In cases involving injured workers, an appeal to the superior court shall be to the superior court of the county of residence of the worker or beneficiary, as shown by the department's records, or to the superior court of the county wherein the injury occurred or where neither the county of residence nor the county wherein the injury occurred are in the state of Washington then the appeal may be directed to the superior court for Thurston county. In all other cases the appeal shall be to the superior court of Thurston county. Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the director and on the board. If the case is one involving a self-insurer, a copy of the notice of appeal shall also be served by mail, or personally, on such self-insurer. The department shall, in all cases not involving a self-insurer, within twenty days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. If the case is one involving a self-insurer, such self-insurer shall, within twenty days after receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed to be at issue. In such cases the department may appear and take part in any proceedings. The board shall serve upon the appealing party, the director, the self-insurer if the case involves a self-insurer, and any other party appearing at the board's proceeding, and file with the clerk of the court before trial, a certified copy of the board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the board's decision and order, which shall become the

record in such case. No bond shall be required on appeals to the superior court or on ~~((appeals to))~~ review by the supreme court or the court of appeals, except that an appeal by the employer from a decision and order of the board under RCW 51.48.070, shall be ineffectual unless, within five days following the service of notice thereof, a bond, with surety satisfactory to the court, shall be filed, conditioned to perform the judgment of the court. Except in the case last named an appeal shall not be a stay: PROVIDED, HOWEVER, That whenever the board has made any decision and order reversing an order of the supervisor of industrial insurance on questions of law or mandatory administrative actions of the director, the department shall have the right of appeal to the superior court.

Sec. 50. Section 9, chapter 255, Laws of 1947 as amended by section 75, chapter 230, Laws of 1984 and RCW 52.22.101 are each amended to read as follows:

~~((An appeal from))~~ Appellate review of an order granting or refusing a new trial, or from the judgment, in the special proceedings must be taken by the party aggrieved within thirty days after the entry of the order or the judgment.

Sec. 51. Section 17, chapter 390, Laws of 1955 as last amended by section 123, chapter 81, Laws of 1971 and RCW 54.16.160 are each amended to read as follows:

Before approval of the roll, a notice shall be published once each week for two successive weeks in a newspaper of general circulation in the county, stating that the roll is on file and open to inspection in the office of the secretary, and fixing a time not less than fifteen nor more than thirty days from the date of the first publication of the notice, within which protests must be filed with the secretary against any assessments shown thereon, and fixing a time when a hearing shall be held by the commission on the protests. After the hearing the commission may alter any and all assessments shown on the roll and may, by resolution, approve it, but if an assessment is raised, a new notice, similar to the first, shall be given, and a hearing had thereon, after which final approval of the roll may be made. Any person aggrieved by the assessments shall perfect an appeal to the superior court of the county within ten days after the approval, in the manner provided for appeals from assessments levied by cities of the first class. In the event such an appeal shall be taken, the judgment of the court shall confirm the assessment insofar as it affects the property of the appellant unless the court shall find from the evidence that such assessment is founded upon a fundamentally wrong basis and/or the decision of the commission thereon was arbitrary or capricious; in which event the judgment of the court shall correct, change, modify, or annul the assessment insofar as it affects the property of the appellant. In the same manner as provided with reference to cities of the first class ~~((an appeal shall lie to the supreme court or the court of appeals from))~~ appellate review of the judgment of the superior court may be sought, as in other cases, ~~((if taken))~~ within fifteen days after the date of the entry of the judgment in the superior court. Engineering, office, and other expenses necessary or incident to the improvement shall be borne by the public utility district: PROVIDED, That when a municipal corporation included in the public utility district already owns or operates a utility of a character like that for which the assessments are levied hereunder, all such engineering and other expenses shall be borne by the local assessment district.

Sec. 52. Section 1, chapter 142, Laws of 1959 as amended by section 124, chapter 81, Laws of 1971 and RCW 54.16.165 are each amended to read as follows:

Whenever any land against which there has been levied any special assessment by any public utility district shall have been sold in part or subdivided, the board of commissioners of such public utility district shall have the power to order a segregation of the assessment.

Any person owning any part of the land involved in a special assessment and desiring to have such special assessment against the tracts of land segregated to apply to smaller parts thereof shall apply in writing to the board of commissioners of the public utility district which levied the assessment. If the commissioners determine that a segregation should be made they shall do so as nearly as possible on the same basis as the original assessment was levied and the total of the segregated parts of the assessment shall equal the assessment before segregation.

The commission shall then send notice thereof by mail to the several owners interested in the tract, as shown on the general tax rolls. If no protest is filed within twenty days from date of mailing said notice, the commission shall then by resolution approve said segregation. If a protest is filed, the commission shall have a hearing thereon, after mailing to the several owners at least ten days notice of the time and place thereof. After the hearing, the commission may by resolution approve said segregation, with or without change. Within ten days after the approval, any person aggrieved by the segregation may perfect an appeal to the superior court of the county wherein the property is situated and ~~((therefrom to the supreme court or the court of appeals))~~ thereafter seek appellate review, all as provided for appeals from assessments levied by cities of the first class. The resolution approving said segregation shall describe the original tract, the amount and date of the original assessment, and shall define the boundaries of the divided parts and the amount of the assessment chargeable to each part, and shall order the county treasurer to make segregation on the original assessment roll as directed in the resolution. A certified copy of the resolution shall be delivered to the county treasurer who shall proceed to make the segregation ordered. The board of commissioners may require as a condition to the order of segregation that the person seeking it pay the public utility district the

reasonable engineering and clerical costs incident to making the segregation. Unless otherwise provided in said resolution, the county treasurer shall apportion amounts paid on the original assessment in the same proportion as the segregated assessments bear to the original assessment. Upon segregation being made by the county treasurer, as aforesaid, the lien of the special assessment shall apply to the segregated parcels only to the extent of the segregated part of such assessment.

Sec. 53. Section 13, chapter 114, Laws of 1929 as last amended by section 18, chapter 17, Laws of 1982 1st ex. sess. and RCW 57.16.090 are each amended to read as follows:

The decision of the water district commission upon any objections made within the time and in the manner herein prescribed, may be reviewed by the superior court upon an appeal thereto taken in the following manner. Such appeal shall be made by filing written notice of appeal with the secretary of said water district commission and with the clerk of the superior court in the county in which the real property is situated within ten days after publication of a notice that the resolution confirming such assessment roll has been adopted, and such notice of appeal shall describe the property and set forth the objections of such appellant to such assessment; and within ten days from the filing of such notice of appeal with the clerk of the superior court, the appellant shall file with the clerk of the court, a transcript consisting of the assessment roll and the appellant's objections thereto, together with the resolution confirming such assessment roll and the record of the water district commission with reference to the assessment, which transcript, upon payment of the necessary fees therefor, shall be furnished by the secretary of the water district commission certified by the secretary to contain full, true and correct copies of all matters and proceedings required to be included in such transcript. Such fees shall be the same as the fees payable to the county clerk for the preparation and certification of transcripts on appeal to the supreme court or the court of appeals in civil actions. At the time of the filing of the notice of appeal with the clerk of the superior court a sufficient bond in the penal sum of two hundred dollars, with at least two sureties, to be approved by the judge of said court, conditioned to prosecute such appeal without delay, and if unsuccessful to pay all costs to which the water district is put by reason of such appeal. The court may order the appellant upon application therefor, to execute and file such additional bond or bonds as the necessity of the case may require. Within three days after such transcript is filed in the superior court, the appellant shall give written notice to the secretary of such water district, that such transcript is filed. The notice shall state a time, not less than three days from the service thereof, when the appellant will call up the cause for hearing; and the superior court shall, at said time or at such further time as may be fixed by order of the court, hear and determine such appeal without a jury; and such cause shall have preference over all civil causes pending in the court, except proceedings under an act relating to eminent domain and actions of forcible entry and detainer. The judgment of the court shall confirm, correct, modify or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the decision of the court shall be filed with the officer who shall have custody of the assessment roll, who shall modify and correct such assessment roll in accordance with such decision. ~~((An appeal shall lie to the supreme court or the court of appeals from))~~ Appellate review of the judgment of the superior court(;;) may be sought as in other civil cases(;-PROVIDED, HOWEVER, THAT SUCH APPEAL MUST BE TAKEN)). However, the review must be sought within fifteen days after the date of the entry of the judgment of such superior court~~(-and the record and opening brief of the appellant in the cause shall be filed in the supreme court or the court of appeals within sixty days after the appeal shall have been taken by notice as provided in this title. The time for filing such record and serving and filing of briefs in this section prescribed may be extended by order of the superior court, or by stipulation of the parties concerned. The supreme court or the court of appeals on such appeal may correct, change, modify, confirm or annul the assessment insofar as the same affects the property of the appellant)~~. A certified copy of the order of the supreme court or the court of appeals upon such appeal shall be filed with the officer having custody of such assessment roll, who shall thereupon modify and correct such assessment roll in accordance with such decision.

Sec. 54. Section 49, chapter 231, Laws of 1909 as amended by section 127, chapter 81, Laws of 1971 and RCW 58.28.490 are each amended to read as follows:

~~((Appeals and writs of review may be prosecuted to the supreme court or the court of appeals from a superior court from))~~ Appellate review of the judgment or orders of the superior court in all cases arising under this chapter or said acts of congress may be sought as in other civil cases ((and the general statutes as to the commencement of actions, bringing the same to trial, making an entry of judgment, the taking and perfecting appeals, and the making up of the records on appeal and relating to writs of review in the superior court, court of appeals, and supreme court, and all other procedure in the superior court, court of appeals, and supreme court shall be applicable to actions under this chapter and under said acts of congress)).

Sec. 55. Section 22, chapter 96, Laws of 1891 as amended by section 128, chapter 81, Laws of 1971 and RCW 59.12.200 are each amended to read as follows:

~~((if either))~~ A party ((feels)) aggrieved by the judgment ((the)) may ((appeal to the supreme court or the court of appeals;)) seek appellate review of the judgment as in other civil actions:

PROVIDED, That if the defendant appealing desires a stay of proceedings pending ~~((such appeal-he))~~ review, the defendant shall execute and file a bond, with two or more sufficient sureties to be approved by the judge, conditioned to abide the order of the court ((on-such appeal)), and to pay all rents and other damages justly accruing to the plaintiff during the pendency of the ((appeal)) proceeding.

Sec. 56. Section 27, chapter 250, Laws of 1907 as amended by section 132, chapter 81, Laws of 1971 and RCW 65.12.175 are each amended to read as follows:

If the court, after hearing, finds that the applicant has title, whether as stated in his application or otherwise, proper for registration, a decree of confirmation of title and registration shall be entered. Every decree of registration shall bind the land, and quiet the title thereto, except as herein otherwise provided, and shall be forever binding and conclusive upon all persons, whether mentioned by name in the application, or included in 'all other persons or parties unknown claiming any right, title, estate, lien or interest in, to, or upon the real estate described in the application herein', and such decree shall not be opened by reason of the absence, infancy or other disability of any person affected thereby, nor by any proceeding at law, or in equity, for reversing judgments or decrees, except as herein especially provided. ~~((An appeal may be taken to the supreme court or the court of appeals of the state of Washington, within the same time, upon like notice, terms and conditions as are now provided for the taking of appeals from the superior court to the supreme court or the court of appeals of the state of Washington))~~ Appellate review of the court's decision may be sought as in other civil actions.

Sec. 57. Section 72.33.240, chapter 28, Laws of 1959 as last amended by section 61, chapter 80, Laws of 1977 ex. sess. and RCW 72.33.240 are each amended to read as follows:

Any parent, guardian, limited guardian, or other court appointed personal representative feeling aggrieved by an adverse decision pertaining to admission, placement, or discharge of his ward may apply to the secretary in writing within thirty days of notification of the decision for a review and reconsideration of the decision. An administrative hearing shall be held within ten days from the date of receipt of the written request for review. In the event of an unfavorable ruling by the secretary, such parent, guardian, limited guardian, or other court appointed personal representative may institute proceedings in the superior court of the state of Washington in the county of residence of such parent or guardian, otherwise in Thurston county, and have such decision reviewed and its correctness, reasonableness, and lawfulness decided in an appeal heard as in initial proceeding on an original application. Said parent, guardian, limited guardian, or other court appointed personal representative ~~((shall have the right to appeal from))~~ may seek appellate review of the decision of the superior court ((to the supreme court or the court of appeals of the state of Washington.)) as in other civil cases.

Sec. 58. Section 74.08.080, chapter 26, Laws of 1959 as last amended by section 136, chapter 81, Laws of 1971 and RCW 74.08.080 are each amended to read as follows:

In the event an appellant feels himself aggrieved by the decision rendered in the hearing provided for in RCW 74.08.070, he shall have the right to petition the superior court for judicial review in accordance with the provisions of chapter 34.04 RCW, as now or hereafter amended. Either party may ~~((appeal from))~~ seek appellate review of the decision of the superior court ((to the supreme court or the court of appeals of the state)); PROVIDED, That no filing fee shall be collected of the appellant and no bond shall be required on any ~~((appeal))~~ review under this chapter. In the event that the superior court, the court of appeals, or the supreme court renders a decision in favor of the appellant, said appellant shall be entitled to reasonable attorney's fees and costs. If a decision of the court is made in favor of the appellant, assistance shall be paid from date of the denial of the application or forty-five days following the date of application, whichever is sooner; or in the case of a recipient, from the effective date of the initial departmental county office decision.

Sec. 59. Section 125, chapter 255, Laws of 1927 as amended by section 139, chapter 81, Laws of 1971 and RCW 79.01.500 are each amended to read as follows:

Any applicant to purchase, or lease, any public lands of the state, or any valuable materials thereon, and any person whose property rights or interests will be affected by such sale or lease, feeling himself aggrieved by any order or decision of the board of state land commissioners, or the commissioner of public lands, concerning the same, may appeal therefrom to the superior court of the county in which such lands or materials are situated, by serving upon all parties who have appeared in the proceedings in which the order or decision was made, or their attorneys, a written notice of appeal, and filing such notice, with proof, or admission, of service, with the board, or the commissioner, within thirty days from the date of the order or decision appealed from, and at the time of filing the notice, or within five days thereafter, filing a bond to the state, in the penal sum of two hundred dollars, with sufficient sureties, to be approved by the secretary of the board, or the commissioner, conditioned that the appellant shall pay all costs that may be awarded against him on appeal, or the dismissal thereof. Within thirty days after the filing of notice of appeal, the secretary of the board, or the commissioner, shall certify, under official seal, a transcript of all entries in the records of the board, or the commissioner, together with all processes, pleadings and other papers relating to and on file in the case, except evidence used in such proceedings, and file such transcript and papers, at the

expense of the applicant, with the clerk of the court to which the appeal is taken. The hearing and trial of said appeal in the superior court shall be de novo before the court, without a jury, upon the pleadings and papers so certified, but the court may order the pleadings to be amended, or new and further pleadings to be filed. Costs on appeal shall be awarded to the prevailing party as in actions commenced in the superior court, but no costs shall be awarded against the state, the board, or the commissioner. Should judgment be rendered against the appellant, the costs shall be taxed against him and his sureties on the appeal bond, except when the state is the only adverse party, and shall be included in the judgment, upon which execution may issue as in other cases. Any party feeling himself aggrieved by the judgment of the superior court may ~~((appeal therefrom to the supreme court or the court of appeals of the state, in the manner, and within the time, for appealing from judgments in actions at law))~~ seek appellate review as in other civil cases. Unless ~~((appeal be taken from))~~ appellate review of the judgment of the superior court is sought, the clerk of said court shall, on demand, certify, under his hand and the seal of the court, a true copy of the judgment, to the board, or the commissioner, which judgment shall thereupon have the same force and effect as if rendered by the board, or the commissioner. In all cases of appeals from orders or decisions of the commissioner of public lands involving the prior right to purchase tidelands of the first class, if the appeal be not prosecuted, heard and determined, within two years from the date of the appeal, the attorney general shall, after thirty days' notice to the appellant of his intention so to do, move the court for a dismissal of the appeal, but nothing herein shall be construed to prevent the dismissal of such appeal at any time in the manner provided by law.

Sec. 60. Section 80.04.190, chapter 14, Laws of 1961 as amended by section 4, chapter 107, Laws of 1971 ex. sess. and RCW 80.04.190 are each amended to read as follows:

The commission, any public service company or any complainant may, after the entry of judgment in the superior court in any action of review, ~~((prosecute an appeal to the supreme court or the court of appeals of the state of Washington))~~ seek appellate review as in other cases.

Sec. 61. Section 80.04.260, chapter 14, Laws of 1961 as amended by section 140, chapter 81, Laws of 1971 and RCW 80.04.260 are each amended to read as follows:

Whenever the commission shall be of opinion that any public service company is failing or omitting, or about to fail or omit, to do anything required of it by law, or by order, direction or requirement of the commission, or is doing anything, or about to do anything, or permitting anything, or about to permit anything to be done contrary to or in violation of law or of any order, direction or requirement of the commission authorized by this title, it shall direct the attorney general to commence an action or proceeding in the superior court of the state of Washington for Thurston county, or in the superior court of any county in which such company may do business, in the name of the state of Washington on the relation of the commission, for the purpose of having such violations or threatened violations stopped and prevented, either by mandamus or injunction. The attorney general shall thereupon begin such action or proceeding by petition to such superior court, alleging the violation complained of, and praying for the appropriate relief by way of mandamus or injunction. It shall thereupon be the duty of the court to specify a time, not exceeding twenty days after the service of the copy of the petition, within which the public service company complained of must answer the petition. In case of default in answer or after answer, the court shall immediately inquire into the facts and circumstances in such manner as the court shall direct, without other or formal pleadings, and without respect to any technical requirement. Such persons or corporations as the court may deem necessary or proper to be joined as parties, in order to make its judgment, order or writ effective, may be joined as parties. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that the writ of mandamus or injunction, or both, issue as prayed for in the petition, or in such other modified form as the court may determine will afford appropriate relief. ~~((An appeal may be taken to the supreme court or the court of appeals from such))~~ Appellate review of the final judgment may be sought in the same manner and with the same effect as ~~((appeals from))~~ review of judgments of the superior court in actions to review orders of the commission. All provisions of this chapter relating to the time of ~~((appeal))~~ review, the manner of perfecting the same, the filing of briefs, hearings and supersedeas, shall apply to appeals to the supreme court or the court of appeals under the provisions of this section.

Sec. 62. Section 14, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 64, Laws of 1981 and RCW 80.50.140 are each amended to read as follows:

(1) A final decision pursuant to RCW 80.50.100 on an application for certification shall be subject to judicial review pursuant to provisions of chapter 34.04 RCW and this section. Petitions for review of such a decision shall be filed in the Thurston county superior court. All petitions for review of a decision under RCW 80.50.100 shall be consolidated into a single proceeding before the Thurston county superior court. The Thurston county superior court shall certify the petition for review to the supreme court upon the following conditions:

(a) Review can be made on the administrative record;

(b) Fundamental and urgent interests affecting the public interest and development of energy facilities are involved which require a prompt determination;

(c) ~~((An appeal to))~~ Review by the supreme court would likely be ((made)) sought regardless of the determination of the Thurston county superior court; and

(d) The record is complete for review.

The Thurston county superior court shall assign a petition for review of a decision under RCW 80.50.100 for hearing at the earliest possible date and shall expedite such petition in every way possible. If the court finds that review cannot be limited to the administrative record as set forth in subparagraph (a) of this subsection because there are alleged irregularities in the procedure before the council not found in the record, but finds that the standards set forth in subparagraphs (b), (c), and (d) of this subsection are met, the court shall proceed to take testimony and determine such factual issues raised by the alleged irregularities and certify the petition and its determination of such factual issues to the supreme court. Upon certification, the supreme court shall assign the petition for hearing at the earliest possible date, and it shall expedite its review and decision in every way possible.

(2) Objections raised by any party in interest concerning procedural error by the council shall be filed with the council within sixty days of the commission of such error, or within thirty days of the first public hearing or meeting of the council at which the general subject matter to which the error is related is discussed, whichever comes later, or such objection shall be deemed waived for purposes of judicial review as provided in this section.

(3) The rules and regulations adopted by the council shall be subject to judicial review pursuant to the provisions of chapter 34.04 RCW.

Sec. 63. Section 81.04.190, chapter 14, Laws of 1961 as amended by section 5, chapter 107, Laws of 1971 ex. sess. and RCW 81.04.190 are each amended to read as follows:

The commission, any public service company or any complainant may, after the entry of judgment in the superior court in any action of review, ~~((prosecute an appeal to the supreme court or the court of appeals of the state of Washington))~~ seek appellate review as in other cases.

Sec. 64. Section 81.04.260, chapter 14, Laws of 1961 as amended by section 143, chapter 81, Laws of 1971 and RCW 81.04.260 are each amended to read as follows:

Whenever the commission shall be of opinion that any public service company is failing or omitting, or about to fail or omit, to do anything required of it by law, or by order, direction or requirement of the commission, or is doing anything, or about to do anything, or permitting anything, or about to permit anything to be done contrary to or in violation of law or of any order, direction or requirement of the commission authorized by this title, it shall direct the attorney general to commence an action or proceeding in the superior court of the state of Washington for Thurston county, or in the superior court of any county in which such company may do business, in the name of the state of Washington on the relation of the commission, for the purpose of having such violations or threatened violations stopped and prevented, either by mandamus or injunction. The attorney general shall thereupon begin such action or proceeding by petition to such superior court, alleging the violation complained of, and praying for appropriate relief by way of mandamus or injunction. It shall thereupon be the duty of the court to specify a time, not exceeding twenty days after the service of the copy of the petition, within which the public service company complained of must answer the petition. In case of default in answer or after answer, the court shall immediately inquire into the facts and circumstances in such manner as the court shall direct, without other or formal pleadings, and without respect to any technical requirement. Such persons or corporations as the court may deem necessary or proper to be joined as parties, in order to make its judgment, order or writ effective, may be joined as parties. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that the writ of mandamus or injunction, or both, issue as prayed for in the petition, or in such other modified form as the court may determine will afford appropriate relief. ~~((An appeal may be taken to the supreme court or the court of appeals from such))~~ Appellate review of the final judgment may be sought in the same manner and with the same effect as ~~((appeals from))~~ review of judgments of the superior court in actions to review orders of the commission. All provisions of this chapter relating to the time of ~~((appeal))~~ review, the manner of perfecting the same, the filing of briefs, hearings and supersedeas, shall apply to appeals to the supreme court or the court of appeals under the provisions of this section.

Sec. 65. Section 81.53.130, chapter 14, Laws of 1961 as amended by section 144, chapter 81, Laws of 1971 and RCW 81.53.130 are each amended to read as follows:

In the construction of new railroads across existing highways, the railroads shall do or cause to be done all the work of constructing the crossings and road changes that may be required, and shall acquire and furnish whatever property or easements may be necessary, and shall pay, as provided in RCW 81.53.100 through 81.53.120, the entire expense of such work including all compensation or damages for property or property rights taken, damaged or injuriously affected. In all other cases the construction work may be apportioned by the commission between the parties who may be required to contribute to the cost thereof as the parties may agree, or as the commission may consider advisable. All work within the limits of railroad rights of way shall in every case be done by the railroad company owning or operating the same. The cost of acquiring additional lands, rights or easements to provide for the

change of existing crossings shall, unless the parties otherwise agree, in the first instance be paid by the municipality or county within which the crossing is located; or in the case of a state road or parkway, shall be paid in the manner provided by law for paying the cost of acquiring lands, rights or easements for the construction of state roads or parkways. The expense accruing on account of property taken or damaged shall be divided and paid in the manner provided for dividing and paying other costs of construction. Upon the completion of the work and its approval by the commission, an accounting shall be had, and if it shall appear that any party has expended more than its proportion of the total cost, a settlement shall be forthwith made. If the parties shall be unable to agree upon a settlement, the commission shall arbitrate, adjust and settle the account after notice to the parties. In the event of failure and refusal of any party to pay its proportion of the expense, the sum with interest from the date of the settlement may be recovered in a civil action by the party entitled thereto. In cases where the commission has settled the account, the finding of the commission as to the amount due shall be conclusive in any civil action brought to recover the same if such finding has not been reviewed or appealed from as herein provided, and the time for review or appeal has expired. If any party shall seek review ((or appeal from)) of any finding or order of the commission apportioning the cost between the parties liable therefor, the superior court, the court of appeals, or the supreme court, as the case may be, shall cause judgment to be entered in such review proceedings for such sum or sums as may be found lawfully or justly due by one party to another.

Sec. 66. Section 81.53.170, chapter 14, Laws of 1961 as amended by section 145, chapter 81, Laws of 1971 and RCW 81.53.170 are each amended to read as follows:

Upon the petition of any party to a proceeding before the commission, any finding or findings, or order or orders of the commission, made under color of authority of this chapter, except as otherwise provided, may be reviewed in the superior court of the county wherein the crossing is situated, and the reasonableness and lawfulness of such finding or findings, order or orders inquired into and determined, as provided in this title for the review of the commission's orders generally. ~~((An appeal may be taken to the supreme court or the court of appeals from))~~ Appellate review of the judgment of the superior court may be sought in like manner as provided in said utilities and transportation commission law for ((appeals to)) review by the supreme court or the court of appeals.

Sec. 67. Section 82.32.180, chapter 15, Laws of 1961 as last amended by section 148, chapter 81, Laws of 1971 and RCW 82.32.180 are each amended to read as follows:

Any person, except one who has failed to keep and preserve books, records, and invoices as required in this chapter and chapter 82.24 RCW, having paid any tax as required and feeling aggrieved by the amount of the tax may appeal to the superior court of Thurston county, within the time limitation for a refund provided in chapter 82.32 RCW. In the appeal the taxpayer shall set forth the amount of the tax imposed upon him which he concedes to be the correct tax and the reason why the tax should be reduced or abated. The appeal shall be perfected by serving a copy of the notice of appeal upon the department within the time herein specified and by filing the original thereof with proof of service with the clerk of the superior court of Thurston county. Within ten days after filing notice of appeal, the taxpayer shall file with the clerk of the superior court a good and sufficient surety bond payable to the state in the sum of two hundred dollars, conditioned to diligently prosecute the appeal and pay the state all costs that may be awarded if the appeal of the taxpayer is not sustained.

The trial in the superior court on appeal shall be de novo and without the necessity of any pleadings other than the notice of appeal. The burden shall rest upon the taxpayer to prove that the tax as paid by him is incorrect, either in whole or in part, and to establish the correct amount of the tax. In such proceeding the taxpayer shall be deemed the plaintiff, and the state, the defendant; and both parties shall be entitled to subpoena the attendance of witnesses as in other civil actions and to produce evidence that is competent, relevant, and material to determine the correct amount of the tax that should be paid by the taxpayer. Either party ~~((shall be allowed to appeal to the supreme court or the court of appeals))~~ may seek appellate review in the same manner as other civil actions are appealed to those courts.

It shall not be necessary for the taxpayer to protest against the payment of any tax or to make any demand to have the same refunded or to petition the director for a hearing in order to appeal to the superior court, but no court action or proceeding of any kind shall be maintained by the taxpayer to recover any tax paid, or any part thereof, except as herein provided.

The provisions of this section shall not apply to any tax payment which has been the subject of an appeal to the board of tax appeals with respect to which appeal a formal hearing has been elected.

Sec. 68. Section 84.28.080, chapter 15, Laws of 1961 as last amended by section 152, chapter 81, Laws of 1971 and RCW 84.28.080 are each amended to read as follows:

Whenever the department or the department of revenue shall enter an order or decision with respect to classification or declassification of forest lands under this chapter, the owner of such lands, the department, the county assessor of the county in which such lands are located, or the taxpayers in a case arising under RCW 84.28.060, may, within thirty days following the

entry of such order or decision, appeal to the superior court of the county within which such lands are situated for a review of the order or decision of the department or of the department of revenue. The appeal shall be perfected in the same manner as is provided by law for appeals from decisions of the department of revenue. Upon such appeal, the superior court shall sit without a jury, shall receive evidence de novo and shall determine the correct classification of the lands involved in accordance with the requirements of this chapter. The decision of the superior court shall be subject to ~~((appeal and)) appellate review ((in the supreme court or the court of appeals))~~ in the same manner ~~((and by the same procedure))~~ as appeals are taken and perfected in civil actions at law. Upon ~~((appeal from))~~ review of any order or decisions of the department or the department of revenue and pending the dismissal or final determination of such ~~((appeal))~~ review, the lands involved shall be assessed and taxed in the same manner as they were assessed and taxed prior to the effective date of such order or decision.

Sec. 69. Section 84.28.110, chapter 15, Laws of 1961 as last amended by section 153, chapter 81, Laws of 1971 and RCW 84.28.110 are each amended to read as follows:

Whenever the whole or any part of the forest crop shall be cut upon any lands classified and assessed as reforestation lands under the provisions of this chapter, the owner of such lands shall, on or before the fifteenth day of February of each year, report under oath to the assessor of the county in which such lands are located, the amount of such timber or other forest crop cut during the preceding twelve months, in units of measure in conformity with the usage for which the cutting was made, together with a description, by government legal subdivisions, of the lands upon which the same were cut. If no such report of cutting is made, or if the assessor shall believe the report to be inaccurate, incorrect or mistaken, the assessor may by such methods as shall be deemed advisable, determine the amount of timber or other forest product cut during such period. As soon as the report is filed, if the assessor is satisfied with the accuracy of the report, or if dissatisfied, as soon as the assessor shall have determined the amount of timber or forest crop cut as herein provided, the assessor shall determine the full current stumpage rates for the timber or forest crop cut and shall thereupon compute, and there shall become due and payable from the owner, a yield tax equal to twelve and one-half percent of the market value of the timber or forest crop so cut, based upon the full current stumpage rates so fixed by the assessor: PROVIDED, Whenever within the period of twelve years following the classification of any lands as reforestation lands, any forest material shall be cut on such lands, the owner thereof shall be required to pay a yield tax of one percent for each year that has expired from the date of such classification until such cutting: PROVIDED, FURTHER, That no yield tax need be paid on any forest material cut for domestic use of the owner of such lands, or on materials necessarily used in harvesting the forest crop.

Whenever the owner is dissatisfied with the determination of the amount cut as made by the assessor, or with the full current stumpage rates as fixed by the assessor, and shall pay the tax based thereon under protest, such owner may maintain an action in the superior court of the county in which the lands are located for recovery of the amount of the tax paid in excess of what the owner alleges the tax would be if based upon a cutting or stumpage rate which the owner alleges to be correct. In any such action the county involved and the county assessor of the county, shall be joined as parties defendant, but in case a recovery is allowed, judgment shall be entered against the county only, to be charged against the funds to which the collected tax was paid. In such action the court shall determine, in accordance with the issues, the true and correct amount of timber and forest crop which has been cut, and if an issue in the case, the true and correct full current stumpage rates, and shall enter judgment accordingly, either dismissing the action, or allowing recovery based upon its determination of the amount of timber or forest crop cut and if in issue, the full current stumpage rate. The judgment of the superior court shall be subject to ~~((appeal to the supreme court or the court of appeals))~~ appellate review in the same manner and by the same procedure as appeals are taken and perfected in civil actions at law.

Sec. 70. Section 84.64.120, chapter 15, Laws of 1961 as amended by section 154, chapter 81, Laws of 1971 and RCW 84.64.120 are each amended to read as follows:

~~((Appeals from))~~ Appellate review of the judgment of the superior court may be ~~((taken to the supreme court or the court of appeals at any time))~~ sought as in other civil cases. However, review must be sought within thirty days after the ~~((rendition of said))~~ entry of the judgment ~~((by giving notice thereof orally in open court at the time of the rendition of the judgment, or by giving written notice thereof at any time thereafter, and within thirty days from the date of the rendition of such judgment))~~ and the party taking such appeal shall execute, serve and file a bond payable to the state of Washington, with two or more sureties, to be approved by the court, in an amount to be fixed by the court, conditioned that the appellant shall prosecute his said appeal with effect, and will pay the amount of any taxes, interest and costs which may be finally adjudged against the real property involved in the appeal by any court having jurisdiction of the cause, which bond shall be so served and filed at the time of the service of said notice of appeal, and the respondent may, within five days after the service of such bond, object to the sureties thereon, or to the form and substance of such bond, in the court in which the action is pending, and if, upon hearing of such objections to said bond, it is determined by the court that the sureties thereon are insufficient for any reason, or that the bond is defective

for any other reason, the court shall direct a new bond to be executed with sureties thereon, to be justified as provided by law, but no appeal shall be allowed from any judgment for the sale of land or lot for taxes, and no bond given on appeal as herein provided shall operate as a supersedeas, unless the party taking such appeal shall before the time of giving notice of such appeal, and within thirty days herein allowed within which to appeal, deposit with the county treasurer of the county in which the land or lots are situated, an amount of money equal to the amount of the judgment and costs rendered in such cause by the trial court. If, in case of an appeal, the judgment of the lower court shall be affirmed, in whole or in part, the supreme court or the court of appeals shall enter judgment for the amount of taxes, interest and costs, with damages not to exceed twenty percent, and shall order that the amount deposited with the treasurer as aforesaid, or so much thereof as may be necessary, be credited upon the judgment so rendered, and execution shall issue for the balance of said judgment, damages and costs. The clerk of the supreme court or the clerk of the division of the court of appeals in which the appeal is pending shall transmit to the county treasurer of the county in which the land or lots are situated a certified copy of the order of affirmance, and it shall be the duty of such county treasurer upon receiving the same to apply so much of the amount deposited with him, as aforesaid, as shall be necessary to satisfy the amount of the judgment of the supreme court, and to account for the same as collected taxes. If the judgment of the superior court shall be reversed and the cause remanded for a rehearing, and if, upon a rehearing, judgment shall be rendered for the sale of the land or lots for taxes, or any part thereof, and such judgment be not appealed from, as herein provided, the clerk of such superior court shall certify to the county treasurer the amount of such judgment, and thereupon it shall be the duty of the county treasurer to certify to the county clerk the amount deposited with him, as aforesaid, and the county clerk shall credit such judgment with the amount of such deposit, or so much thereof as will satisfy the judgment, and the county treasurer shall be chargeable and accountable for the amount so credited as collected taxes. Nothing herein shall be construed as requiring an additional deposit in case of more than one appeal being prosecuted in said proceeding. If, upon a final hearing, judgment shall be refused for the sale of the land or lots for the taxes, penalties, interest and costs, or any part thereof, in said proceedings, the county treasurer shall pay over to the party who shall have made such deposit, or his legally authorized agent or representative, the amount of the deposit, or so much thereof as shall remain after the satisfaction of the judgment against the land or lots in respect to which such deposit shall have been made.

Sec. 71. Section 84.64.400, chapter 15, Laws of 1961 as amended by section 155, chapter 81, Laws of 1971 and RCW 84.64.400 are each amended to read as follows:

Any person aggrieved by the judgment rendered in such action (~~shall have the right to appeal from~~) may seek appellate review of the part of said judgment objectionable to him (~~to the supreme court or the court of appeals of the state substantially~~) in the manner and within the time prescribed for appeals in RCW 84.64.120.

Sec. 72. Section 10, chapter 153, Laws of 1915 as amended by section 156, chapter 81, Laws of 1971 and RCW 85.05.079 are each amended to read as follows:

Either the dike commissioners or any landowner who has appealed to the superior court in accordance with the provisions of this act (~~shall have a right to appeal to the supreme court or the court of appeals~~) may seek appellate review within the time and in the manner prescribed by existing law.

Sec. 73. Section 6, chapter 342, Laws of 1955 as amended by section 158, chapter 81, Laws of 1971 and RCW 85.05.470 are each amended to read as follows:

Any protestant who filed a protest prior to the final order of the board, may appeal from such final order, but to do so must within ten days from the date said order was entered, bring direct action in the superior court in the county wherein such district or portion thereof is situated, against such board of commissioners in their official capacity, which action shall be prosecuted under the procedure of civil actions, with (~~right of appeal to the supreme court or the court of appeals~~) appellate review as provided in civil actions. In any such action so brought, the order of the board shall be conclusive of the regularity and propriety of the proceedings, and all other matters, except it shall be open to attack upon the ground of fraud, unfair dealing, arbitrary or unreasonable action of the board.

Sec. 74. Section 9, chapter 67, Laws of 1903 and RCW 85.06.630 are each amended to read as follows:

From any final order entered by the said superior court as above provided for, any party to said proceeding feeling himself aggrieved thereby may (~~take an appeal to the supreme court of the state of Washington~~) seek appellate review, as provided by the general appeal law of this state.

Sec. 75. Section 3, chapter 170, Laws of 1935 as amended by section 160, chapter 81, Laws of 1971 and RCW 85.06.660 are each amended to read as follows:

Whenever the board of commissioners of any district desire to exercise any of the foregoing powers under this act, it shall pass a resolution declaring its intention to do so, which shall describe in general terms the proposed improvement to be undertaken. The resolution shall set a date upon which the board shall meet to determine whether such work shall be done.

Thereafter a copy of such declaratory resolution and a notice of hearing shall be posted by the secretary or member of the board, in three public places in such district at least ten days before the date of hearing. The notice shall state the time and place of hearing and that plans therefor are on file with the secretary of the board subject to inspection by any party interested.

Any property owner affected by such proposed improvement, or any property owner within such district, may appear at said hearing and object to said proposed improvement by filing a written protest against the proposed action of the board. The protest shall clearly state the basis thereof. At such hearing, which shall be public, the board shall give full consideration to the proposed project and all protests filed, and on said date or any adjourned date, take final action thereon. If protests be filed before said hearing by owners of more than forty percent of the property in said district, the board shall not have power to make the proposed improvement nor again initiate the same for one year. If the board determines to proceed with such project in its original or modified form, it shall thereupon adopt a resolution so declaring and adopt general plans therefor, which resolution may authorize the acquisition by condemnation, or otherwise, of the necessary rights and properties to complete the same. Any protestant who filed a written protest prior to said hearing may appeal from the order of the board, but to do so must, within ten days from the date of entering of such order, bring direct action in the superior court of the state of Washington in the county wherein such district is situated, against such board of directors in their official capacity, which action shall be prosecuted under the procedure for civil actions, with the right of (~~appeal to the supreme court or the court of appeals~~) appellate review, as provided in other civil actions. In any action so brought, the order of the board shall be conclusive of the regularity and propriety of the proceedings and all other matters except it shall be open to attack upon the ground of fraud, unfair dealing, arbitrary, or unreasonable action of the board.

Sec. 76. Section 5, chapter 187, Laws of 1921 as amended by section 161, chapter 81, Laws of 1971 and RCW 85.06.750 are each amended to read as follows:

Upon the return of the verdict of the jury as provided in the preceding section, if it shall appear to the court that the total benefits found by the jury to have accrued to the lands of the district is equal to or exceeds the actual cost of the improvement including the increased cost of completing the same, the court shall enter its judgment in accordance therewith, as supplemental to and in lieu of the original decree fixing the benefits to the respective tracts of land, and thereafter the assessment and levy for the original cost of the construction of the improvement, including the indebtedness incurred for completing the improvement together with interest at the legal rate on the warrants issued therefor, and all assessments and levies if any, for the future maintenance of the drainage system described in the judgment shall be based upon the respective benefits determined and assessed against the respective tracts of land as specified in the judgment. Every person or corporation feeling himself or itself aggrieved by any such judgment may (~~appeal therefrom to the supreme court or the court of appeals~~) seek appellate review within thirty days after the entry thereof, and such (~~appeal~~) review shall bring before the (~~supreme court or the court of appeals~~) appellate court the propriety and justness of the verdict of the jury in respect to the parties to the (~~appeal~~) proceeding.

Sec. 77. Section 1, chapter 157, Laws of 1921 as amended by section 162, chapter 81, Laws of 1971 and RCW 85.08.440 are each amended to read as follows:

The decision of the board of county commissioners upon any objections made within the time and in the manner prescribed in RCW 85.08.400 through 85.08.430, may be reviewed by the superior court upon an appeal thereto taken in the following manner. Such appeal shall be made by filing written notice of appeal with the clerk of such board and with the clerk of the superior court of the county in which such drainage or diking improvement district is situated, or in case of joint drainage or diking improvement districts with the clerk of the court of the county in which the greater length of such drainage or diking improvement system lies, within ten days after the order confirming such assessment roll shall have become effective, and such notice shall describe the property and set forth the objections of such appellant to such assessment; and, within ten days from the filing of such notice of appeal with the clerk of the superior court, the appellant shall file with the clerk of said court a transcript consisting of the assessment roll and his objections thereto, together with the order confirming such assessment roll, and the record of the board of county commissioners with reference to said assessment, which transcript, upon payment of the necessary fees therefor, shall be furnished by such clerk of the board of county commissioners, and by him certified to contain full, true and correct copies of all matters and proceedings required to be included in such transcript. Such fees shall be the same as the fees payable to the county clerk for the preparation and certification of transcripts on appeal to the supreme court or the court of appeals in civil actions. At the time of the filing of the notice of appeal with the clerk of the superior court, the appellant shall execute and file with the clerk of the superior court a sufficient bond in the penal sum of two hundred dollars, with good and sufficient surety, to be approved by the judge of said court, conditioned to prosecute such appeal without delay, and if unsuccessful, to pay all costs to which the county or the drainage or diking improvement district is put by reason of such appeal. The court may order the appellant upon application therefor, to execute and file such additional bond or bonds as the necessity of the case may require; within three days after such transcript is filed in

the superior court as aforesaid, the appellant shall give written notice to the prosecuting attorney of the county, and to the clerk of the board of county commissioners that such transcript is filed. Said notice shall state a time (not less than three days from the service thereof) when the appellant will call up the said cause for hearing; and the superior court of said county shall, at said time or at such further time as may be fixed by order of the court, hear and determine such appeal without a jury. The judgment of the court shall confirm, correct, modify or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the decision of the court shall be filed with the officer who shall have custody of the assessment roll, and he shall modify and correct such assessment roll in accordance with such decision. ~~((An appeal shall lie to the supreme court or the court of appeals from))~~ Appellate review of the judgment of the superior court may be sought as in other civil cases ~~(- PROVIDED, HOWEVER, That such appeal must be taken))~~. However, the review must be sought within fifteen days after the date of the entry of the judgment of such superior court ~~((and the record and opening brief of the appellant in said cause shall be filed in the supreme court or the court of appeals within sixty days after the appeal shall have been taken by notice as provided in this chapter. The time for filing such record and serving and filing of briefs in this section prescribed may be extended by order of the superior court, or by stipulation of the parties concerned. And the supreme court or the court of appeals, on such appeal, may correct, change, modify, confirm or annul the assessment insofar as the same affects the property of the appellant))~~. A certified copy of the order of the supreme court or the court of appeals upon such appeal shall be filed with the officer having custody of such assessment roll, who shall thereupon modify and correct such assessment roll in accordance with such decision.

Sec. 78. Section 14, chapter 184, Laws of 1967 as amended by section 163, chapter 81, Laws of 1971 and RCW 85.15.130 are each amended to read as follows:

~~((An appeal shall lie to the supreme court or the court of appeals from the superior court))~~ Appellate review may be sought as in other civil cases: PROVIDED, That ~~((such appeal must be taken))~~ review must be sought within fifteen days after the date of entry of the judgment of the superior court. The supreme court or the court of appeals may change, conform, correct, or modify the values of the property in question as shown upon the roll. A certified copy of any judgment of the supreme court or the court of appeals shall be filed with the county treasurer having custody of such roll, who shall thereupon change, modify, or correct such roll in accordance with such judgment as and if required.

Sec. 79. Section 14, chapter 26, Laws of 1949 as amended by section 164, chapter 81, Laws of 1971 and RCW 85.16.190 are each amended to read as follows:

The decision of the board upon any objections to the determination of benefits and/or apportionment of costs and/or the levy of the assessments therefor, made within the time and in the manner prescribed in RCW 85.16.130, may be reviewed by ~~((appeal to))~~ the superior court of the county in which the district is situated and thereafter ~~((to))~~ by the supreme court or the court of appeals within the time and in the manner and upon the conditions, so far as applicable, provided in RCW 85.08.440, with respect to appeals from and appellate review of the board's apportionment of the cost of construction of the district's system of improvements. The provisions of RCW 85.08.450, shall be controlling as to the regularity, validity, and conclusiveness of all the proceedings hereunder.

Sec. 80. Section 16, chapter 26, Laws of 1949 as amended by section 165, chapter 81, Laws of 1971 and RCW 85.16.210 are each amended to read as follows:

At such hearing, which may be adjourned from time to time as may be necessary to give all persons interested or affected a reasonable opportunity to be heard, and after consideration of all evidence offered and all factors, situations and conditions bearing upon or determinative of the benefits accruing and to accrue to such pieces or parcels of property, the board shall correct, revise, raise, lower, or otherwise change or confirm the benefits as theretofore determined, in respect of such pieces or parcels of property, as to it shall seem fair, just and equitable under the circumstances, and thereafter such proceedings shall be had with respect to the confirmation or determination of the benefits and making and filing of a roll thereof, as are in RCW 85.16.130, 85.16.150 and 85.16.160 provided. Any property owner affected by any change thus made in the determination of benefits accruing to his property who shall have appeared at the hearing by the board and made written objections thereto as provided in RCW 85.16.130, may appeal from the action of the board to the superior court and ~~((thence to))~~ seek appellate review by the supreme court or the court of appeals, within the time, in the manner and upon the conditions, so far as applicable, provided in RCW 85.08.440, with respect to appeals from the order of the board confirming the apportionment of the original cost of construction.

Sec. 81. Section 15, chapter 45, Laws of 1951 as amended by section 166, chapter 81, Laws of 1971 and RCW 85.18.140 are each amended to read as follows:

~~((An appeal shall lie to the supreme court or the court of appeals from the superior court))~~ Appellate review may be sought as in other civil cases: PROVIDED, HOWEVER, That ~~((such appeal must be taken))~~ review must be sought within fifteen days after the date of entry of the judgment of the superior court. The supreme court or the court of appeals, on such appeal, may change, confirm, correct or modify the values of the property in question as shown upon

the roll. A certified copy of any judgment of the supreme court or the court of appeals shall be filed with the county auditor having custody of such roll, who shall thereupon change, modify, or correct such roll in accordance with such decision if required.

Sec. 82. Section 6, chapter 225, Laws of 1909 as amended by section 167, chapter 81, Laws of 1971 and RCW 85.24.130 are each amended to read as follows:

Any person interested in any real estate affected by said assessment may, within the time fixed, appear and file objections. As to all parcels, lots or blocks as to which no objections are filed, within the time as aforesaid, the assessment thereon shall be confirmed and shall be final. On the hearing, each person may offer proof, and proof may also be offered on behalf of the assessment, and the board shall affirm, modify, change and determine the assessment, in such sum as to the board appears just and right. The commissioners may increase the assessment during such hearing upon any particular tract by mailing notice to the owner at his last known address, to be and appear within a time not less than ten days after the date of the notice, to show cause why his assessment should not be increased. When the assessment is finally equalized and fixed by the board, the secretary thereof shall certify the same to the county treasurer of each county in which the lands are situated, for collection; or if appeal has been taken from any part thereof, then so much thereof as has not been appealed from shall be certified. In case any owner of property appeals to the superior court in relation to the assessment or other matter when the amount of the assessment is determined by the court finally, either upon determination of the superior court, or ~~((appeal to))~~ review by the supreme court or the court of appeals, then the assessment as finally fixed and determined by the court shall be certified by the clerk of the proper court to the county treasurer of the county in which the lands are situated and shall be spread upon and become a part of the assessment roll hereinbefore referred to.

Sec. 83. Section 7, chapter 225, Laws of 1909 as amended by section 168, chapter 81, Laws of 1971 and RCW 85.24.140 are each amended to read as follows:

Any person who feels aggrieved by the final assessment made against any lot, block or parcel of land owned by him, may appeal therefrom to the superior court of the county in which the land is situated. Such appeal shall be taken within the time and substantially in the manner prescribed by the laws of this state for appeals from justices' courts. All notice of appeal shall be filed with the said board, and shall be served upon the prosecuting attorney of the county in which the action is brought. The secretary of the board shall, at appellant's expense, certify to the superior court so much of the record as appellant may request, and the cause shall be tried in the superior court de novo.

Any person ~~((desiring to appeal from))~~ aggrieved by any final order or judgment made by the superior court concerning any assessment authorized by this chapter, may ((appeal therefrom to the supreme court or the court of appeals, in accordance with the laws of this state relative to appeals, except that all such appeals shall be taken within thirty days after the entry of such judgment)) seek appellate review of the order or judgment as in other civil cases.

Sec. 84. Section 21, chapter 131, Laws of 1961 as amended by section 169, chapter 81, Laws of 1971 and RCW 85.32.200 are each amended to read as follows:

~~((An appeal shall lie to the supreme court or the court of appeals from the superior court))~~ Appellate review may be sought as in other civil cases: PROVIDED, That such ~~((appeal must be taken))~~ review must be sought within fifteen days after the date of entry of the judgment of the superior court. The supreme court or the court of appeals on such ~~((appeal))~~ review may change, confirm, correct or modify the values of the property in question as shown upon the roll. A certified copy of any judgment of the supreme court or the court of appeals shall be filed with the county auditor having custody of such roll, who shall thereupon change, modify, or correct such roll in accordance with such decision, if required.

Sec. 85. Section 8, chapter 194, Laws of 1933 as amended by section 170, chapter 81, Laws of 1971 and RCW 87.03.410 are each amended to read as follows:

Any person aggrieved by the judgment rendered in such action ~~((shall have the right to appeal from))~~ may seek appellate review of the part of said judgment objectionable to him ~~((to the supreme court or the court of appeals of the state in the manner and within the time prescribed for appeals))~~ as in civil actions generally.

Sec. 86. Section 3, chapter 138, Laws of 1925 ex. sess. as amended by section 171, chapter 81, Laws of 1971 and RCW 87.03.760 are each amended to read as follows:

At the conclusion, or final adjournment, of the hearing provided for in RCW 87.03.755, the board of directors of the district shall have the power, by unanimous resolution to adopt the proposed plan, or such modification thereof as may be determined by the board, and reduce the boundaries of the district to such area as, in the judgment of the board, can be furnished with sufficient water for successful irrigation by the irrigation system of the district, and to exclude from the district all lands lying outside of such reduced boundaries, and provide for the repayment to the owners of any such excluded lands, respectively, of any sums paid for assessments levied by the district, and to cancel all unpaid assessments levied by the district against the lands excluded and release such lands from further liability therefor. Any person interested and feeling himself aggrieved by the adoption of such final resolution reducing the boundaries of the district and excluding lands therefrom, shall have a right of appeal from the

action of the board to the superior court of the county in which the district is situated, which appeal may be taken in the manner provided by law for appeals from justices' courts, and if upon the hearing of such appeal it shall be determined by the court that the irrigation system of the district will not furnish sufficient water for the successful irrigation of the lands included within the reduced boundaries of the district, or that any lands have been excluded from the district unnecessarily, arbitrarily, capriciously or fraudulently or without substantial reason for such exclusion, the court shall enter a decree canceling and setting aside the proceedings of the board of directors, otherwise the court shall enter a decree confirming the action of the board. Any party to the proceedings on appeal in the superior court, feeling himself aggrieved by the decree of the superior court confirming the action of the board of directors of the district reducing the boundaries of the district and excluding lands therefrom, ~~((shall have the right of appeal therefrom to the supreme court or the court of appeals of the state of Washington))~~ may seek appellate review within thirty days after the entry of the decree of the superior court in the manner provided by law. If, at the expiration of thirty days from the entry of the final resolution of the board of directors of the district reducing the boundaries of the district and excluding lands therefrom, no appeal has been taken to the superior court of the county in which the district is situated, or if, after hearing upon appeal the superior court shall confirm the action of the district, and at the expiration of thirty days from the entry of such decree, no ~~((appeal has been taken to the supreme court or the court of appeals))~~ appellate review is sought, the boundaries of the district shall thereafter be in accordance with the resolution of the board reducing the boundaries, and all lands excluded from the district by such resolution shall be relieved from all further liability for any indebtedness of the district or any unpaid assessments theretofore levied against such lands, and the owners of excluded lands, upon which assessments have been paid, shall be entitled to warrants of the district for all sums paid by reason of such assessments, payable from a special fund created for that purpose, for which levies shall be made upon the lands remaining in the district, as the board of directors may provide.

Sec. 87. Section 4, chapter 138, Laws of 1925 ex. sess. as amended by section 172, chapter 81, Laws of 1971 and RCW 87.03.765 are each amended to read as follows:

Whenever it shall appear, to the satisfaction of the director of ecology, that the irrigation system of any irrigation district, to which the department of ecology of the state of Washington under a contract with the district for the purchase of its bonds, has advanced funds for the purpose of constructing an irrigation system for the district, has been found incapable of furnishing sufficient water for the successful irrigation of all of the lands of such district, and that the board of directors of such district has reduced the boundaries thereof and excluded from the district, as provided in RCW 87.03.750 through 87.03.760, sufficient lands to render such irrigation system adequate for the successful irrigation of the lands of the district, and that more than thirty days have elapsed since the adoption of the resolution by the board of directors reducing the boundaries of the district and excluding lands therefrom, and no appeal has been taken from the action of the board, or that the action of the board has been confirmed by the superior court of the county in which the district is situated and no appeal has been taken to the supreme court or the court of appeals, or that upon ~~((appeal to))~~ review by the supreme court or the court of appeals the action of the board of directors of the district has been confirmed, the director of ecology shall be and he is hereby authorized to cancel and reduce the obligation of the district to the department of ecology, for the repayment of moneys advanced for the construction of an irrigation system for the district, to such amount as, in his judgment, the district will be able to pay from revenues derived from assessments upon the remaining lands of the district, and to accept, in payment of the balance of the obligation of the district, the authorized bonds of the district, in numerical order beginning with the lowest number, on the basis of the percentage of the face value thereof fixed in contracts between the district and the department of ecology, in an amount equal to said balance of the obligation of the district, in full and complete satisfaction of all claims of the department of ecology against the district.

Sec. 88. Section 11, chapter 120, Laws of 1929 as amended by section 173, chapter 81, Laws of 1971 and RCW 87.22.090 are each amended to read as follows:

~~((Appeal may be taken to the supreme court or the court of appeals from))~~ Appellate review of the judgment entered in said proceedings may be sought in the same manner as in other cases in equity. ((Notice of appeal need be served only on the persons who have appeared in said proceedings and on the president of the board of directors if the district is respondent, or on their respective attorneys of record in the proceedings.))

Sec. 89. Section 29, chapter 124, Laws of 1925 ex. sess. as amended by section 174, chapter 81, Laws of 1971 and RCW 87.56.225 are each amended to read as follows:

Any interested person feeling aggrieved at the judgment of the superior court dismissing the proceedings or determining the indebtedness of the district and the status and priority thereof and determining the plan of liquidation, may ~~((appeal from))~~ seek appellate review of such judgment ((to the supreme court or the court of appeals)) in the same manner as in other cases in equity, except that notice of appeal must be both served and filed within sixty days from the entry thereof.

Sec. 90. Section 7, chapter 236, Laws of 1907 as amended by section 175, chapter 81, Laws of 1971 and RCW 88.32.090 are each amended to read as follows:

Any person who feels aggrieved by the final assessment made against any lot, block or parcel of land owned by him may appeal therefrom to the superior court of such county. Such appeal shall be taken within the time, and substantially in the manner prescribed by the laws of this state for appeals from justice's courts. All notices of appeal shall be filed with the board of county commissioners, and served upon the prosecuting attorney of the county. The clerk of the board of county commissioners shall at appellant's expense certify to the superior court so much of the record, as appellant may request, and the cause shall be tried in the superior court de novo.

Any person ~~((desiring to appeal from))~~ aggrieved by any final order or judgment, made by the superior court concerning any assessment authorized by RCW 88.32.010 through 88.32.220, may ~~((appeal therefrom to the supreme court or the court of appeals))~~ seek appellate review of the order or judgment in accordance with the laws of this state relative to such ~~((appeals))~~ review, except that ~~((all such appeals shall be taken))~~ review shall be sought within thirty days after the entry of such judgment.

Sec. 91. Section 23, chapter 117, Laws of 1917 as last amended by section 79, chapter 109, Laws of 1987 and RCW 90.03.200 are each amended to read as follows:

Upon the filing of the evidence and the report of the department, any interested party may, on or before five days prior to the date of said hearing, file exceptions to such report in writing and such exception shall set forth the grounds therefor and a copy thereof shall be served personally or by registered mail upon all parties who have appeared in the proceeding. If no exceptions be filed, the court shall enter a decree determining the rights of the parties according to the evidence and the report of the department, whether such parties have appeared therein or not. If exceptions are filed the action shall proceed as in case of reference of a suit in equity and the court may in its discretion take further evidence or, if necessary, remand the case for such further evidence to be taken by the department's designee, and may require further report by him. Costs, not including taxable attorneys fees, may be allowed or not; if allowed, may be apportioned among the parties in the discretion of the court. ~~((Appeal may be taken to the supreme court or the court of appeals from such))~~ Appellate review of the decree shall be in the same manner as in other cases in equity, except that ~~((notice of appeal must be both served and filed))~~ review must be sought within sixty days from the entry thereof.

Sec. 92. Section 1, chapter 103, Laws of 1921 as amended by section 80, chapter 109, Laws of 1987 and RCW 90.03.210 are each amended to read as follows:

During the pendency of such adjudication proceedings prior to judgment or upon ~~((appeal to the supreme court of the state or other))~~ review by an appellate court, the stream or other water involved shall be regulated or partially regulated according to the schedule of rights specified in the department's report upon an order of the court authorizing such regulation: PROVIDED, Any interested party may file a bond and obtain an order staying the regulation of said stream as to him, in which case the court shall make such order regarding the regulation of the stream or other water as he may deem just. The bond shall be filed within five days following the service of notice of appeal in an amount to be fixed by the court and with sureties satisfactory to the court, conditioned to perform the judgment of the court.

Sec. 93. Section 8, chapter 107, Laws of 1939 as amended by section 177, chapter 81, Laws of 1971 and RCW 90.24.070 are each amended to read as follows:

Any person aggrieved by the order of judgment of the superior court may ~~((appeal to the supreme court or the court of appeals))~~ seek appellate review in the same manner as in other civil actions.

Sec. 94. Section 23, chapter 23, Laws of 1911 as amended by section 180, chapter 81, Laws of 1971 and RCW 91.08.250 are each amended to read as follows:

Any final judgment rendered by said court upon the findings of the court or a jury, shall be the lawful and sufficient condemnation of the land or property to be taken, or of the right to damage the same in the manner proposed, upon the payment of the amount of such findings and all costs which shall be taxed as in other civil cases: PROVIDED, That in case any defendant recovers no award, no costs shall be taxed. Such judgment shall be final and conclusive as to the damages caused by such improvement, unless ~~((appealed from))~~ appellate review is sought, and no ~~((appeal from the same))~~ review shall delay proceedings under the order of said board if it shall pay into court for the owners and parties interested, as directed by the court, the amount of the judgment and costs; but such board after making such payment into court shall be liable to such owner or owners, or parties interested, for the payment of any further compensation which may at any time be finally awarded to such parties ~~((so appealing))~~ seeking review in said proceeding, and his or her costs, and shall pay the same on the rendition of judgment therefor and abide any rule or order of the court in relation to the matter in controversy. In case of ~~((an appeal to))~~ review by the supreme court or the court of appeals of the state ~~((by any party to the proceedings))~~, the money so paid into the superior court by the board, as aforesaid, shall remain in the custody of said superior court until the final determination of the proceedings. If the owner of the land, real estate, premises, or other property, accepts the sum awarded by the jury or the court, he shall be deemed thereby to have

waived conclusively (~~(an appeal to the supreme court or the court of appeals)~~) appellate review and final judgment may be rendered in the superior court as in other cases.

Sec. 95. Section 58, chapter 23, Laws of 1911 as amended by section 181, chapter 81, Laws of 1971 and RCW 91.08.580 are each amended to read as follows:

~~((Every defendant feeling)) Any person aggrieved by any condemnation judgment for compensation or damages, or by any judgment confirming an assessment upon land for benefits under this chapter, may ((appeal to the supreme court or the court of appeals of the state from such)) seek appellate review of the judgment((s within thirty days after the entry thereof: An appeal from a condemnation judgment may bring before the supreme court or the court of appeals either the legality of the proceeding as a taking for a public use, or the justness of the amount of compensation or damages awarded to the appellant; but an appeal from a judgment confirming an assessment of benefits shall bring before the supreme court or the court of appeals only the justness of the assessment against the property of the appellant. Two or more defendants may join in an appeal. The bill of exceptions or statement of facts upon such appeals shall contain only such portions of the evidence in the case as relates to the property of the appellants. Otherwise than as provided in this section such appeals shall be taken as provided by law in appeals from final judgments in actions at law)) as in other civil cases.~~

NEW SECTION. Sec. 96. The following acts or parts of acts are each repealed:

- (1) Section 4, chapter 24, Laws of 1909 and RCW 2.04.160;
- (2) Section 5, chapter 24, Laws of 1909 and RCW 2.04.170;
- (3) Section 29, chapter 61, Laws of 1893, section 1, chapter 86, Laws of 1941, section 3, chapter 107, Laws of 1971 ex. sess., section 4, chapter 331, Laws of 1981 and RCW 4.88.260; and
- (4) Section 13, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.130.

NEW SECTION. Sec. 97. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, beginning on line 2 of the title, after "Procedure;" strike the remainder of the title and insert "amending RCW 2.24.050, 4.32.250, 4.92.030, 7.16.350, 7.20.140, 8.04.070, 8.04.130, 8.04.150, 8.08.080, 8.12.200, 8.12.530, 8.16.130, 8.20.100, 8.20.120, 9.95.060, 10.77.230, 10.95.150, 11.52.016, 11.96.160, 11.110.110, 17.04.230, 17.16.110, 19.77.100, 20.01.200, 24.32.360, 28A.58.500, 28B.16.160, 29.79.170, 29.79.210, 29.82.160, 31.08.260, 33.04.060, 33.08.070, 33.40.120, 34.04.140, 35.44.260, 35.44.270, 35.55.080, 35.56.090, 36.93.160, 36.94.290, 41.64.140, 43.21B.190, 43.52.430, 47.32.060, 48.31.190, 49.60.260, 50.32.160, 51.52.110, 52.22.101, 54.16.160, 54.16.165, 57.16.090, 58.28.490, 59.12.200, 65.12.175, 72.33.240, 74.08.080, 79.01.500, 80.04.190, 80.04.260, 80.50.140, 81.04.190, 81.04.260, 81.53.130, 81.53.170, 82.32.180, 84.28.080, 84.28.110, 84.64.120, 84.64.400, 85.05.079, 85.05.470, 85.06.630, 85.06.660, 85.06.750, 85.08.440, 85.15.130, 85.16.190, 85.16.210, 85.18.140, 85.24.130, 85.24.140, 85.32.200, 87.03.410, 87.03.760, 87.03.765, 87.22.090, 87.56.225, 88.32.090, 90.03.200, 90.03.210, 90.24.070, 91.08.250, and 91.08.580; and repealing RCW 2.04.160, 2.04.170, 4.88.260, and 10.77.130."

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Scott, Wang and Wineberry.

Absent: Representatives Brough and Schmidt.

Passed to Committee on Rules for second reading.

February 19, 1988

ESSB 5020 Prime Sponsor, Committee on Governmental Operations: Authorizing creation of five-member board of county commissioners. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Cooper, Vice Chair; Beck, Dorn, Ferguson, Nealey, Nutley, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Haugen, Chair; Jones and Nelson.

Absent: Representatives Bumgarner, Butterfield and Hine.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 5147 Prime Sponsor, Committee on Transportation: Repealing authority for public utility and transportation corridors. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox,

Gallagher, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Smith, D. Sommers, Sutherland, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Hankins, Todd, Vekich, J. Williams and K. Wilson.

Passed to Committee on Rules for second reading.

February 23, 1988

2SSB 5378 Prime Sponsor, Committee on Health Care & Corrections: Licensing laboratories conducting prenatal test. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Cantwell, Lewis, Sprenkle and Vekich.

Referred to Committee on Ways & Means.

February 22, 1988

SB 5451 Prime Sponsor, Senator Hansen: Changing requirements for operation of passenger charter carriers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cooper, Day, Doty, Fisher, Fox, Gallagher, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Smith, Sutherland, Vekich, S. Wilson and Zellinsky.

Absent: Representatives Allen, Cantwell, Day, Doty, Hankins, Haugen, D. Sommers, Sutherland, Todd, Vekich, J. Williams and K. Wilson.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 5516 Prime Sponsor, Committee on Transportation: Requiring motor vehicle liability insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. (1) No person may operate a motor vehicle subject to registration under chapter 46.16 RCW in this state unless the person is insured under a motor vehicle liability policy with liability limits of at least the amounts provided in RCW 46.29.090, is self-insured as provided in RCW 46.29.630, is covered by a certificate of deposit in conformance with RCW 46.29.550, or is covered by a liability bond of at least the amounts provided in RCW 46.29.090.

(2) A violation of this section constitutes a traffic infraction punishable by a fine of fifty dollars. Second and subsequent violations of this section are punishable by a fine of two hundred fifty dollars.

NEW SECTION, Sec. 2. (1) Whenever an insurance company issues or renews a motor vehicle liability insurance policy, the company shall provide the policyholder with an identification card that shall indicate at least the insurer's name, vehicle(s) insured under the policy, and the name(s) of the policyholder. At the policyholder's request, the insurer shall provide the policyholder a card for each vehicle covered under the policy and a card for each person named as a driver under the policy.

(2) Whenever a person complies with the provisions of section 1 of this act through self-insurance, certificate of deposit, or bond, the department of licensing shall require the self-insurer, deposit holder, or surety company to issue an identification card in accordance with rules adopted by the department.

NEW SECTION, Sec. 3. Whenever any person operates a motor vehicle subject to registration under chapter 46.16 RCW, the person shall have in his or her possession an identification card of the type specified in section 2 of this act and shall display the card upon demand to any law enforcement officer.

NEW SECTION, Sec. 4. Any person who provides false evidence of financial responsibility when requested by a law enforcement officer pursuant to section 3 of this act, including an expired or canceled insurance policy, bond, or certificate or deposit number, is guilty of a misdemeanor punishable by a fine not exceeding five hundred dollars or imprisonment in the county jail not exceeding thirty days, or by both that fine and imprisonment. The department shall additionally suspend the driver's license of any person convicted of a violation of this section for a period of one year commencing upon the date of the conviction, in accordance with RCW 46.20.315 and 46.20.320. Driver's licenses surrendered to the court pursuant to this

section shall be transmitted by the court, together with the required report of the conviction to the department within ten days of the conviction. Upon conclusion of the period of suspension, the department shall not return the driver's license until the licensee establishes proof of financial responsibility as provided in chapter 46.29 RCW.

NEW SECTION, Sec. 5. Sections 1 through 4 of this act do not apply to motor vehicles registered with the Washington utilities and transportation commission as common or contract carriers.

NEW SECTION, Sec. 6. RCW 46.29.490 shall not be deemed to govern a motor vehicle liability policy other than a policy required for proof of financial responsibility for the future.

Sec. 7. Section 2, chapter 11, Laws of 1979 as last amended by section 2, chapter 463, Laws of 1987 and RCW 46.52.030 are each amended to read as follows:

(1) The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to the property of any one person to an apparent extent equal to or greater than the minimum amount established by rule adopted by the chief of the Washington state patrol in accordance with subsection (5) of this section, shall, within twenty-four hours after such accident, make a written report of such accident to the chief of police of the city or town if such accident occurred within an incorporated city or town or the county sheriff or state patrol if such accident occurred outside incorporated cities and towns. Nothing in this subsection prohibits accident reports from being filed by drivers where damage to property is less than the minimum amount.

(2) The original of such report shall be immediately forwarded by the authority receiving such report to the chief of the Washington state patrol at Olympia, Washington, and the second copy of such report to be forwarded to the department of licensing at Olympia, Washington.

(3) Any law enforcement officer who investigates an accident for which a driver's report is required under subsection (1) of this section shall submit an investigator's report as required by RCW 46.52.070.

(4) The chief of the Washington state patrol may require any driver of any vehicle involved in an accident, of which report must be made as provided in this section, to file supplemental reports whenever the original report in his opinion is insufficient, and may likewise require witnesses of any such accident to render reports. For this purpose, the chief of the Washington state patrol shall prepare and, upon request, supply to any police department, coroner, sheriff, and any other suitable agency or individual, sample forms of accident reports required hereunder, which reports shall be upon a form devised by the chief of the Washington state patrol and shall call for sufficiently detailed information to disclose all material facts with reference to the accident to be reported thereon, including the location, the cause, the conditions then existing, ~~(and)~~ the persons and vehicles involved, the insurance information required under section 2 of this act, personal injury or death, if any, the amounts of property damage claimed, the total number of vehicles involved, whether the vehicles were legally parked, legally standing, or moving, and whether such vehicles were occupied at the time of the accident. Every required accident report shall be made on a form prescribed by the chief of the Washington state patrol and each authority charged with the duty of receiving such reports shall provide sufficient report forms in compliance with the form devised. The report forms shall be designated so as to provide that a copy may be retained by the reporting person.

(5) The chief of the Washington state patrol shall adopt rules establishing the accident-reporting threshold for property damage accidents. Beginning October 1, 1987, the accident-reporting threshold for property damage accidents shall be five hundred dollars. The accident-reporting threshold for property damage accidents shall be revised when necessary, but not more frequently than every two years. The revisions shall only be for the purpose of recognizing economic changes as reflected by an inflationary index recommended by the office of financial management. The revisions shall be guided by the change in the index for the time period since the last revision.

Sec. 8. Section 46.56.190, chapter 12, Laws of 1961 as amended by section 65, chapter 32, Laws of 1967 and RCW 46.61.020 are each amended to read as follows:

It ~~(shall be)~~ is unlawful for any person while operating or in charge of any vehicle to refuse when requested by a police officer to give his name and address and the name and address of the owner of such vehicle, or for such person to give a false name and address, and it ~~(shall)~~ is likewise ~~(be)~~ is unlawful for any such person to refuse or neglect to stop when signaled to stop by any police officer or to refuse upon demand of such police officer to produce his certificate of license registration of such vehicle, his insurance identification card, or his vehicle driver's license or to refuse to permit such officer to take any such license, card, or certificate for the purpose of examination thereof or to refuse to permit the examination of any equipment of such vehicle or the weighing of such vehicle or to refuse or neglect to produce the certificate of license registration of such vehicle, insurance card, or his vehicle driver's license when requested by any court. Any police officer shall on request produce evidence of his authorization as such.

Sec. 9. Section 4, chapter 136, Laws of 1979 ex. sess. and RCW 46.61.021 are each amended to read as follows:

(1) Any person requested or signaled to stop by a law enforcement officer for a traffic infraction has a duty to stop.

(2) Whenever any person is stopped for a traffic infraction, the officer may detain that person for a reasonable period of time necessary to identify the person, check the status of the person's license, insurance identification card, and the vehicle's registration, and complete and issue a notice of traffic infraction.

(3) Any person requested to identify himself to a law enforcement officer pursuant to an investigation of a traffic infraction has a duty to identify himself, give his current address, and sign an acknowledgement of receipt of the notice of infraction.

Sec. 10. Section 3, chapter 186, Laws of 1986 as amended by section 2, chapter 181, Laws of 1987, by section 55, chapter 244, Laws of 1987, by section 6, chapter 247, Laws of 1987 and by section 11, chapter 388, Laws of 1987 and RCW 46.63.020 are each reenacted and amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

(2) RCW 46.09.130 relating to operation of nonhighway vehicles;

(3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

(4) RCW 46.10.130 relating to the operation of snowmobiles;

(5) Chapter 46.12 RCW relating to certificates of ownership and registration;

(6) RCW 46.16.010 relating to initial registration of motor vehicles;

~~(7) RCW 46.16.011 relating to permitting unauthorized persons to drive;~~

~~(8) RCW 46.16.160 relating to vehicle trip permits;~~

~~((8)) RCW 46.16.611 relating to permitting unauthorized persons to drive;))~~

(9) RCW 46.16.381(8) relating to unauthorized acquisition of a special decal, license plate, or card for disabled persons' parking;

(10) RCW 46.20.021 relating to driving without a valid driver's license;

(11) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;

(12) RCW 46.20.342 relating to driving with a suspended or revoked license;

(13) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;

(14) RCW 46.20.416 relating to driving while in a suspended or revoked status;

(15) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;

(16) RCW 46.20.750 relating to assisting another person to start a vehicle equipped with an ignition interlock device;

(17) Chapter 46.29 RCW relating to financial responsibility;

~~(18) Section 4 of this act relating to providing false evidence of financial responsibility;~~

(19) RCW 46.44.180 relating to operation of mobile home pilot vehicles;

~~((19)) (20) RCW 46.48.175 relating to the transportation of dangerous articles;~~

~~((20)) (21) RCW 46.52.010 relating to duty on striking an unattended car or other property;~~

~~((21)) (22) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;~~

~~((22)) (23) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;~~

~~((23)) (24) RCW 46.52.100 relating to driving under the influence of liquor or drugs;~~

~~((24)) (25) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company, an employer, and an alcohol/drug assessment or treatment agency;~~

~~((25)) (26) RCW 46.55.020 relating to engaging in the activities of a registered tow truck operator without a registration certificate;~~

~~((26)) (27) RCW 46.61.015 relating to obedience to police officers, flagmen, or fire fighters;~~

~~((27)) (28) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;~~

~~((28)) (29) RCW 46.61.022 relating to failure to stop and give identification to an officer;~~

~~((29)) (30) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;~~

~~((30)) (31) RCW 46.61.504 relating to reckless driving;~~

~~((31)) (32) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;~~

~~((32)) (33) RCW 46.61.520 relating to vehicular homicide by motor vehicle;~~

~~((33)) (34) RCW 46.61.522 relating to vehicular assault;~~

~~((34)) (35) RCW 46.61.525 relating to negligent driving;~~

~~((35)) (36) RCW 46.61.530 relating to racing of vehicles on highways;~~

- ~~((36))~~ (37) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;
- ~~((37))~~ (38) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;
- ~~((38))~~ (39) RCW 46.64.020 relating to nonappearance after a written promise;
- ~~((39))~~ (40) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;
- ~~((40))~~ (41) Chapter 46.65 RCW relating to habitual traffic offenders;
- ~~((41))~~ (42) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;
- ~~((42))~~ (43) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;
- ~~((43))~~ (44) Chapter 46.80 RCW relating to motor vehicle wreckers;
- ~~((44))~~ (45) Chapter 46.82 RCW relating to driver's training schools;
- ~~((45))~~ (46) RCW 46.87.260 relating to alteration or forgery of a cab card, letter of authority, or other temporary authority issued under chapter 46.87 RCW;
- ~~((46))~~ (47) RCW 46.87.290 relating to operation of an unregistered or unlicensed vehicle under chapter 46.87 RCW.

NEW SECTION. Sec. 11. The director of licensing shall compile records on uninsured motorists and file a report with the legislature after accumulating data for twelve months after the effective date of this act.

NEW SECTION. Sec. 12. Sections 1 through 6 of this act shall constitute a new chapter in Title 46 RCW.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 14. This act shall take effect January 1, 1989. The director of the department of licensing may immediately take such steps as are necessary to ensure that this act is implemented on its effective date."

In line 1 of the title, after "motorists;" insert "amending RCW 46.52.030, 46.61.020, and 46.61.021;"

In line 2 of the title, after "46 RCW;" insert "creating a new section;"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Day, Dellwo, Dorn, Ferguson and P. King.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 23, 1988

ESSB 5669 Prime Sponsor, Committee on Health Care & Corrections: Providing for certification of dietitians and nutritionists. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, Sprengle and Vekich.

Absent: Representatives Cantwell and D. Sommers.

Referred to Committee on Ways & Means.

February 23, 1988

2SSB 5720 Prime Sponsor, Committee on Education: Revising the authority for cooperative agreements between or among school districts. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Todd, Valle and Walker.

Absent: Representatives Cooper and Taylor.

Referred to Committee on Ways & Means.

February 22, 1988

ESB 6093 Prime Sponsor, Senator Pullen: Providing for presentence reports on sexual offenders. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, P. King, Lewis, Meyers, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Voting nay: Representative Hargrove

Absent: Representatives Locke and Moyer.

Referred to Committee on Ways & Means.

February 22, 1988

SSB 6103

Prime Sponsor, Committee on Law & Justice: Revising provisions on the duties of ski operators and users of commercial ski areas. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the sport of skiing is practiced by a large number of Washington residents and attracts a large number of nonresidents to the state, thereby significantly contributing to the economy of Washington. It further finds that there are inherent risks in the sport of skiing, which should be understood by each skier. It is the intent of the legislature to clarify the law in relation to skiing injuries and the risks inherent in the sport of skiing and to establish that certain risks are inherent in that sport.

NEW SECTION. Sec. 2. A new section is added to chapter 70.117 RCW to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Trails' or 'runs' means those trails or runs that have been marked, signed, or designated by the ski area operator as ski trails or ski runs within the area.

(2) 'Inherent risks of skiing' means those dangers or conditions that are an integral part of the sport of skiing, including: Changing weather conditions; variations or steepness in terrain; snow or ice conditions; surface or subsurface conditions, such as bare spots, forest growth, rocks, and stumps; collisions with lift towers, utility poles, or other structures which are clearly marked or visible with the use of reasonable attention or care; collisions with snowmaking or snowgrooming equipment which is clearly marked in accordance with RCW 70.117.010(9) or visible with the use of reasonable attention or care; collisions with other skiers; and a skier's failure to ski within his or her ability. 'Inherent risks of skiing' do not include: Dangerous latent conditions created by the operator or of which the operator knew or reasonably should have known, and which are not clearly marked or visible with the use of reasonable attention or care; the notice and sign requirements of RCW 70.117.010; or the operation, loading, or maintenance of ski lifts, lift equipment, or similar devices.

Sec. 3. Section 1, chapter 139, Laws of 1977 ex. sess. and RCW 70.117.010 are each amended to read as follows:

(1) The operator of any ski area shall maintain a sign system based on international or national standards.

All signs for instruction of the public shall be bold in design with wording short, simple, and to the point. All such signs shall be prominently placed.

Entrances to all machinery, operators', and attendants' rooms shall be posted to the effect that unauthorized persons are not permitted therein.

The sign '(Men) Working on Lift' or a similar warning sign shall be hung on the main disconnect switch and at control points for starting the auxiliary or prime mover when ((men-are)) a person is working on the passenger tramway.

(2) The interior of each reversible aerial tramway and gondola lift shall be prominently posted to show:

(a) The maximum capacity of each reversible aerial tramway and gondola lift in pounds and number of passengers (which shall also be posted at each loading area); and

(b) Instructions for procedure in emergencies.

(3) The following signs shall be posted at all aerial lifts except gondola lifts:

(a) 'Prepare to Unload' (not less than fifty feet ahead of unloading area);

(b) 'Keep Ski Tips Up' (ahead of any point where skis may come in contact with a platform or the snow surface);

(c) 'Unload Here';

(d) 'Safety Gate' (if applicable);

(e) 'Remove Pole Straps from Wrists' (at loading area); and

(f) Sign visible at all points of downhill loading, listing downhill capacity of lift.

(4) The following signs shall be posted at all surface lifts:

(a) 'Prepare to Unload' (not less than fifty feet ahead of unloading area);

(b) 'Stay in Track';

(c) 'Unload Here';

(d) 'Safety Gate'; and

(e) 'Remove Pole Straps from Wrists' (at loading area).

(5) The following signs shall be posted at all tows:

(a) 'No Loose Scarves
No Loose Clothing
No Long Hair Exposed'
(at loading area);

(b) 'Stay in Track';

(c) 'Unload Here'; and

(d) 'Safety Gate'.

(6) All signs required for normal daytime operation shall be in place, and those pertaining to the tramway, lift, or tow operations shall be adequately lighted for night skiing.

(7) If a particular trail or ((~~stope~~)) run has been closed to the public by an operator, the operator shall place a notice thereof at the top of the trail or ((~~stope~~)) run involved, and no person shall ski on a ((~~stope~~)) run or trail which has been designated 'Closed'.

(8) An operator shall place a notice at the embarking terminal or terminals of a lift or tow which has been closed that the lift or tow has been closed and that a person embarking on such a lift or tow shall be considered to be a trespasser.

~~(9) ((An operator shall prominently place a notice containing the substance of RCW 70.117.030 in such places as are necessary to notify the public.~~

~~((+)) Any snow making machines or equipment shall be clearly visible and clearly marked. Snow grooming equipment or any other vehicles shall be equipped with a yellow flashing light at any time the vehicle is moving on or in the vicinity of a ski run; however, low profile vehicles, such as snowmobiles, may be identified in the alternative with a flag on a mast of not less than six feet in height.~~

~~((++)) (10) The operator of any ski area shall maintain a readily visible sign on each rope tow, wire rope tow, j-bar, t-bar, ski lift, or other similar device, advising the users of the device that:~~

~~(a) Any person not familiar with the operation of the lift shall ask the operator thereof for assistance and/or instruction; and~~

~~(b) The skiing-ability level recommended for users of the lift and the ((~~stopes~~)) runs served by the device shall be classified 'easiest', 'more difficult', and 'most difficult'.~~

Sec. 4. Section 2, chapter 139, Laws of 1977 ex. sess. and RCW 70.117.020 are each amended to read as follows:

(1) In addition to the specific requirements of this section, all skiers shall conduct themselves within the limits of their individual ability and shall not act in a manner that may contribute to the injury of themselves or any other person. A skier shall be the sole judge of his or her ability to negotiate any trail, run, or uphill track.

(2) No person shall:

(a) Embark or disembark upon a ski lift except at a designated area;

(b) Throw or expel any object from any tramway, ski lift, commercial skimobile, or other similar device while riding on the device;

(c) Act in any manner while riding on a rope tow, wire rope tow, j-bar, t-bar, ski lift, or similar device that may interfere with the proper or safe operation of the lift or tow;

(d) Willfully engage in any type of conduct which may injure any person, or place any object in the uphill ski track which may cause another to fall, while traveling uphill on a ski lift; or

(e) Cross the uphill track of a j-bar, t-bar, rope tow, wire rope tow, or other similar device except at designated locations.

(3) Every person shall maintain control of his or her speed and course at all times, and shall stay clear of any snowgrooming equipment, any vehicle, any lift tower, and any other equipment on the mountain. ~~((Snow grooming equipment or any other vehicles shall be equipped with a flashing yellow light at any time the vehicle is moving on or in the vicinity of a ski run.))~~ The primary duty shall be on the person skiing downhill to avoid any collision with any person or object below him or her.

~~(4) ((A person shall be the sole judge of his or her ability to negotiate any trail, slope, or uphill track and no action shall be maintained against any operator by reason of the condition of the track, trail, or slope unless the condition results from the negligence of the operator.~~

~~((5)) Any person who boards a rope tow, wire rope tow, j-bar, t-bar, ski lift, or other similar device shall be presumed to have sufficient abilities to use the ((~~lift~~)) device. No liability shall attach to any operator or attendant for failure to instruct the person on the use of the device, but a person shall follow any written or verbal instructions that are given regarding the use.~~

~~((6)) (5) Because of the inherent risks in the sport of skiing ((all persons using the ski hill shall exercise reasonable care for their own safety. However, the primary duty shall be on the person skiing downhill to avoid any collision with any person or object below him or her)), no person shall maintain any action against or recover from any ski area operator for injury, loss, or damage resulting from any of the inherent risks of skiing.~~

~~((7) Subsection (6) of this section notwithstanding:)) (6) Any person skiing ((on other than improved)) outside the confines of trails open for skiing or ((slopes)) runs open for skiing within the area shall be responsible for any injuries or losses resulting from his or her action.~~

~~((8) Subsections (6) and (7) of this section notwithstanding:)) (7) Any person on foot or on any type of sliding device shall be responsible for any collision whether the collision is with another person or with an object.~~

~~((9)) (8) A person embarking on a lift or tow without authority shall be considered to be a trespasser.~~

Sec. 5. Section 3, chapter 139, Laws of 1977 ex. sess. and RCW 70.117.030 are each amended to read as follows:

(1) Any person who is involved in a skiing accident and who departs from the scene of the accident without leaving personal identification or otherwise clearly identifying himself or herself before notifying the proper authorities or obtaining assistance, knowing that any other person involved in the accident is in need of medical or other assistance, shall be guilty of a misdemeanor.

(2) An operator shall place a prominent notice containing the substance of this section in such places as are necessary to notify the public.

NEW SECTION. Sec. 6. A new section is added to chapter 70.117 RCW to read as follows:

Ski area operators shall place a prominent notice of the inherent risks of skiing, and the limitations on liability of ski area operators under this chapter, in such places as are necessary to notify the public.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Hargrove, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wang.

Absent: Representatives Appelwick, Brough and Locke.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 6147 Prime Sponsor, Committee on Law & Justice: Revising the criminal definition of "substantial bodily harm." Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 9A.36 RCW to read as follows:

As used in this chapter, assault is:

(1) An attempt with unlawful force to inflict bodily injury, or a threatening act which a reasonable person would believe could lead to bodily injury, along with the apparent present ability to cause the injury, and where apprehension of injury is reasonably created; or

(2) The infliction of bodily injury by unlawful physical force or contact without the consent of the victim, including force or contact by any instrument or substance under the control of the person inflicting the bodily injury.

Sec. 2. Section 9A.04.110, chapter 260, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 324, Laws of 1987 and RCW 9A.04.110 are each amended to read as follows:

In this title unless a different meaning plainly is required:

(1) 'Acted' includes, where relevant, omitted to act;

(2) 'Actor' includes, where relevant, a person failing to act;

(3) 'Benefit' is any gain or advantage to the beneficiary, including any gain or advantage to a third person pursuant to the desire or consent of the beneficiary;

(4) (a) 'Bodily injury,' 'physical injury,' or 'bodily harm' means physical pain or injury, illness, or an impairment of physical condition;

(b) 'Substantial bodily harm' means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily part or organ, or which causes a fracture of any bodily part((or substantial pain, whether such substantial bodily harm is temporary or permanent));

(c) 'Great bodily harm' means bodily injury which creates a probability of death, or which causes significant serious permanent disfigurement, or which causes a significant permanent loss or impairment of the function of any bodily part or organ;

(5) 'Building', in addition to its ordinary meaning, includes any dwelling, fenced area, vehicle, railway car, cargo container, or any other structure used for lodging of persons or for carrying on business therein, or for the use, sale or deposit of goods; each unit of a building consisting of two or more units separately secured or occupied is a separate building;

(6) 'Deadly weapon' means any explosive or loaded or unloaded firearm, and shall include any other weapon, device, instrument, article, or substance, including a 'vehicle' as defined in this section, which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or substantial bodily harm;

(7) 'Dwelling' means any building or structure, though movable or temporary, or a portion thereof, which is used or ordinarily used by a person for lodging;

(8) 'Government' includes any branch, subdivision, or agency of the government of this state and any county, city, district, or other local governmental unit;

(9) 'Governmental function' includes any activity which a public servant is legally authorized or permitted to undertake on behalf of a government;

(10) 'Indicted' and 'indictment' include 'informed against' and 'information', and 'informed against' and 'information' include 'indicted' and 'indictment';

(11) 'Judge' includes every judicial officer authorized alone or with others, to hold or preside over a court;

(12) 'Malice' and 'maliciously' shall import an evil intent, wish, or design to vex, annoy, or injure another person. Malice may be inferred from an act done in wilful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a wilful disregard of social duty;

(13) 'Officer' and 'public officer' means a person holding office under a city, county, or state government, or the federal government who performs a public function and in so doing is vested with the exercise of some sovereign power of government, and includes all assistants, deputies, clerks, and employees of any public officer and all persons lawfully exercising or assuming to exercise any of the powers or functions of a public officer;

(14) 'Omission' means a failure to act;

(15) 'Peace officer' means a duly appointed city, county, or state law enforcement officer;

(16) 'Pecuniary benefit' means any gain or advantage in the form of money, property, commercial interest, or anything else the primary significance of which is economic gain;

(17) 'Person', 'he', and 'actor' include any natural person and, where relevant, a corporation, joint stock association, or an unincorporated association;

(18) 'Place of work' includes but is not limited to all the lands and other real property of a farm or ranch in the case of an actor who owns, operates, or is employed to work on such a farm or ranch;

(19) 'Prison' means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, including but not limited to any state correctional institution or any county or city jail;

(20) 'Prisoner' includes any person held in custody under process of law, or under lawful arrest;

(21) 'Property' means anything of value, whether tangible or intangible, real or personal;

(22) 'Public servant' means any person other than a witness who presently occupies the position of or has been elected, appointed, or designated to become any officer or employee of government, including a legislator, judge, judicial officer, juror, and any person participating as an advisor, consultant, or otherwise in performing a governmental function;

(23) 'Signature' includes any memorandum, mark, or sign made with intent to authenticate any instrument or writing, or the subscription of any person thereto;

(24) 'Statute' means the Constitution or an act of the legislature or initiative or referendum of this state;

(25) 'Substantial pain' means serious physical pain extending for a period of time long enough to cause considerable suffering. The pain shall be the result of an actual injury capable of causing serious physical pain;

(26) 'Threat' means to communicate, directly or indirectly the intent:

(a) To cause bodily injury in the future to the person threatened or to any other person; or

(b) To cause physical damage to the property of a person other than the actor; or

(c) To subject the person threatened or any other person to physical confinement or restraint; or

(d) To accuse any person of a crime or cause criminal charges to be instituted against any person; or

(e) To expose a secret or publicize an asserted fact, whether true or false, tending to subject any person to hatred, contempt, or ridicule; or

(f) To reveal any information sought to be concealed by the person threatened; or

(g) To testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or

(h) To take wrongful action as an official against anyone or anything, or wrongfully withhold official action, or cause such action or withholding; or

(i) To bring about or continue a strike, boycott, or other similar collective action to obtain property which is not demanded or received for the benefit of the group which the actor purports to represent; or

(j) To do any other act which is intended to harm substantially the person threatened or another with respect to his health, safety, business, financial condition, or personal relationships;

(7) 'Vehicle' means a 'motor vehicle' as defined in the vehicle and traffic laws, any aircraft, or any vessel equipped for propulsion by mechanical means or by sail;

(8) Words in the present tense shall include the future tense; and in the masculine shall include the feminine and neuter genders; and in the singular shall include the plural; and in the plural shall include the singular.

Sec. 3. Section 5, chapter 257, Laws of 1986 as amended by section 2, chapter 324, Laws of 1987 and RCW 9A.36.021 are each amended to read as follows:

(1) A person is guilty of assault in the second degree if he or she, under circumstances not amounting to assault in the first degree:

(a) Intentionally assaults another and ~~((thereby))~~ knowingly inflicts substantial bodily harm; or

(b) Intentionally and unlawfully causes substantial bodily harm to an unborn quick child by intentionally and unlawfully inflicting any injury upon the mother of such child; or

(c) Knowingly assaults another with a deadly weapon; or

(d) With intent to inflict bodily harm, administers to or causes to be taken by another, poison or any other destructive or noxious substance; or

(e) With intent to commit a felony, assaults another; or

(f) Intentionally assaults a person under twelve years of age and with criminal negligence causes substantial bodily injury; or

(g) Knowingly inflicts bodily harm which by design causes such pain or agony as to be the equivalent of that produced by torture.

(2) Assault in the second degree is a class B felony.

Sec. 4. Section 6, chapter 257, Laws of 1986 and RCW 9A.36.031 are each amended to read as follows:

(1) A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:

(a) With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful apprehension or detention of himself or another person, assaults another; or

(b) Assaults a person employed as a transit operator or driver by a public or private transit company while that person is operating or is in control of a vehicle owned or operated by the transit company; or

(c) With criminal negligence, causes bodily harm to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or

(d) Assaults a fire fighter or other employee of a fire department or fire protection district who was performing his or her official duties at the time of the assault; or

(e) With criminal negligence, causes bodily harm accompanied by substantial pain that extends for a period sufficient to cause considerable suffering.

(2) Assault in the third degree is a class C felony.

NEW SECTION. Sec. 5. This act shall take effect July 1, 1988."

On page 1, line 1 of the title, after "definitions;" strike the remainder of the title and insert "amending RCW 9A.04.110, 9A.36.021, and 9A.36.031; adding a new section to chapter 9A.36 RCW; and providing an effective date."

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Hargrove, P. King, Meyers, Padden, Patrick, Schmidt, Scott and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Moyer.

Absent: Representatives Appelwick, Brough and Locke.

Passed to Committee on Rules for second reading.

February 22, 1988

ESSB 6148

Prime Sponsor, Committee on Law & Justice: Revising certain procedures for applying for concealed pistol licenses. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 18, after "chapter," insert "Copies of license applications or information on the applications may be released to law enforcement or corrections agencies."

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Meyers, Padden, Patrick, Schmidt and Scott.

MINORITY recommendation: Do not pass. Signed by Representative Wineberry.

Voting nay: Representatives Wang and Wineberry.

Absent: Representatives Locke and Moyer.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6156 Prime Sponsor, Senator Bailey: Requiring school districts to report on the self-study process every two years. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Todd, Valle and Walker.

Absent: Representatives Cooper and Taylor.

Passed to Committee on Rules for second reading.

February 19, 1988

SB 6210 Prime Sponsor, Senator McCaslin: Authorizing the state auditor to contract with certified public accountants for municipal audits. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Dorn, Ferguson, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Absent: Representatives Bumgarner, Butterfield and Hine.

Passed to Committee on Rules for second reading.

February 22, 1988

SB 6211 Prime Sponsor, Senator McCaslin: Authorizing the state auditor to contract with certified public accountants for departmental audits. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery and Walk.

Absent: Representatives O'Brien, Peery and Taylor.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6219 Prime Sponsor, Committee on Children & Family Services: Changing the review standard for consent to adoption. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 6222 Prime Sponsor, Committee on Economic Development & Labor: Changing the powers and duties of the small business export finance assistance center. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 4, chapter 20, Laws of 1983 1st ex. sess. as last amended by section 43, chapter 505, Laws of 1987 and RCW 43.210.040 are each amended to read as follows:

(1) The small business export finance assistance center formed under RCW 43.210.020 and 43.210.030 shall have the powers granted under chapter 24.03 RCW. In exercising such powers under the direction of the director of trade and economic development, the center may:

(a) Solicit and accept grants, contributions, and any other financial assistance from the federal government, federal agencies, and any other sources to carry out its purposes;

(b) Make loans to Washington businesses with annual sales of twenty-five million dollars or less for the purpose of financing exports of goods or services by those businesses to buyers in foreign countries. Loans by the small business export finance assistance center under this chapter shall not compete with nor be a substitute for available loans by a bank or other financial institution and shall only be considered upon a financial institution's assurance that such loan is not available;

(c) Provide loan guarantees on loans made by financial institutions to businesses with annual sales of one hundred million dollars or less for the purpose of financing exports of goods or services by those businesses to buyers in foreign countries;

(d) Establish and regulate the terms and conditions of any such loans and loan guarantees and charges for interest and services connected therewith;

(e) Provide export financial counseling to Washington exporters with annual sales of one hundred million dollars or less, provided that such counseling is not available from a Washington for-profit business. For such counseling, the center may charge such fees as it determines are necessary(;;);

(f) Provide financial counseling to companies that are entering into joint ventures with firms from foreign countries and that intend to locate in Washington;

(g) Contract with the federal government and its agencies to become a program administrator for federally provided country risk insurance programs and for the purposes of this chapter; and

~~((g))~~ (h) Take whatever action may be necessary to accomplish the purposes set forth in this chapter.

(2) The center may not use any Washington state funds or funds which come from the public treasury of the state of Washington to make loans or to make any payment under a loan guarantee agreement. Under no circumstances may the center use any funds received under RCW 43.210.050 to make or assist in making any loan or to pay or assist in paying any amount under a loan guarantee agreement. Debts of the center shall be center debts only and may be satisfied only from the resources of the center. The state of Washington shall not in any way be liable for such debts.

(3) The center through the department of trade and economic development may contract with out-of-state agencies and firms to provide authorized services if the services are funded by the contractual agreement and not by public moneys.

(4) The small business export finance assistance center shall make every effort to seek nonstate funds for its continued operation.

~~((4))~~ (5) The small business export finance assistance center may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the small business export finance assistance center and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

Sec. 2. Section 2, chapter 20, Laws of 1983 1st ex. sess. as amended by section 2, chapter 231, Laws of 1985 and RCW 43.210.020 are each amended to read as follows:

A nonprofit corporation, to be known as the small business export finance assistance center, and branches subject to its authority, may be formed under chapter 24.03 RCW ~~((or))~~ to carry out the following public purposes under the direction of the director of trade and economic development:

(1) To assist small and medium-sized businesses in the financing of export transactions.

(2) To provide, singly or in conjunction with other organizations, information and assistance to these businesses about export opportunities and financing alternatives.

(3) To provide information to and assist those businesses interested in exporting products, including the opportunities available to them in organizing export trading companies under the United States export trading company act of 1982, for the purpose of increasing their comparative sales volume and ability to export their products to foreign markets.

Sec. 3. Section 3, chapter 20, Laws of 1983 1st ex. sess. as amended by section 3, chapter 231, Laws of 1985 and RCW 43.210.030 are each amended to read as follows:

The small business export finance assistance center and its branches shall constitute part of the department of trade and economic development and shall be governed and managed by ~~((a board of seventeen directors appointed by the governor and confirmed by the senate. The directors shall serve terms of six years except that two of the original directors shall serve for two years and two of the original directors shall serve for four years. The directors may provide for the payment of their expenses. The directors shall include a representative of a not-for-profit corporation formed for the purpose of facilitating economic development, at least two representatives of state financial institutions engaged in the financing of export transactions, a representative of a port district, and a representative of organized labor. Of the remaining board members, there shall be a representative of the governor, one representative of business from the area west of Puget Sound, one representative of business from the area east of Puget Sound and west of the Cascade range, one representative of business from the~~

area east of the Cascade range and west of the Columbia river, and one representative of business from the area east of the Columbia river. One of the directors shall be a representative of the public selected from the area in the state west of the Cascade mountain range and one director shall be a representative of the public selected from that area of the state east of the Cascade mountain range. One director shall be a representative of the public at large. The directors shall be broadly representative of geographic areas of the state, and the representatives of businesses shall represent at least four different industries in different sized businesses as follows: (a) One representative of a company employing fewer than one hundred persons; (b) one representative of a company employing between one hundred and five hundred persons; and (c) two representatives of companies employing more than five hundred persons. Any vacancies on the board due to the expiration of a term or for any other reason shall be filled by appointment by the governor for the unexpired term) the director of the department."

On page 1, line 2 of the title, after "RCW" insert "43.210.020, 43.210.030, and"

Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Hearvey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representatives Braddock and Hargrove.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6271 Prime Sponsor, Senator Deccio: Regulating care provided in the home to ill, disabled, or infirm persons. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. The legislature finds that the availability of home health, hospice, and home care services has improved the quality of life for Washington's citizens. However, the delivery of these services bring risks because the in-home location of services makes their actual delivery virtually invisible. Also, the complexity of products, services, and delivery systems in today's health care delivery system challenges even informed and healthy individuals. The fact that these services are delivered to the state's most vulnerable population, the ill or disabled who are frequently also elderly, adds to these risks.

It is the intent of the legislature to protect the citizens of Washington state by licensing home health, hospice, and home care agencies. This legislation is not intended to unreasonably restrict entry into the in-home service marketplace. Standards established are intended to be the minimum necessary to ensure safe and competent care, and should be demonstrably related to patient safety and welfare.

PART I GENERAL PROVISIONS

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Branch office' means a location or site from which a home health, hospice, or home care agency provides services within a portion of the total geographic area served by the parent agency. The branch office is part of the agency and is located sufficiently close to share administration, supervision, and services.

(2) 'Department' means the department of social and health services.

(3) 'Home care agency' means a private or public agency or organization that administers or provides home care services directly or through a contract arrangement to ill, disabled, or infirm persons in places of temporary or permanent residence.

(4) 'Home care services' means personal care services, homemaker services, respite care services, or any other nonmedical services provided to ill, disabled, or infirm persons which services enable these persons to remain in their own residences consistent with their desires, abilities, and safety.

(5) 'Home health agency' means a private or public agency or organization that administers or provides home health aide services or two or more home health services directly or through a contract arrangement to ill, disabled, or infirm persons in places of temporary or permanent residence.

(6) 'Home health services' means health or medical services provided to ill, disabled, or infirm persons. These services may be of an acute or maintenance care nature, and include but are not limited to nursing services, home health aide services, physical therapy services, occupational therapy services, speech therapy services, respiratory therapy services, nutritional services, medical social services, and medical supplies or equipment services.

(7) 'Home health aide services' means services provided by a home health agency or a hospice under the supervision of a registered nurse, physical therapist, occupational therapist,

or speech therapist. Such care includes ambulation and exercise, assistance with self-administered medications, reporting changes in patients' conditions and needs, completing appropriate records, and personal care or homemaker services needed to achieve medically desired results.

(8) 'Homemaker services' means services that assist ill, disabled, or infirm persons with household tasks essential to achieving adequate household and family management.

(9) 'Hospice agency' means a private or public agency or organization administering or providing hospice care directly or through a contract arrangement to terminally ill persons in places of temporary or permanent residence by using an interdisciplinary team composed of at least nursing, social work, physician, and pastoral or spiritual counseling.

(10) 'Hospice care' means: (a) Palliative care provided to a terminally ill person in a place of temporary or permanent residence that alleviates physical symptoms, including pain, as well as alleviates the emotional and spiritual discomfort associated with dying; and (b) bereavement care provided to the family of a terminally ill person that alleviates the emotional and spiritual discomfort associated with the death of a family member. Hospice care may include health and medical services and personal care, respite, or homemaker services. Family means individuals who are important to and designated by the patient, and who need not be relatives.

(11) 'Ill, disabled, or infirm persons' means persons who need home health, hospice, or home care services in order to maintain themselves in their places of temporary or permanent residence.

(12) 'Personal care services' means services that assist ill, disabled, or infirm persons with dressing, feeding, and personal hygiene to facilitate self-care.

(13) 'Respite care services' means services that assist or support the primary care giver on a scheduled basis.

NEW SECTION. Sec. 3. (1) After July 1, 1990, no private or public agency or organization may advertise, operate, manage, conduct, open, or maintain a home health agency without first obtaining a home health agency license from the department.

(2) After July 1, 1990, no private or public agency or organization may advertise, operate, manage, conduct, open, or maintain a hospice agency without first obtaining a hospice agency license from the department.

(3) After July 1, 1990, no public or private agency or organization may advertise, operate, manage, conduct, open, or maintain a home care agency without first obtaining a home care agency license from the department.

NEW SECTION. Sec. 4. (1) No person may use the words 'home health agency,' 'home health care services,' or 'visiting nurse services' in its corporate or business name, or advertise using such words unless licensed as a home health agency under this chapter.

(2) No person may use the words 'hospice agency' or 'hospice care' in its corporate or business name, or advertise using such words unless licensed as a hospice agency under this chapter.

(3) No person may use the words 'home care agency' or 'home care services' in its corporate or business name, or advertise using such words unless licensed as a home care agency under this chapter.

NEW SECTION. Sec. 5. The following are not subject to regulation for the purposes of this chapter:

(1) A family member;

(2) An organization that provides only meal services in a person's residence;

(3) Entities furnishing durable medical equipment that does not involve the delivery of professional services beyond those necessary to set up and monitor the proper functioning of the equipment and educate the user on its proper use;

(4) A person who provides services through a contract with a licensed agency;

(5) An employee or volunteer of a licensed agency who provides services only as an employee or volunteer;

(6) Facilities and institutions, including but not limited to nursing homes under chapter 18.51 RCW, hospitals under chapter 70.41 RCW, boarding homes under chapter 18.20 RCW, developmental disability residential programs under chapter 71.12 RCW, or other facilities and institutions, only when providing services to persons residing within the facility or institution if the delivery of the services is regulated by the state;

(7) Persons providing care to disabled persons through a contract with the department;

(8) Nursing homes, hospitals, or other institutions, agencies, organizations, or persons that contract with licensed home health, hospice, or home care agencies for the delivery of services;

(9) In-home assessments of an ill, disabled, or infirm person's ability to adapt to the home environment that does not result in regular ongoing care at home;

(10) Services conducted by and for the adherents of a church or religious denomination that rely upon spiritual means alone through prayer for healing in accordance with the tenets and practices of such church or religious denomination and the bona fide religious beliefs genuinely held by such adherents;

(11) A medicare-approved dialysis center operating a medicare-approved home dialysis program;

(12) Case management services which do not include the direct delivery of home health, hospice, or home care services.

NEW SECTION. Sec. 6. Notwithstanding sections 3(2) and 4(2) of this act, a volunteer organization that provides hospice care without receiving compensation for delivery of services that does not meet the licensure requirements of this chapter for a hospice agency may use the phrase 'volunteer hospice' if the volunteer organization was formed prior to January 1, 1988, and the organization notifies the department prior to July 1, 1989. This section shall not be considered an exemption from the home health agency or home care agency license provisions of this chapter.

NEW SECTION. Sec. 7. Except as exempt under section 5 (6) and (8) of this act, a nursing home licensed under chapter 18.51 RCW is not exempt from the requirements of this chapter when the nursing home is functioning as a home health, hospice, or home care agency.

NEW SECTION. Sec. 8. Except as exempt under section 5 (6) and (8) of this act, a hospital licensed under chapter 70.41 RCW is not exempt from the requirements of this chapter when the hospital is functioning as a home health, hospice, or home care agency.

NEW SECTION. Sec. 9. (1) An applicant for a home health, hospice, or home care agency license shall:

(a) File a written application on a form provided by the department;

(b) Demonstrate ability to comply with this chapter and the rules adopted under this chapter;

(c) Cooperate with on-site review conducted by the department prior to licensure or renewal;

(d) Provide evidence of and maintain professional liability insurance in the amount of one hundred thousand dollars per occurrence or adequate self-insurance as approved by the department. This subsection shall not apply to hospice agency applicants that provide hospice care without receiving compensation for delivery of services;

(e) Provide evidence of and maintain public liability and property damage insurance coverage in the sum of fifty thousand dollars for injury or damage to property per occurrence and fifty thousand dollars for injury or damage, including death, to any one person and one hundred thousand dollars for injury or damage, including death, to more than one person, or evidence of adequate self-insurance for public liability and property damage as approved by the department. This subsection shall not apply to hospice agency applicants that provide hospice care without receiving compensation for delivery of services;

(f) Provide such proof as the department may require concerning organizational and governance structure, and the identity of the applicant, officers, directors, partners, managing employees, or owners of ten percent or more of the applicant's assets;

(g) File with the department a list of the counties in which the applicant will operate;

(h) File with the department a list of the services offered;

(i) Pay to the department a license fee as provided in section 10 of this act; and

(j) Provide any other information that the department may reasonably require.

(2) A certificate of need under chapter 70.38 RCW is not required for licensure.

(3) A license or renewal shall not be granted pursuant to this chapter if the applicant, officers, directors, partners, managing employees, or owners of ten percent or more of the applicant's assets, within the last five years have been found in a civil or criminal proceeding to have committed any act which reasonably relates to the person's fitness to establish, maintain, or administer an agency or to provide care in the home of another.

(4) A separate license is not required for a branch office.

NEW SECTION. Sec. 10. An application for a license or any renewal shall be accompanied by a fee as established by the department under RCW 43.20A.055.

NEW SECTION. Sec. 11. Upon receipt of an application under section 9 of this act for a license and the license fee, the department shall issue a license if the applicant meets the requirements established under this chapter. All persons operating as home health, hospice, or home care agencies before July 1, 1989, shall submit their applications and application fees by July 1, 1989. In addition, issuance of a license is conditioned on the department conducting an on-site review. A license issued under this chapter shall not be transferred or assigned without thirty days prior notice to the department and the department's approval. A license, unless suspended or revoked, may be effective for a period of up to two years, at the discretion of the department. The department may establish penalty fees for failure to apply for licensure or renewal as required by this chapter.

NEW SECTION. Sec. 12. The department shall adopt rules providing for the combination of applications and licenses, and the reduction of individual license fees if an applicant applies for more than one category of license under this chapter. The department shall provide for combined licensure inspections and audits for licensees holding more than one license under this chapter.

NEW SECTION. Sec. 13. The department shall adopt rules consistent with section 1 of this act necessary to implement this chapter under chapter 34.04 RCW. In order to ensure safe and adequate care, the rules shall address at a minimum the following:

(1) Maintenance and preservation of all records relating directly to the care and treatment of persons by licensees;

(2) Establishment of a procedure for the receipt, investigation, and disposition of complaints by the department regarding services provided by licensees;

(3) Establishment and implementation of a plan for on-going care of persons and preservation of records if the licensee ceases operations;

(4) Supervision of services;

(5) Maintenance of written policies regarding response to referrals and access to services at all times;

(6) Maintenance of written personnel policies and procedures and personnel records that provide for prehire screening, minimum qualifications, regular performance evaluations, including observation in the home, participation in orientation and in-service training, and involvement in quality assurance activities. The department may not establish qualifications for licensed professionals other than those required for licensure; and

(7) Maintenance of written policies on obtaining regular reports on patient satisfaction.

NEW SECTION. Sec. 14. Licensees shall conform to the standards of RCW 69.41.030 and 69.50.308.

NEW SECTION. Sec. 15. (1) A licensee shall provide each person or designated representative with a written bill of rights affirming each person's right to:

(a) A listing of the services offered by the agency and those being provided;

(b) The name of the person supervising the care and the manner in which that person may be contacted;

(c) A description of the process for submitting and addressing complaints;

(d) A statement advising the person or representative of the right to participate in the development of the plan of care;

(e) A statement providing that the person or representative is entitled to information regarding access to the department's registry of providers and to select any licensee to provide care, subject to the patient's reimbursement mechanism or other relevant contractual obligations;

(f) Be treated with courtesy, respect, privacy, and freedom from abuse and discrimination;

(g) Refuse treatment or services;

(h) Have patient records be confidential; and

(i) Have properly trained staff and coordination of services.

(2) Upon request, a licensee shall provide each person or designated representative with a fully itemized billing statement at least monthly, including the date of each service and the charge. Licensees providing services through a managed care plan shall not be required to provide itemized billing statements.

NEW SECTION. Sec. 16. No licensee or employee may hold a durable power of attorney on behalf of any person who is receiving care from the licensee.

NEW SECTION. Sec. 17. In order to assist in the administration of this chapter, the department may adopt rules under chapter 34.04 RCW to provide that a home health or hospice agency certified pursuant to chapter 70.126 RCW immediately before the effective date of this section continues to operate under that certification through the expiration date of the certificate without obtaining a license under this chapter.

NEW SECTION. Sec. 18. Pursuant to chapter 34.04 RCW, the department may deny, suspend, or revoke a license under this chapter or, in lieu thereof or in addition thereto, assess monetary penalties of a civil nature not to exceed one thousand dollars per violation in any case in which it finds that the licensee, or any applicant, officer, director, partner, managing employee, or owner of ten percent or more of the applicant's or licensee's assets:

(1) Failed or refused to comply with the requirements of this chapter or the standards or rules adopted under this chapter;

(2) Was the holder of a license issued pursuant to this chapter that was revoked for cause and never reissued by the department, or that was suspended for cause and the terms of the suspension have not been fulfilled and the licensee has continued to operate;

(3) Has knowingly or with reason to know made a false statement of a material fact in the application for the license or any data attached thereto or in any record required by this chapter or matter under investigation by the department;

(4) Refused to allow representatives of the department to inspect any book, record, or file required by this chapter to be maintained or any portion of the licensee's premises;

(5) Wilfully prevented, interfered with, or attempted to impede in any way the work of any representative of the department and the lawful enforcement of any provision of this chapter;

(6) Wilfully prevented or interfered with any representative of the department in the preservation of evidence of any violation of this chapter or the rules adopted under this chapter;

(7) Failed to pay any civil monetary penalty assessed by the department pursuant to this chapter within ten days after the assessment becomes final;

(8) Used advertising that is false, fraudulent, or misleading;

(9) Has repeated incidents of personnel performing services beyond their authorized scope of practice; or

(10) Misrepresented or was fraudulent in any aspect of the conduct of the licensee's business.

NEW SECTION. Sec. 19. The department may at any time conduct an on-site review of a licensee or conduct in-home visits in order to determine compliance with this chapter. The department may also examine and audit records necessary to determine compliance with this chapter. The right to conduct an on-site review and audit and examination of records shall extend to any premises and records of persons whom the department has reason to believe are providing home health, hospice, or home care without a license.

Following an on-site review, in-home visit, or audit, the department shall give written notice of any violation of this chapter or the rules adopted under this chapter. The notice shall describe the reasons for noncompliance and inform the licensee that it must comply within a specified reasonable time, not to exceed sixty days. If the licensee fails to comply, the licensee is subject to disciplinary action under section 18 of this act.

NEW SECTION. Sec. 20. All information received by the department through filed reports, audits, on-site reviews, in-home visits, or as otherwise authorized under this chapter shall not be disclosed publicly in any manner that would identify persons receiving care under this chapter.

NEW SECTION. Sec. 21. Notwithstanding the existence or use of any other remedy, the department may, in the manner provided by law and upon the advice of the attorney general, who shall represent the department in the proceedings, maintain an action in the name of the state for an injunction or other process against any person to restrain or prevent the advertising, operating, maintaining, managing, or opening of a home health, hospice, or home care agency without a license under this chapter.

NEW SECTION. Sec. 22. Any person violating section 3 of this act is guilty of a misdemeanor. Each day of a continuing violation is a separate violation.

NEW SECTION. Sec. 23. The department shall compile a registry of all licensed home health, hospice, and home care agencies, both alphabetically and by county. Copies of the registry shall be made available to members of the general public at a nominal printing charge.

PART II HOME HEALTH CARE

NEW SECTION. Sec. 24. In addition to the exemptions in section 5 of this act, a hospice agency delivering home health care integrally related to the delivery of hospice care or a health care practitioner who provides a single home health service that is not a part of a coordinated delivery of more than one service is not a home health agency for the purposes of this chapter.

NEW SECTION. Sec. 25. (1) In addition to the rules consistent with section 1 of this act adopted under section 13 of this act, the department shall adopt rules for home health agencies which address the following:

(a) Establishment of case management guidelines for acute and maintenance care patients;

(b) Establishment of guidelines for periodic review of the home health care plan of care and plan of treatment by appropriate health care professionals; and

(c) Maintenance of written policies regarding the delivery and supervision of patient care and clinical consultation as necessary by appropriate health care professionals.

(2) As used in this section:

(a) 'Acute care' means care provided by a home health agency for patients who are not medically stable or have not attained a satisfactory level of rehabilitation. These patients require frequent monitoring by a health care professional in order to maintain their health status.

(b) 'Maintenance care' means care provided by home health agencies that is necessary to support an existing level of health and to preserve a patient from further failure or decline.

(c) 'Home health plan of care' means a written plan of care established by a home health agency by appropriate health care professionals that describes maintenance care to be provided. A patient or his or her representative shall be allowed to participate in the development of the plan of care to the extent practicable.

(d) 'Home health plan of treatment' means a written plan of care established by a physician licensed under chapter 18.57 or 18.71 RCW, a podiatrist licensed under chapter 18.22 RCW, or an advanced registered nurse practitioner as authorized by the board of nursing under chapter 18.88 RCW, in consultation with appropriate health care professionals within the agency that describes medically necessary acute care to be provided for treatment of illness or injury.

PART III
HOSPICES

NEW SECTION. Sec. 26. (1) In addition to the rules consistent with section 1 of this act adopted under section 13 of this act, the department shall adopt rules for hospice agencies which address the following:

- (a) Establishment of guidelines for periodic review of the hospice plan of care;
- (b) Written policies requiring availability of twenty-four hour seven days a week hospice registered nurse consultation and in-home services as appropriate;
- (c) Quality assurance activities to include the involvement of interdisciplinary professionals;
- (d) Maintenance of written policies regarding interdisciplinary team communication as appropriate and necessary; and
- (e) Written policies regarding the use and availability of volunteers to provide family support and respite when requested.

(2) As used in this section 'hospice plan of care' means a written plan of care established by a physician and reviewed by other members of the interdisciplinary team describing hospice care to be provided.

PART IV
HOME CARE

NEW SECTION. Sec. 27. In addition to the exemptions in section 5 of this act, a home health or hospice agency delivering home care as an integral part of the delivery of home health or hospice care, an individual providing home care through a direct agreement with the recipient of care, an individual providing home care through a direct agreement with a third party payor where comparable services are not readily available through a home care agency, or a volunteer organization that provides home care without compensation, is not a home care agency for the purposes of this chapter.

NEW SECTION. Sec. 28. In addition to the rules adopted under section 13 of this act, the department shall adopt rules consistent with section 1 of this act for home care agencies which address delivery of services according to a home care plan of care.

As used in this section, 'home care plan of care' means a written plan of care that is established and periodically reviewed by a home care agency that describes the home care to be provided.

PART V
INSURANCE

Sec. 29. Section 5, chapter 249, Laws of 1983 as amended by section 4, chapter 22, Laws of 1984 and RCW 70.126.010 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Hospice' means a private or public agency or organization that administers and provides hospice care and is ~~((certified))~~ licensed by the department of social and health services as a hospice care agency.

(2) 'Hospice care' means care prescribed and supervised by the attending physician and provided by the hospice to the terminally ill in accordance with the standards of RCW 70.126.030.

(3) 'Home health agency' means a private or public agency or organization that administers and provides home health care and is ~~((certified))~~ licensed by the department of social and health services as a home health care agency.

(4) 'Home health care' means services, supplies, and medical equipment that meet the standards of RCW 70.126.020, prescribed and supervised by the attending physician, and provided through a home health agency and rendered to members in their residences when hospitalization would otherwise be required.

(5) 'Home health aide' means a person employed by a home health agency or a hospice who is providing part-time or intermittent care under the supervision of a registered nurse, a physical therapist, occupational therapist, or speech therapist. Such care includes ambulation and exercise, assistance with ~~((medications ordinarily))~~ self-administered medications, reporting changes in patients' conditions and needs, completing appropriate records, and personal care or household services that are needed to achieve the medically desired results.

(6) 'Home health care plan of treatment' means a written plan of care established and periodically reviewed by a physician that describes medically necessary home health care to be provided to a patient for treatment of illness or injury.

(7) 'Hospice plan of care' means a written plan of care established and periodically reviewed by a physician that describes hospice care to be provided to a terminally ill patient for palliation or medically necessary treatment of an illness or injury.

(8) 'Physician' means a physician licensed under chapter 18.57 or 18.71 RCW.

NEW SECTION. Sec. 30. A new section is added to chapter 70.126 RCW to read as follows:

The provisions of this chapter apply only for the purposes of determining benefits to be included in the offering of optional coverage for home health and hospice care services, as

provided in RCW 48.21.220, 48.21A.090, and 48.44.320 and do not apply for the purposes of licensure.

Sec. 31. Section 1, chapter 249, Laws of 1983 as amended by section 1, chapter 22, Laws of 1984 and RCW 48.21.220 are each amended to read as follows:

(1) Every insurer entering into or renewing group or blanket disability insurance policies governed by this chapter shall offer optional coverage for home health care and hospice care for persons who are homebound and would otherwise require hospitalization. Such optional coverage need only be offered in conjunction with a policy that provides payment for hospitalization as a part of health care coverage.

(2) Home health care and hospice care coverage offered under subsection (1) of this section shall conform to the following standards, limitations, and restrictions in addition to those set forth in chapter 70.126 RCW:

(a) The coverage may include reasonable deductibles, coinsurance provisions, and internal maximums;

(b) The coverage should be structured to create incentives for the use of home health care and hospice care as an alternative to hospitalization;

(c) The coverage may contain provisions for utilization review and quality assurance;

(d) The coverage may require that home health agencies and hospices have written treatment plans approved by a physician licensed under chapter 18.57 or 18.71 RCW, and may require such treatment plans to be reviewed at designated intervals;

(e) The coverage shall provide benefits for, and ~~((may))~~ restrict benefits to, services rendered by home health and ~~((hospices certified))~~ hospice agencies licensed by the department of social and health services;

(f) Hospice care coverage shall provide benefits for terminally ill patients for an initial period of care of not less than six months and may provide benefits for an additional six months of care in cases where the patient is facing imminent death or is entering remission if certified in writing by the attending physician;

(g) Home health care coverage shall provide benefits for a minimum of one hundred thirty health care visits per calendar year. However, a visit of any duration by an employee of a home health agency for the purpose of providing services under the plan of treatment constitutes one visit;

(h) The coverage may be structured so that services or supplies included in the primary contract are not duplicated in the optional home health and hospice coverage.

(3) The insurance commissioner shall adopt any rules necessary to implement this section.

(4) The requirements of this section shall not apply to contracts or policies governed by chapter 48.66 RCW.

(5) An insurer, as a condition of reimbursement, may require compliance with home health and hospice certification regulations established by the United States department of health and human services.

Sec. 32. Section 2, chapter 249, Laws of 1983 as amended by section 2, chapter 22, Laws of 1984 and RCW 48.21A.090 are each amended to read as follows:

(1) Every insurer entering into or renewing extended health insurance governed by this chapter shall offer optional coverage for home health care and hospice care for persons who are homebound and would otherwise require hospitalization. Such optional coverage need only be offered in conjunction with a policy that provides payment for hospitalization as a part of health care coverage.

(2) Home health care and hospice care coverage offered under subsection (1) of this section shall conform to the following standards, limitations, and restrictions in addition to those set forth in chapter 70.126 RCW:

(a) The coverage may include reasonable deductibles, coinsurance provisions, and internal maximums;

(b) The coverage should be structured to create incentives for the use of home health care and hospice care as an alternative to hospitalization;

(c) The coverage may contain provisions for utilization review and quality assurance;

(d) The coverage may require that home health agencies and hospices have written treatment plans approved by a physician licensed under chapter 18.57 or 18.71 RCW, and may require such treatment plans to be reviewed at designated intervals;

(e) The coverage shall provide benefits for, and ~~((may))~~ restrict benefits to, services rendered by home health and ~~((hospices certified))~~ hospice agencies licensed by the department of social and health services;

(f) Hospice care coverage shall provide benefits for terminally ill patients for an initial period of care of not less than six months and may provide benefits for an additional six months of care in cases where the patient is facing imminent death or is entering remission if certified in writing by the attending physician;

(g) Home health care coverage shall provide benefits for a minimum of one hundred thirty health care visits per calendar year. However, a visit of any duration by an employee of a home health agency for the purpose of providing services under the plan of treatment constitutes one visit;

(h) The coverage may be structured so that services or supplies included in the primary contract are not duplicated in the optional home health and hospice coverage.

(3) The insurance commissioner shall adopt any rules necessary to implement this section.

(4) The requirements of this section shall not apply to contracts or policies governed by chapter 48.66 RCW.

(5) An insurer, as a condition of reimbursement, may require compliance with home health and hospice certification regulations established by the United States department of health and human services.

Sec. 33. Section 3, chapter 249, Laws of 1983 as amended by section 3, chapter 22, Laws of 1984 and RCW 48.44.320 are each amended to read as follows:

(1) Every health care service contractor entering into or renewing a group health care service contract governed by this chapter shall offer optional coverage for home health care and hospice care for persons who are homebound and would otherwise require hospitalization. Such optional coverage need only be offered in conjunction with a policy that provides payment for hospitalization as a part of health care coverage.

(2) Home health care and hospice care coverage offered under subsection (1) of this section shall conform to the following standards, limitations, and restrictions in addition to those set forth in chapter 70.126 RCW:

(a) The coverage may include reasonable deductibles, coinsurance provisions, and inter-annual maximums;

(b) The coverage should be structured to create incentives for the use of home health care and hospice care as an alternative to hospitalization;

(c) The coverage may contain provisions for utilization review and quality assurance;

(d) The coverage may require that home health agencies and hospices have written treatment plans approved by a physician licensed under chapter 18.57 or 18.71 RCW, and may require such treatment plans to be reviewed at designated intervals;

(e) The coverage shall provide benefits for, and ~~((may))~~ restrict benefits to, services rendered by home health and ~~((hospices certified))~~ hospice agencies licensed by the department of social and health services;

(f) Hospice care coverage shall provide benefits for terminally ill patients for an initial period of care of not less than six months and may provide benefits for an additional six months of care in cases where the patient is facing imminent death or is entering remission if certified in writing by the attending physician;

(g) Home health care coverage shall provide benefits for a minimum of one hundred thirty health care visits per calendar year. However, a visit of any duration by an employee of a home health agency for the purpose of providing services under the plan of treatment constitutes one visit;

(h) The coverage may be structured so that services or supplies included in the primary contract are not duplicated in the optional home health and hospice coverage.

(3) The insurance commissioner shall adopt any rules necessary to implement this section.

(4) The requirements of this section shall not apply to contracts or policies governed by chapter 48.66 RCW.

(5) An insurer, as a condition of reimbursement, may require compliance with home health and hospice certification regulations established by the United States department of health and human services.

PART VI
MISCELLANEOUS

NEW SECTION. Sec. 34. The following acts or parts of acts are each repealed:

(1) Section 8, chapter 249, Laws of 1983, section 7, chapter 22, Laws of 1984 and RCW 70.126.040; and

(2) Section 9, chapter 249, Laws of 1983 and RCW 70.126.050.

NEW SECTION. Sec. 35. Sections 1 through 28 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 36. The sum of thirty-eight thousand eight hundred seventy-five dollars, or so much thereof as may be necessary, is appropriated from the general fund for the biennium ending June 30, 1989, to the department of social and health services for the purpose of implementing this act on its effective date.

NEW SECTION. Sec. 37. This act shall take effect July 1, 1989. The department may, beginning on July 1, 1988, take such steps as are necessary to insure that this act is implemented on its effective date.

NEW SECTION. Sec. 38. Sections 2 through 28 of this act shall expire on July 1, 1993. The legislative budget committee shall conduct a program and fiscal review of the implementation of sections 2 through 28 of this act by December 31, 1992. The review shall contain recommendations regarding continuation, modification, or elimination of sections 2 through 28 of this act.

NEW SECTION. Sec. 39. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.*

Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Referred to Committee on Ways & Means.

February 22, 1988

ESSB 6276 Prime Sponsor, Committee on Economic Development & Labor: Creating an interagency task force on entrepreneurial development. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representative Hargrove.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 6290 Prime Sponsor, Committee on Economic Development & Labor: Broadening and extending the Washington ambassador program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

Absent: Representatives Braddock, Cantwell, Rasmussen and Schoon.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6293 Prime Sponsor, Senator Deccio: Revising provisions for activities of registered nurses. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Lewis, Lux, Sprengle and Vekich.

Absent: Representatives Cantwell and D. Sommers.

Passed to Committee on Rules for second reading.

February 22, 1988

ESSB 6305 Prime Sponsor, Committee on Law & Justice: Altering the statute of limitations for child sexual abuse. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 13, strike "or omission"

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Hargrove, P. King, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Appelwick, Brough and Locke.

Passed to Committee on Rules for second reading.

February 19, 1988

ESSB 6308 Prime Sponsor, Committee on Children & Family Services: Requiring the development of a juvenile court training curriculum. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. The legislature recognizes the need for appropriate training of juvenile court judges, attorneys, court personnel, and service providers in the dependency system and at-risk youth systems.

Sec. 2. Section 3, chapter 259, Laws of 1957 as last amended by section 6, chapter 363, Laws of 1987 and RCW 2.56.030 are each amended to read as follows:

The administrator for the courts shall, under the supervision and direction of chief justice:

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of the same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;

(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance;

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;

(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in RCW 2.56.060;

(9) Formulate and submit to the judicial council of this state recommendations of policies for the improvement of the judicial system;

(10) Submit annually, as of February 1st, to the chief justice and the judicial council, a report of the activities of the administrator's office for the preceding calendar year;

(11) Administer programs and standards for the training and education of judicial personnel;

(12) Examine the need for new superior court and district judge positions under a weighted caseload analysis that takes into account the time required to hear all the cases in a particular court and the amount of time existing judges have available to hear cases in that court. The results of the weighted caseload analysis shall be reviewed by the board for judicial administration and the judicial council, both of which shall make recommendations to the legislature by January 1, 1989. It is the intent of the legislature that weighted caseload analysis become the basis for creating additional district court positions, and recommendations should address that objective; ~~((and))~~

(13) Attend to such other matters as may be assigned by the supreme court of this state; and

(14) Develop a curriculum for a general understanding of child development and treatment resources, as well as specific legal skills and knowledge of relevant statutes including chapters 13.32A and 13.34 RCW, cases, court rules, interviewing skills, and special needs of the abused or neglected child. This curriculum shall be completed and made available to all juvenile court judges, court personnel, and service providers by July 1, 1988."

Signed by Representatives Brekke, Chair; Anderson, Leonard, Moyer, Padden, H. Sommers and Winsley.

Absent: Representatives Scott, Vice Chair and Sutherland.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 6318 Prime Sponsor, Committee on Financial Institutions & Insurance: Revising provisions on the cancellation and renewal of insurance policies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after the enacting clause insert the following:

*Sec. 1. Section 1, chapter 14, Laws of 1987, and RCW 48.18.289 are each amended to read as follows:

Whenever a notice of cancellation or nonrenewal or an offer to renew is ~~((required to be))~~ furnished to an insured in accord with ~~((under))~~ any provision of this chapter, a copy of such notice or offer shall be provided at the same time to the agent on the account or to the broker of record for the insured.

Renumber the remaining sections accordingly.

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Day, Dellwo, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

Absent: Representatives Day and Grimm.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 6319 Prime Sponsor, Committee on Financial Institutions & Insurance: Authorizing notice to certain life insurance policyowners of the non-forfeiture benefits available. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 48.23 RCW to read as follows:

Each life insurer shall inform the policyowner at least once every five years in writing of the nonforfeiture options that may be available under the policy. This information shall generally describe nonforfeiture options and recommend that the policyowner contact his or her agent for further information but need not describe the specific options applicable to the policyowner receiving the notice. The requirements of this section do not apply to policies providing only term insurance.

NEW SECTION, Sec. 2. This act shall take effect January 1, 1989.*

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Day, Dellwo, Dorn, P. King, Nutley, Silver and Winsley.

Absent: Representatives Ferguson, Grimm and Nutley.

Passed to Committee on Rules for second reading.

February 22, 1988

SB 6362 Prime Sponsor, Senator Nelson: Regulating license plates and fenders on antique vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Smith, D. Sommers, Sutherland, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Hankins, Todd, Vekich, J. Williams and K. Wilson.

Passed to Committee on Rules for second reading.

February 19, 1988

SB 6369 Prime Sponsor, Senator Nelson: Requiring quarterly reports on public office funds. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 7, after "report" insert "on a quarterly basis"

On page 1, beginning on line 8, after "received" strike all material through "year" on line 9 and insert "((during the preceding calendar year))"

Signed by Representatives Fisher, Chair; Pruitt, Vice Chair; Amondson, Barnes and Sanders.

Absent: Representatives R. King and Leonard.

Passed to Committee on Rules for second reading.

February 22, 1988

SB 6370 Prime Sponsor, Senator Pullen: Correcting obsolete statutory references resulting from a devolution of power from the department of conservation. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 5, after line 25, strike all material down through "if" on line 28 and insert the following:

"The director ~~((of conservation))~~ shall continue the study of the state power commission made in 1956 relating to the construction of a steam power electric generating plant, and if"

Signed by Representatives H. Sommers, Chair; Chandler, Hankins, O'Brien, Peery and Walk.

MINORITY recommendation: Do not pass. Signed by Representative Baugher.

Absent: Representatives Peery and Taylor.

Passed to Committee on Rules for second reading.

February 22, 1988

SB 6412 Prime Sponsor, Senator von Reichbauer: Providing for the publication of the maximum interest rate that may be charged on retail installment contracts for the purchase of motor vehicles. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Day, Dellwo, Dorn, Nutley, Silver and Winsley.

Absent: Representatives Ferguson, Grimm, Nutley and Winsley.

Passed to Committee on Rules for second reading.

February 22, 1988

ESSB 6433 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring health care insurance coverage for the food supplements necessary for the treatment of phenylketonuria. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Betrozoff, Chandler, Crane, Dellwo, Dorn, Nutley, Silver and Winsley.

Absent: Representatives Dorn, Ferguson, Grimm, P. King, Nutley and Winsley.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 6438 Prime Sponsor, Committee on Energy & Utilities: Permitting banded rate tariffs for natural gas and electric services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Barnes, Brooks, Gallagher, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representatives Todd, Vice Chair; Armstrong and Hankins.

Passed to Committee on Rules for second reading.

February 22, 1988

SB 6494 Prime Sponsor, Senator Patterson: Revising provisions for motor vehicle license fees. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Haugen, Jacobsen, Jones, Meyers, Patrick, Prince, Schmidt, Smith, D. Sommers and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Heavey, Kremen and Zellinsky.

Absent: Representatives Allen, Day, Hankins, Todd, Vekich, J. Williams and K. Wilson.

Passed to Committee on Rules for second reading.

February 22, 1988

SSB 6551 Prime Sponsor, Committee on Law & Justice: Changing the rights of victims, survivors, and witnesses of crimes. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 12 after "interview" insert "of the victim or survivor of the victim"

On page 7, after line 34, insert the following:

"Sec. 9, Section 2, chapter 42, Laws of 1955 as last amended by section 1, chapter 4, Laws of 1969 ex. sess. and RCW 9.95.062 are each amended to read as follows:

(1) An appeal by a defendant in a criminal action shall not stay the execution of the judgment of conviction, unless the court so orders after determining:

(a) That staying the judgment will not pose a danger to the safety of the victims of the crime or their families; and

(b) That, to the extent of the defendant's financial ability, the defendant has either undertaken to pay the financial obligations, including restitution, under the judgment or has posted an adequate performance bond to assure payment.

(2) In case the defendant has been convicted of a felony, and has been unable to furnish a bail bond pending the appeal, the time ((he)) the defendant has been imprisoned pending the appeal shall be deducted from the term for which ((he)) the defendant was ((theretofore)) sentenced to the penitentiary, if the judgment ((against him be)) is affirmed."

Renumber the remaining sections consecutively.

On page 7, beginning on line 35, strike everything through "repealed." on page 8, line 1

Renumber the remaining section consecutively.

On page 8, after line 1, insert the following:

"NEW SECTION. Sec. 10. The department of labor and industries shall study the victim and witness assistance programs provided by county prosecutors. The study shall determine whether additional resources are needed to implement the rights provided to victims of crime, survivors of victims, and witnesses by chapters 7.69 and 7.69A RCW. The department shall present its report to the house of representatives judiciary committee, the senate law and justice committee, and the ways and means committees of the house of representatives and the senate not later than December 1, 1988.

NEW SECTION. Sec. 11. A new section is added to chapter 7.69 RCW to read as follows:

Appropriations to assist local governments to comply with the requirements of this chapter may be appropriated from the public safety and education account.

NEW SECTION. Sec. 12. A new section is added to chapter 7.69A RCW to read as follows:

Appropriations to assist local governments to comply with the requirements of this chapter may be appropriated from the public safety and education account."

Renumber the remaining section consecutively.

On page 1, line 2 of the title, after "7.69A.030;" insert "and"

On page 1, line 2 of the title, after "7.69.050." strike "and" and after "7.69A.030" insert ", and 9.95.062"

On page 1, line 3 of the title, after "7.69 RCW" strike "; and repealing RCW 7.69.030"

On page 1, line 3 of the title, after "7.69 RCW;" insert "adding a new section to chapter 7.69A RCW; creating a new section:"

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, P. King, Lewis, Meyers, Padden, Patrick, Schmidt, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Belcher.

Absent: Representatives Locke and Moyer.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6556 Prime Sponsor, Senator Wojahn: Specifying that fees for birth certificates suitable for display be used for the children's trust fund. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 22, 1988

ESB 6563 Prime Sponsor, Senator Pullen: Adopting the uniform federal lien registration act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Meyers, Patrick, Schmidt, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Absent: Representatives Locke and Moyer.

Passed to Committee on Rules for second reading.

February 22, 1988

SB 6667 Prime Sponsor, Senator Nelson:: Revising special fuel user's report filing frequency. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Cantwell, Cooper, Day, Doty, Fisher, Fox, Gallagher, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Prince, Schmidt, Smith, D. Sommers, Sutherland, Vekich, S. Wilson and Zellinsky.

Absent: Representatives Allen, Day, Fox, Hankins, Patrick, Todd, J. Williams and K. Wilson.

Passed to Committee on Rules for second reading.

February 19, 1988

SSB 6703 Prime Sponsor, Committee on Energy & Utilities: Changing provisions relating to underground facilities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 27, after "underground" strike everything through "and" on line 28 and insert "fiber optics facility other than"

Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Hankins, Jacobsen, Jesernig, May, Meyers, Unsoeld and S. Wilson.

Absent: Representatives Miller and Sutherland.

Passed to Committee on Rules for second reading.

MOTION

Mr. Dellwo moved that the bills listed on today's committee reports under the fifth order of business be referred to the committees so designated with the exception of House Bill No. 1312. The motion was carried.

MOTION

On motion of Mr. Dellwo, House Bill No. 1312 was advanced to second reading.

SECOND READING

HOUSE BILL NO. 1312, by Representatives Locke, Holland and Grimm; by request of Office of Financial Management

Adopting the supplemental operating budget.

The bill was read the second time.

MOTION

On motion of Mr. Dellwo, further consideration of House Bill No. 1312 was deferred and the bill was ordered to hold its place on the second reading calendar.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4736, by Representatives Padden, O'Brien, Moyer, Dellwo, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Sister Peter Claver has practiced with distinction and humility the precepts of her religious order, the Sisters of Providence, while devoting her life to the health and welfare of others in the health care field; and

WHEREAS, Sister Peter Claver, born Lucille Thomas on December 13, 1916, was raised in Terry, Montana, received her nursing diploma twenty-one years later from the Columbus School of Nursing, earned her Bachelor of Science degree in Nursing Education from Gonzaga University in 1958 and was awarded a Masters Degree in Hospital Administration two years later at St. Louis University; and

WHEREAS, Sister Peter Claver has gathered invaluable practical experience during her long career in health care as a registered nurse; Operating Room Supervisor at Providence Hospital, Wallace, Idaho; Nurse Supervisor of the operating rooms at Columbus Hospital, Great Falls, Montana and Sacred Heart Medical Center, Spokane; and Administrator of Columbus Hospital; and

WHEREAS, In 1964 she was appointed President of the Sacred Heart Medical Center in Spokane at a time in the hospital's history when it stood at a crossroads: Whether to permanently close its antiquated structure or to construct a completely new, expensive building; and

WHEREAS, In 1968 ground was broken for a new structure carefully designed and adequately financed under Sister Peter Claver's supervision; and

WHEREAS, Sacred Heart Medical Center is a multi-facility health care complex employing over three thousand people and utilizing state-of-the-art medical technology; and

WHEREAS, Sister Peter Claver guided its construction to completion in 1971; and

WHEREAS, Sister Peter Claver directed a second major building project in 1984 to house the psychiatric ward, rehabilitation center and outpatient services; and

WHEREAS, She exhibited her capable leadership by facing and meeting the challenges presented by new technology, increasing government regulation and novel ethical issues; and

WHEREAS, Sister Peter Claver's achievements are the fruits of strong and determined leadership and, according to those who have worked beside and under her, the results of compassion, humility and kindness; and

WHEREAS, Sister Peter Claver, as of January 1, 1988, has resigned as President of Sacred Heart Medical Center in order to spend more time supporting her many interests;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington does hereby honor and declare its admiration for Sister Peter Claver for the many years she has devoted to those afflicted with sickness and disease and for her outstanding kindness for their well-being; and

BE IT FURTHER RESOLVED, That a copy of the Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Sister Peter Claver and the directors and staff of Sacred Heart Medical Center.

Mr. Padden moved adoption of the resolution. Representatives Padden and Moyer spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 88-4737, by Representatives Cantwell, P. King, Cole and Rust

WHEREAS, Women's sports have made significant contributions to the progress of women in the State of Washington and the nation; and

WHEREAS, Team sports foster the development of cooperation and facilitate the building of individual character through dedication and hard work; and

WHEREAS, The Mountlake Terrace High School girls' soccer team had an outstanding record of fourteen wins and had only four losses, three due to forfeiture because of the teachers' strike; and

WHEREAS, The members of the Mountlake Terrace High School girls' soccer team have excelled by winning the 1987 State Girls' Soccer Championship; and

WHEREAS, Our state values the accomplishments and achievements of women athletes; and

WHEREAS, Women's athletics leads to development of leadership and community service qualities that help women excel in other areas, such as business and government;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the Hawks Girls' Soccer Team of Mountlake Terrace High School; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Dr. Pauline Cline, Principal of Mountlake Terrace High School, and to Jerry Myers, Coach, and Wayne King, Assistant Coach of the Hawks Girls' Soccer Team.

Ms. Cantwell moved adoption of the floor resolution. Representatives Cantwell, Miller, P. King and Jacobsen spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives Mr. Roger Pendergraft, President of the Washington State Association of the Deaf; Ms. Rebecca McCune, Chair of the Telecommunications Devices for the Deaf Advisory Committee; Mr. Leon Curtis, State Coordinator for Deaf Services, Department of Social and Health Services; and Ms. Patty Hughes, Assistant to Mr. Curtis.

The Speaker (Mr. O'Brien presiding) introduced Senator Al Williams, Representative Gene Lux and Representative Ken Jacobsen. Representative Jacobsen gave a brief overview of Second Substitute House Bill No. 221, enacted in 1987 and known as "The Clyde Randolph Ketchum Act," which established the Deaf Advisory Committee of the Department of Social and Health Services and provided that telecommunications devices be made available for the hearing impaired citizens of the state. On behalf of the Washington State Legislature Representative Lux presented the first state-funded telecommunications device for the deaf to Mrs. Clyde Ketchum, widow of Mr. Clyde Ketchum. Mrs. Ketchum thanked the members of the House of Representatives.

MOTIONS

On motion of Mr. Ebersole, Engrossed Senate Bill No. 6440 was referred from Committee on Ways & Means to Committee on Rules.

On motion of Mr. Ebersole, Substitute Senate Bill No. 6512 was referred from Committee on Agriculture & Rural Development to Committee on Ways & Means.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives the Apple Blossom Royalty, Princess Becky Jay Kearny and Princess Caitlin Newman, and their chaperones Ms. Georgia Boon and Ms. Kathleen Waslenko, who were seated in the place of honor in the House Chambers. The Speaker (Mr. O'Brien presiding) then introduced the Apple Blossom Queen, Heather Smith, who briefly addressed the body from the rostrum. The Speaker (Mr. O'Brien presiding) appointed Representatives Ballard and McLean to escort Queen Heather from the rostrum to the rear of the House Chambers.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

Mr. Appelwick moved that the House be at recess until 3:30 p.m. The motion was carried.

AFTERNOON SESSION

The Speaker (Mr. O'Brien presiding) called the House to order at 3:30 p.m. The Clerk called the roll, and all members were present except Representatives Beck, Ferguson, Hankins, Taylor and K. Wilson. Representatives Beck, Hankins and K. Wilson were excused.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

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

SECOND READING

The House resumed consideration of House Bill No. 1312 on second reading from today's morning session.

HOUSE BILL NO. 1312, by Representatives Locke, Holland and Grimm; by request of Office of Financial Management

Adopting the supplemental operating budget.

On motion of Mr. Locke, Substitute House Bill No. 1312 was substituted for House Bill No. 1312, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1312 was read the second time.

Mr. Locke moved adoption of the following amendments:

On page 4, beginning on line 27, increase the public safety and education account and total appropriations by \$30,000

On page 5, line 5, increase the amount provided solely by \$30,000

On page 61, beginning on line 12, decrease the public safety and education account and the total appropriations by \$30,000

On page 62, line 5, decrease the amount provided solely by \$30,000

Representatives Locke and Holland spoke in favor of the amendments, and they were adopted.

The Clerk read the following amendment by Mr. Grimm:

On page 6, after line 32, insert the following:

*Sec. 105. Section 114, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((6,374,666))
		6,457,000
Archives and Records Management Account Appropriation	\$	2,116,000
Total Appropriation	\$	((8,490,666))
		8,573,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,021,000 of the general fund appropriation is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(2) \$1,661,000 of the general fund appropriation is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(3) \$60,000 of the archives and records management account appropriation is provided solely for a project that will evaluate the need for, and potential archival requirements of, storage of data contained in magnetic media (tapes and disks). Implementation of an archival program for magnetic media shall not begin prior to approval of the findings and recommendations of the project by the office of financial management.

(4) \$83,000 of the general fund appropriation is provided solely for advertising Washington state's March 8, 1988, precinct caucuses.*

With consent of the House, the amendment was withdrawn.

Ms. Valle moved adoption of the following amendment by Representatives Valle, B. Williams, Patrick, Heavey, Nelson, Cole, Walker and Lux:

On page 9, after line 7, add a new subsection:

"(6) The Office of Financial Management shall work with the Legislative Budget Committee to identify the extent of personal services contracts not currently filed with the Office of Financial Management and the Legislative Budget Committee. Based on this information, the Office of Financial Management and Legislative Budget Committee shall modify their current methodology for tracking such contracts so that the data on personal services contracts available to the legislature includes all contracts awarded by state agencies."

Renumber remaining subsections and correct internal references accordingly.

Representatives Valle, B. Williams and Lux spoke in favor of the amendment, and Representatives H. Sommers and Belcher opposed it.

Ms. Valle again spoke in favor of the amendment. The amendment was not adopted.

The Clerk read the following amendments by Representative Silver:

On page 9, beginning on line 29, increase the general fund-state and total appropriations by \$50,000

On page 10, after line 13, insert "(3) \$50,000 of the general fund-state appropriation is provided solely for the supervisor of banking to certify business and industrial development corporations under the provisions of E2SSB 6220. If this bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse."

On page 55, beginning on line 34, increase the general fund and total appropriations by \$60,000

On page 58, after line 7, insert "(9) \$60,000 of the general fund appropriation is provided solely for the supervisor of banking to certify business and industrial development corporations under section 12 of E2SSB 6220. If this bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse."

With consent of the House, Ms. Silver withdrew the amendments.

The Clerk read the following amendments by Representatives Vekich and Grimm:

On page 9, beginning on line 29, increase the general fund-state and total appropriations by \$15,000

On page 10, after line 13, insert:

"(3) \$15,000 of the general fund-state appropriation is provided solely for the supervisor of banking to certify business and industrial development corporations under the provisions of E2SSB 6220 or SHB 1358. If neither bill is enacted by June 30, 1988, the amount provided in this subsection shall lapse."

On page 55, beginning on line 34, increase the general fund and total appropriations by \$49,000

With consent of the House, Mr. Locke withdrew the amendments.

Mr. Locke moved adoption of the following amendments:

On page 11, beginning on line 10, decrease the public safety and education account appropriation and total appropriation by \$100,000

On page 11, decrease the amount provided solely by \$100,000

Mr. Locke spoke in favor of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendments:

On page 14, line 29, decrease the public safety and education account and total appropriations by \$100,000

On page 18, beginning on line 12, strike all of subsection (18) and insert:

"(18) \$400,000 of the public safety and education account appropriation is provided solely for training programs under chapter 70.125 RCW for criminal justice, medical, and child protective services personnel regarding victims of sexual abuse. Training programs under this subsection shall focus on the following:

(a) Training child protective service workers on recognition of signs of potential sexual abuse and on medical techniques available to confirm abuse or establish legal evidence, and developing policies and procedures for use by such workers in responding to claims or reports of sexual abuse;

(b) Developing regional medical expertise on identification, verification and retention of evidence in cases of child sexual abuse; and

(c) Providing prosecutors, public defenders, judges, and other criminal justice personnel with information on available medical techniques for confirming abuse or establishing legal evidence."

Mr. Locke spoke in favor of the amendments, and they were adopted.

Mr. Sayan moved adoption of the following amendment:

On page 20, beginning on line 16, after "hospital" insert ", with the exception of persons who met all the following criteria, as established by a licensed psychiatrist and involving consultation with a state certificated geriatric mental health specialist: (i) diagnosis of organic mental disorder (non-transient); (ii) established behavior abnormalities directly associated with the organic disorder; (iii) admittance to the residential treatment center at least twice during the prior six month period; (iv) expulsion from two or more residential placements during the prior six month period resulting from behaviors directly associated with the presence of the established organic mental disorder; and (v) denial of admission by all appropriate residential settings in the Puget Sound area."

Mr. Sayan spoke in favor of the amendment, and it was adopted.

Mr. Grimm moved adoption of the following amendment:

On page 24, subsection (2), increase the general fund-state appropriation by \$1,800,000, the general fund-federal appropriation by \$1,900,000 and the total appropriation by \$3,700,000

Mr. Grimm spoke in favor of the amendment, and it was adopted.

Mr. Sayan moved adoption of the following amendments by Representatives Sayan and Grimm:

On page 42, beginning on line 19, increase the general fund-state and total appropriations by \$150,000

On page 45, after line 26, insert:

"(6) \$150,000 of the general fund-state appropriation is provided solely to establish Washington Service Corps internship positions with private corporations for young adults from 18 to 25 years of age, especially members of ethnic minority groups or enrollees in the Family Independence Program. Internship positions shall be part-time during the school year and full-time during the summer."

Mr. Sayan spoke in favor of the amendments, and they were adopted.

Representative Hankins appeared at the bar of the House.

The Clerk read the following amendments by Representative Fuhrman:

On page 31, after line 18, insert:

"(9) No state funds shall be used to fund abortions for minors without parental consent."

On page 34, after line 4, insert:

"(14) No state funds shall be used to fund abortions for minors without parental consent."

With consent of the House, Mr. Fuhrman withdrew the amendments.

Mr. Bristow moved adoption of the following amendments:

On page 36, beginning on line 4, increase the general fund-state and total appropriations by \$150,000

On page 39, after line 28, insert "(21) \$150,000 of the general-fund state appropriation is provided solely for grants to the city of Omak and Okanogan County for enhanced surveillance and investigation needed because of school-related arson incidents. The department shall make grants based on demonstration of impact by the city and county."

Representatives Bristow, Fuhrman and Locke spoke in favor of the amendments, and they were adopted.

Ms. Silver moved adoption of the following amendments:

On page 42, line 19, strike ~~"((5,700,000)) 920,000"~~ and insert "5,700,000"

On page 42, line 24, after "Appropriation-Federal" strike ~~"((6,918,000)) 9,618,000"~~ and insert "6,918,000"

On page 42, strike line 30

On page 42, line 31, adjust the total appropriation accordingly.

On page 115, beginning on line 11, strike all of section 709

Ms. Silver spoke in favor of the amendments.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Mr. Wang spoke against the amendments, and Representatives McLean and Ballard spoke in favor of them.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Silver to Substitute House Bill No. 1312, and the amendments were not adopted by the following vote: Yeas, 38; nays, 56; absent, 2; excused, 2.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Baugher, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Fuhrman, Grant, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 38.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Vaile, Vekich, Walk, Wang, Wineberry, and Mr. Speaker - 56.

Absent: Representatives Ferguson, Taylor - 2.

Excused: Representatives Beck, Wilson K - 2.

Mr. Grimm moved adoption of the following amendments by Representatives Vekich and Grimm:

On page 42, beginning on line 19, increase the general fund-state and total appropriations by \$30,000.

On page 45, after line 26, insert "(6) \$30,000 of the general fund-state appropriation is provided solely for a study of underemployment in the state. The study shall include but is not limited to examination of the extent and seriousness of underemployment, the degree to which underemployment is concentrated in the workforce by geographic region, race or gender. The study shall use information from all relevant employment security department databases consistent with state confidentiality requirements, examine the feasibility of modifying these files and related data collection processes to ensure information needed to monitor underemployment is available on an ongoing basis. The results of the study shall be reported to the legislature by January 1, 1989."

Representatives Vekich and Schoon spoke in favor of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendments by Representatives Locke, Bumgarner and Silver:

On page 52, Sec. 306, increase the public safety and education account appropriation and the total appropriation by \$18,000

On page 53, after line 4, insert:

"(4) \$36,000 of the public safety and education account appropriation is provided solely for transfer to the state wildlife conservation reward fund for the purpose of paying rewards. In making payments for rewards, the department shall make payments directly to the recipient."

Representatives Locke and Bumgarner spoke in favor of the amendments, and they were adopted.

Mr. Vekich moved adoption of the following amendments by Representatives Vekich and Grimm:

On page 55, beginning on line 34, increase the general fund and total appropriations by \$300,000

On page 58, after line 7, insert "(9) \$300,000 of the general fund appropriation is provided solely for a business and job retention program under E2SSB 6277. If this bill is not enacted by June 30, 1988 the amount provided in this subsection shall lapse."

Representatives Vekich and Schoon spoke in favor of the amendments, and they were adopted.

Mr. Vekich moved adoption of the following amendments by Representatives Vekich and Grimm:

On page 55, beginning on line 34, decrease the general fund and total appropriations by \$200,000

On page 57, line 20, after "(8)" strike "\$400,000" and insert "\$200,000"

Representatives Vekich and Schoon spoke in favor of the amendments, and they were adopted.

Mr. Kremen moved adoption of the following amendments by Representatives Vekich, Grimm and Kremen:

On page 55, beginning on line 35, increase the general fund and total appropriations by \$60,000

On page 58, after line 7, insert:

"(9) \$60,000 of the general fund appropriation is provided solely for technical assistance to business and industrial development corporations under section 12 of E2SSB 6220 or section 5 of SHB 1358. If neither bill is enacted by June 30, 1988, the amount provided in this subsection shall lapse."

Representatives Kremen, Schoon and Silver spoke in favor of the amendments, and they were adopted.

Mr. B. Williams moved adoption of the following amendments:

On page 61, beginning on line 8, increase the general fund-state and total appropriations by \$50,000

On page 62, after line 10, insert:

"(5) \$50,000 of the general fund appropriation is provided solely for the State Patrol to grant monies to local law enforcement agencies who apply for assistance in implementing HB 1352. If HB 1352 is not enacted by June 30, 1988, the amount provided in this subsection shall lapse."

Mr. B. Williams spoke in favor of the amendments, and Mr. Locke opposed them.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Representatives Padden, Moyer, Lewis, Brough and Patrick spoke in favor of the amendments, and Representative Wineberry opposed them. Mr. Locke again spoke against the amendments.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative B. Williams to Substitute House Bill No. 1312, and the amendments were not adopted by the following vote: Yeas, 45; nays, 48; absent, 3; excused, 2.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Baugher, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Dorn, Doty, Fuhrman, Hankins, Haugen, Heavey, Holland, Jones, Kremen, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rasmussen, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Valle, Walker, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Hine, Holm, Jacobsen, Jesernig, King P, King R, Leonard, Locke, Lux, Nelson, Nutley, O'Brien, Peery, Pruitt, Rust, Sayan, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 48.

Absent: Representatives Ferguson, Grant, Taylor - 3.

Excused: Representatives Beck, Wilson K - 2.

Mr. Holland moved adoption of the following amendments:

On page 64, line 8, increase the general fund-state appropriation by \$2,278,000 and on line 13 increase the total appropriation by the same amount

On page 65, after line 14, insert:

(9) \$2,278,000 of the general fund-state appropriation is provided solely for the implementation of the "technology for learning" proposal, including the laser library of Washington State history, enhancement to the educational technology center program, and educational technology grants program, a learning technologies exchange, and a technology-assisted physical science curriculum.

Mr. Holland spoke in favor of the amendments.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Mr. Peery spoke against the amendments, and Representatives Brough and Schoon spoke in favor of them.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Holland to Substitute House Bill No. 1312, and the amendments were not adopted by the following vote: Yeas, 37; nays, 57; absent, 2; excused, 2.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Dorn, Doty, Fuhrman, Hankins, Holland, King P, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rasmussen, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Valle, Walker, Williams B, Williams J, Winsley - 37.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Vekich, Walk, Wang, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 57.

Absent: Representatives Ferguson, Taylor - 2.

Excused: Representatives Beck, Wilson K - 2.

Mr. Peery moved adoption of the following amendment by Representatives Peery, Grimm and Pruitt:

On page 65, after line 14, insert:

(9) \$25,000 of the general fund-state appropriation is provided solely for costs of the temporary committee on the assessment and accountability of educational outcomes established under RCW 29A.100.012.

Mr. Pruitt spoke in favor of the amendment, and it was adopted.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove and Jones:

On page 65, after line 14, insert:

"(9) \$23,000 of the general fund-state appropriation is provided solely for school districts that received incorrect budget information for the 1987-88 school year from the superintendent of public instruction, caused by a programming error in calculating estimated state revenues for the district."

Representatives Hargrove and Jones spoke in favor of the amendment, and Mr. Peery opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Hargrove and Jones to Substitute House Bill No. 1312, and the amendments were not adopted by the following vote: Yeas, 25; nays, 69; absent, 2; excused, 2.

Voting yea: Representatives Ballard, Barnes, Basich, Baugher, Betrozoff, Bumgarner, Butterfield, Chandler, Crane, Fuhrman, Hargrove, Jones, Lewis, McLean, Miller, Moyer, Padden, Patrick, Sanders, Schoon, Silver, Smith C, Sommers D, Walker, Winsley - 25.

Voting nay: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsöld, Valle, Vekich, Walk, Wang, Williams B, Williams J, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 69.

Absent: Representatives Ferguson, Taylor - 2.

Excused: Representatives Beck, Wilson K - 2.

Mr. Peery moved adoption of the following amendments by Representatives Peery and Grimm:

On page 66, line 20, after "(c)" insert "(i)"

On page 66, after line 27, insert:

"(i) For school districts that are located in a special economic distress impact areas as defined in this subsection, and that experienced a decline in average annual full time equivalent enrollment between the 1987-88 and 1988-89 school years of at least two hundred full time equivalent students or four percent, whichever is less, additional staff unit allocations for the 1988-89 school year equivalent to the number of staff units generated under subsection (a) of this subsection by half of the enrollment difference between the two school years. 'Special economic distress impact area' shall mean a county that had an average unemployment rate for fiscal year 1988 which exceeded the average state unemployment rate for the same period by fifteen percent, and which is located in whole or in part within a fifty mile radius of a nuclear reactor scheduled to be placed in inoperative standby status."

Representatives Peery and Holland spoke in favor of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendments:

On page 69, line 16, after "year" strike "~~((and a maximum of \$6,188 per certificated staff unit in the 1988-89 school year))~~" and insert "and a maximum of (\$6,188) \$6,772 per certificated staff unit in the 1988-89 school year"

On page 69, line 21, after "year" strike "~~((and a maximum of \$11,792 per certificated staff unit in the 1988-89 school year))~~" and insert "and a maximum of (\$11,792) \$12,868 per certificated staff unit in the 1988-89 school year"

On page 69, beginning on line 23, strike all of subsection (c).

Representatives Locke and Holland spoke in favor of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendment:

On page 69, line 3, strike "1987-88" and insert "~~((1987-88))~~ 1988-89"

Mr. Locke spoke in favor of the amendment, and it was adopted.

Mr. Locke moved adoption of the following amendments:

On page 70, line 7, after "generated" strike all material through "(7)" on line 10, and insert "under subsections (2) through (6) of this section for the 1988-89 school year by certificated staff units allocated for the full time equivalent enrollment of the district or small school plant under subsection (2)(a)"

On page 72, line 13, after "section" strike "513" and insert "514"

Mr. Locke spoke in favor of the amendment, and it was adopted.

Mr. Schoon moved adoption of the following amendments:

On page 65, line 21, decrease the general fund-state appropriation by \$18,374,000 and on line 24 decrease the total appropriation by the same amount.
 On page 69, line 25, after "(i)" strike "\$338.60" and insert "\$309.40"
 On page 69, line 28, after "(ii)" strike "\$735.31" and insert "\$673.83"
 On page 69, line 31, after "(iii)" strike "\$771.93" and insert "\$707.38"
 On page 80, beginning on line 13, strike all of section 505.
 On page 83, line 27, decrease the general fund-state appropriation by \$1,426,000 and on line 30 decrease the total appropriation by the same amount.

Mr. Schoon spoke in favor of the amendments.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Mr. Peery spoke against the amendments, and Ms. Brough spoke in favor of them.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Schoon to Substitute House Bill No. 1312, and the amendments were not adopted by the following vote: Yeas, 34; nays, 60; absent, 2; excused, 2.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, C. Sommers D. Walker, Williams B. Williams J. Wilson S. Winsley - 34.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H. Spanel, Sprenkle, Sutherland, Todd, Unsold, Vaile, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 60.

Absent: Representatives Ferguson, Taylor - 2.
 Excused: Representatives Beck, Wilson K - 2.

Mr. Locke moved adoption of following amendments:

On page 76, line 1, after "allocations" insert "in the 1987-88 school year"
 On page 76, line 4, after "act" insert ", divided by the district's average staff mix factor for 1987-88 basic education certificated instructional staff"

Mr. Locke spoke in favor of the amendments, and they were adopted.

The Clerk read the following amendment by Representative Schoon:
 On page 84, beginning on line 16, strike all of subsection (5).

With consent of the House, Mr. Schoon withdrew the amendment.

Mr. Holland moved adoption of the following amendments:

On page 92, beginning on line 19, strike all of section 514 and insert the following:
 *NEW SECTION, Sec. 514. A new section is added to chapter 7, Laws of 1987 1st ex. sess. to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE INSURANCE BENEFIT INCREASES
 General Fund Appropriation \$ 17,906,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Effective September 1, 1988, allocations for insurance benefits for school district and education service district employees are increased to a rate of \$196.00 per month for each full time equivalent certificated employee, and \$196.00 per month for each full time equivalent classified employee as calculated pursuant to this subsection. For the purposes of allocations of insurance benefits, full time equivalent classified employees shall be calculated on the basis of 1440 hours of work per year, with no individual employee counted as more than one full time equivalent.

(2) The appropriation in this section is provided solely to increase insurance benefit allocations for state-funded certificated and classified staff units in the 1988-89 school year, distributed as follows:

(a) A maximum of \$14,445,000 may be expended to increase insurance benefit allocations for basic education staff units under section 502(5) of this act by \$29.00 per month.

(b) A maximum of \$1,856,000 may be expended to increase insurance benefit allocations for handicapped program staff units as calculated under section 506 of this act by \$29.00 per month.

(c) A maximum of \$97,000 may be expended to increase insurance benefit allocations for state-funded staff in educational service districts and institutional education programs by \$29.00 per month.

(d) A maximum of \$1,508,000 may be expended to fund insurance benefit increases in the following categorical programs by increasing state funding rates for the 1988-89 school year as follows:

- (i) For pupil transportation, an increase of \$0.27 per weighted pupil mile;
- (ii) For learning assistance, an increase of \$7.24 per pupil;
- (iii) For education of highly capable students, an increase of \$2.49 per pupil;
- (iv) For transitional bilingual education, an increase of \$4.70 per pupil;
- (v) For vocational-technical institutes, an increase of \$19.29 per full time equivalent pupil."

On page 105, in section 701, decrease the General fund Appropriation—State by \$12,450,000; decrease the General Fund Appropriation—Federal by \$2,155,000; decrease the Special Fund Salary and Insurance Contribution Increase Revolving Fund Appropriation by \$5,029,000; and decrease the Total Appropriation by \$19,634,000.

On page 106, line 25, strike "224.75" and insert "196.00"

Mr. Holland spoke in favor of the amendments.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Mr. Locke spoke against the amendments.

Representative Ferguson appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Holland to Substitute House Bill No. 1312, and the amendments were not adopted by the following vote: Yeas, 28; nays, 67; absent, 1; excused, 2.

Voting yea: Representatives Ballard, Barnes, Betrozoff, Brooks, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Williams B, Williams J - 28.

Voting nay: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 67.

Absent: Representative Taylor - 1.

Excused: Representatives Beck, Wilson K - 2.

Mr. Locke moved adoption of the following amendments:

On page 113, line 6, strike "~~592.000~~" and insert "592.000"

On page 113, line 7, strike "~~688.000~~"

Mr. Locke spoke in favor of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendment:

On page 114, line 7, after "seventy)" strike "one million, three hundred" and insert "two million, four hundred and eighty"

Mr. Locke spoke in favor of the amendment, and it was adopted.

Ms. Fisher moved adoption of the following amendment by Representatives Grimm and Fisher:

On page 6, after line 32, insert the following:

"Sec. 105. Section 114, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	(6,374,000)
		6,457,000
Archives and Records Management Account Appropriation	\$	2,116,000
Total Appropriation	\$	(6,490,000)
		8,573,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,021,000 of the general fund appropriation is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(2) \$1,661,000 of the general fund appropriation is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(3) \$60,000 of the archives and records management account appropriation is provided solely for a project that will evaluate the need for, and potential archival requirements of, storage of data contained in magnetic media (tapes and disks). Implementation of an archival program for magnetic media shall not begin prior to approval of the findings and recommendations of the project by the office of financial management.

(4) \$83,000 of the general fund appropriation is provided solely for advertising Washington state's March 8, 1988, precinct caucuses.

Ms. Fisher spoke in favor of the amendment, and it was adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Locke moved adoption of the following amendment:

On page 60, line 10 after "under" strike all the material down to and including "not" on line 11 and insert "HB 1801 or 2039. If neither bill is"

Mr. Locke spoke in favor of the amendment, and it was adopted.

With consent of the House, the following amendment to the title was adopted:

On page 1, line 6 of the title, after "(uncodified);" insert "amending section 114, chapter 7, Laws of 1987 1st ex. sess. (uncodified);"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke, Cole and Bristow spoke in favor of passage of the bill, and Representatives Holland, Ballard and Brough opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1312, and the bill passed the House by the following vote: Yeas, 66; nays, 29; absent, 1; excused, 2.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Amondson, Ballard, Barnes, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Ferguson, Fuhrman, Holland, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Sommers D, Walker, Williams B, Williams J, Wilson S - 29.

Absent: Representative Taylor - 1.

Excused: Representatives Beck, Wilson K - 2.

Engrossed Substitute House Bill No. 1312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Ebersole, the House adjourned until 3:30 p.m., Friday, February 26, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTY-SEVENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Friday, February 26, 1988

The House was called to order at 3:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Cantwell, Chandler, Haugen, Lewis and Smith. Representatives Chandler, Lewis and Smith were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jori Hayner and Jon Whiting. Prayer was offered by The Reverend Philip Norris, Minister of The Lacey Community Church.

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

MESSAGE FROM THE SENATE

February 24, 1988

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 8434,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

SCR 8434 by Senators Patterson, Anderson, Bailey, Barr, Bauer, Bender, Benitz, Bluechel, Cantu, Conner, Craswell, Deccio, DeJarnatt, Fleming, Garrett, Gaspard, Halsan, Hansen, Hayner, Johnson, Kiskaddon, Kreidler, Lee, Madsen, McCaslin, McDonald, McMullen, Metcalf, Moore, Nelson, Newhouse, Niemi, Owen, Pullen, Rasmussen, Rinehart, Saling, Sellar, Smith, Smitherman, Stratton, Talmadge, Vognild, von Reichbauer, Warnke, West, Williams, Wojahn and Zimmerman

Commemorating Elmer Huntley.

Referred to Committee on Rules.

HB 2040 by Representative Grimm

AN ACT Relating to the state budget. (t.o.)

Referred to Committee on Rules

HB 2041 by Representative Grimm

AN ACT Relating to the capital budget. (t.o.)

Referred to Committee on Rules.

HB 2042 by Representative Grimm

AN ACT Relating to fiscal matters. (t.o.)

Referred to Committee on Rules.

HB 2043 by Representative Grimm

AN ACT Relating to the state employees' insurance board. (t.o.)

Referred to Committee on Rules.

HB 2044 by Representative Grimm

AN ACT Relating to bonded indebtedness. (t.o.)

Referred to Committee on Rules.

HB 2045 by Representative Grimm

AN ACT Relating to employee benefits. (t.o.)

Referred to Committee on Rules.

HB 2046 by Representative Grimm

AN ACT Relating to hospital reimbursement. (t.o.)

Referred to Committee on Rules.

HB 2047 by Representative Grimm

AN ACT Relating to chore services. (t.o.)

Referred to Committee on Rules.

HB 2048 by Representative Grimm

AN ACT Relating to prenatal care. (t.o.)

Referred to Committee on Rules.

HB 2049 by Representative Grimm

AN ACT Relating to public facilities. (t.o.)

Referred to Committee on Rules.

HB 2050 by Representative Grimm

AN ACT Relating to generally accepted accounting principles. (t.o.)

Referred to Committee on Rules.

HB 2051 by Representative Grimm

AN ACT Relating to personal care services. (t.o.)

Referred to Committee on Rules.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 23, 1988

HB 1701 Prime Sponsor, Representative Walk: Adopting the supplemental transportation budget. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Betrozoff, Cantwell, Cooper, Day, Fisher, Fox, Hankins, Haugen, Heavey, Jacobsen, Jones, Meyers, Schmidt, Todd, Vekich, J. Williams and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Prince.

Voting nay: Representatives Gallagher, Patrick, Prince and Smith.

Absent: Representatives Allen, Todd, K. Wilson, S. Wilson and Zellinsky.

MOTIONS

On motion of Mr. Appelwick, House Bill No. 1701 was advanced to second reading and read the second time in full.

Mr. Appelwick moved that the House defer further consideration of House Bill No. 1701 and that the bill hold its place on the second reading calendar. The motion was carried.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4731, by Representatives O'Brien, Ballard, Brekke, Chandler, Vekich, Barnes, Sayan, Prince, Hine, B. Williams, Taylor and Miller

WHEREAS, The March of Dimes Birth Defects Foundation is celebrating its fiftieth anniversary as a voluntary health organization working to assure healthy lives for America's children and to prevent disability and illness; and

WHEREAS, The March of Dimes was founded in 1938 to raise funds through the efforts of thousands of volunteers to support the development of a vaccine that virtually eliminated the crippling human toll of polio; and

WHEREAS, For the past thirty years the March of Dimes has been a pioneer in preventing birth defects, the nation's number one child health problem, through research, education and health care programs; and

WHEREAS, The eastern and western Washington chapters of the March of Dimes have identified the high increase in infant mortality, and the work to reduce its toll, as a priority of the Foundation in 1988; and

WHEREAS, The March of Dimes recognizes that the Washington State government must be an active partner in this quest for improved infant health; and

WHEREAS, The nation's hope for assuring future generations of children a healthy start in life depends on the efforts and commitment of all Americans;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives declares February 26, 1988 as March of Dimes 50th Anniversary Day and urges all residents of Washington State to celebrate this day and this anniversary year by supporting the efforts of the March of Dimes to prevent birth defects; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the eastern and western Washington chapters of the March of Dimes and to the March of Dimes Birth Defects Foundation National Headquarters in New York State by the Chief Clerk of the House of Representatives.

Mr. O'Brien moved adoption of the resolution and spoke in favor of it. The resolution was adopted.

On motion of Mr. Ebersole, the House reverted to the sixth order of business.

SECOND READING

MOTIONS

Mr. Ebersole moved that the House defer consideration of Senate Bill No. 5667 and that the bill hold its place on the second reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 5844 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 5844, by Committee on Transportation (originally sponsored by Senators Conner and Peterson)

Requiring bonds from motor freight brokers.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5844, and the bill passed the House by the following vote: Yeas, 93; absent, 2; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzloff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers

H. Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Cantwell, Haugen - 2.

Excused: Representatives Chandler, Lewis, Smith C - 3.

Substitute Senate Bill No. 5844, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Cantwell appeared at the bar of the House.

STATEMENT FOR THE JOURNAL

I was not present for the vote on final passage of SSB 5844 due to other legislative business in the Senate.

MARIA CANTWELL, 44th District.

ENGROSSED SENATE BILL NO. 5953, by Senator Gaspard

Providing reduced work load options for certain tenured community college faculty members.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5953, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Haugen - 1.

Excused: Representatives Chandler, Lewis, Smith C - 3.

Engrossed Senate Bill No. 5953, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6113, by Senator Pullen

Making technical corrections to quasi-community property laws.

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

Representatives P. King and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6113, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Haugen - 1.

Excused: Representatives Chandler, Lewis, Smith C - 3.

Senate Bill No. 6113, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4722, by Representatives Wineberry, Cantwell, Cole, Miller, P. King, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, J. King, R. King, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Winsley and Zellinsky

WHEREAS, The wisdom of an enlightened society is bolstered by those special teachers whose commitment to the education of our children serves as the foundation of their characters; and

WHEREAS, Clifford Paul Johnson, better known to all as C.P., who died recently at the age of seventy-eight, personified this unshakeable commitment to the future as a trusted and revered educator in Washington, spanning two decades with the Shoreline School District and the Northshore School District; and

WHEREAS, Johnson received a Bachelor of Arts Degree in Sociology from Morehouse College in Atlanta and a Master's Degree in Education from the University of Washington; and

WHEREAS, Johnson began his public service career by working with his friend, future Supreme Court Justice Thurgood Marshall, to desegregate the University of Texas; and

WHEREAS, The Johnson family moved to Washington in 1959 and C.P. became instrumental in the creation and early success of Shoreline High School; and

WHEREAS, During his years of teaching, thousands of students passed through his classrooms, taking with them higher ethics, deeper convictions and stronger ideals as well as a true understanding of academic issues; and

WHEREAS, As the first Coordinator of Minority Studies for the Northshore School District, a position he held until his retirement in 1975, Johnson brought a keen understanding both of students and of social issues to the community; and

WHEREAS, Johnson's commitment to the public good was expressed not simply by his insightful teaching of government, history, economics and current events, but also by his active involvement in the Northshore community as a member of the Washington Education Association, St. Brendan Catholic Church, Alpha Phi Alpha fraternity, Democratic Party, Kiwanis Club, Knights of Columbus, the Model United Nations and many other civic organizations; and

WHEREAS, Known as an honest and genuine human being who took a real, sincere and complete interest in his students, Johnson was not only praised for his dedicated involvement in black and other minority communities, but also because he helped his largely white, upper-class suburban community understand and confront the ugly realities of racism, sexism and other forms of oppression facing minorities and women;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the memory and deeds of C.P. Johnson and express its hope that his wife, Dorothy, his family and his fraternity brothers, as well as friends and admirers, receive comfort in the knowledge that Johnson's commitment to our children's future helped build a stronger, more just society; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this Resolution to the family of C.P. Johnson.

Mr. Wineberry moved adoption of the resolution. Representatives Wineberry, Cole, Miller, P. King, Jacobsen and Cantwell spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker introduced to the members of the House of Representatives the family of Mr. C.P. Johnson, including his wife, Dorothy Johnson; his sister-in-law, Freddie Braxton; his mother-in-law, Mabel Harris; his son, Dell Jackson; his nephews, Philip Morris and Robert Braxton; and guests of the family.

MOTION

Mr. Padden moved that Committee on Judiciary be relieved of Engrossed Substitute Senate Bill No. 6711 and Senate Bill No. 6712 and that the bills be placed at the top of today's second reading calendar.

Mr. Padden spoke in favor of the motion.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Mr. Ebersole spoke against the motion, and Representatives Patrick and Brough spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Padden to relieve Committee on Judiciary of Engrossed Substitute Senate Bill. No. 6711 and Senate Bill No. 6712 and place the bills at the top of today's second reading calendar, and the motion was lost by the following vote: Yeas, 36; nays, 57; absent, 2; excused, 3.

Voting yea: Representatives Allen, Amundson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Heavey, Holland, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Sommers D. Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 36.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 57.

Absent: Representatives Haugen, Wilson K - 2.

Excused: Representatives Chandler, Lewis, Smith C - 3.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representatives Ballard and Doty were excused.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 6212, by Committee on Law & Justice (originally sponsored by Senators Pullen, Vognild, Conner, von Reichbauer and Garrett)

Revising membership eligibility of retirement boards for fire fighters and law enforcement officers.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 40th Day, February 19, 1988.)

Mr. Wang moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6212 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Haugen - 1.

Excused: Representatives Ballard, Chandler, Doty, Lewis, Smith C - 5.

Substitute Senate Bill No. 6212 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 6262, by Senators Nelson, Bender and von Reichbauer; by request of Department of Transportation

Extending the length of permits for I-90 construction.

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

Representatives Walk and May spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6262, and the bill passed the House by the following vote: Yeas, 91; absent, 2; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Haugen, Wilson S - 2.

Excused: Representatives Ballard, Chandler, Doty, Lewis, Smith C - 5.

Engrossed Senate Bill No. 6262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6295, by Senators Garrett and Patterson

Updating the Model Traffic Ordinance.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6295, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers

H. Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Haugen - 1.

Excused: Representatives Ballard, Chandler, Doty, Lewis, Smith C - 5.

Senate Bill No. 6295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6296, by Senators Nelson, Hansen, Owen, McMullen, McCaslin, Sellar, Conner and Johnson

Authorizing the state patrol to operate ports of entry jointly with other states.

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

Representatives Baugher and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6296, and the bill passed the House by the following vote: Yeas, 91; absent, 2; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Haugen, Wilson S - 2.

Excused: Representatives Ballard, Chandler, Doty, Lewis, Smith C - 5.

Senate Bill No. 6296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of Senate Bill No. 6338 and that the bill hold its place on the second reading calendar. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6399, by Committee on Transportation (originally sponsored by Senators Barr, Patterson, Anderson, Vognilid, Rasmussen, Conner, Bauer, Zimmerman and Smith)

Exempting farmers, contractors, and loggers from certain special fuel reporting requirements.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Baugher and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6399, and the bill passed the House by the following vote: Yeas, 91; absent, 2; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Haugen, Wilson S - 2.

Excused: Representatives Ballard, Chandler, Doty, Lewis, Smith C - 5.

Substitute Senate Bill No. 6399, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6516, by Senators Patterson, Kreidler, Zimmerman, Benitz and Conner

Funding bridge replacement on rural arterials.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6516, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Haugen - 1.

Excused: Representatives Ballard, Chandler, Doty, Lewis, Smith C - 5.

Senate Bill No. 6516, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Senate Bill No. 6338 on second reading. The motion was carried.

SENATE BILL NO. 6338, by Senators Kiskaddon, Stratton, Craswell, Wojahn, Garrett, Kreidler, Bailey and McDonald; by request of Department of Social and Health Services

Revising provisions governing consultation by department of social and health services on reports of abuse.

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

Representatives Brekke and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6338, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Haugen - 1.

Excused: Representatives Ballard, Chandler, Doty, Lewis, Smith C - 5.

Senate Bill No. 6338, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of House Bill No. 1701 on second reading. The motion was carried.

HOUSE BILL NO. 1701, by Representatives Walk, Schmidt and Baugher; by request of Office of Financial Management

Adopting the supplemental transportation budget.

On motion of Mr. Walk, Substitute House Bill No. 1701 was substituted for House Bill No. 1701, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1701 was read the second time.

Mr. Walk moved adoption of the following amendments by Representatives Walk and Patrick:

On page 15, line 43, after "to" strike "begin implementing the" and insert "study the feasibility of and planning for the possible"

On page 16, line 2, after "Academy," insert "The office of financial management shall report its findings and recommendations to the house and senate standing committees on transportation and ways and means on or before December 1, 1988."

Mr. Walk spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk and Schmidt spoke in favor of passage of the bill.

The Speaker called on Representative Braddock to preside.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1701, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 1; excused, 5.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Berozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representative Patrick - 1.

Absent: Representative Haugen - 1.

Excused: Representatives Ballard, Chandler, Doty, Lewis, Smith C - 5.

Engrossed Substitute House Bill No. 1701, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4738, by Representatives Rasmussen, Dorn, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The Future Farmers of America and high school agriculture programs promote the growth of Washington's agriculture; and

WHEREAS, The Future Farmers of America and high school agriculture programs are changing to provide training for the new high-technology careers in agriculture; and

WHEREAS, Members of the Future Farmers of America are playing an outstanding role in assuring the future progress and prosperity of Washington; and

WHEREAS, The Future Farmers of America's motto - "Learning to do, doing to learn; earning to live, living to serve" - gives a direction of purpose to students who exhibit agriculture's new spirit; and

WHEREAS, The Future Farmers of America performs the valuable service of developing leadership, encouraging cooperation, promoting good citizenship, teaching modern information and inspiring patriotism among its members;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives proclaims the week of February 20 through 27, 1988 as Future Farmers of America Week.

Ms. Rasmussen moved adoption of the resolution. Representatives Rasmussen, Nealey and Kremen spoke in favor of the resolution, and it was adopted.

The Speaker resumed the Chair.

MOTION

On motion of Mr. Ebersole, House Bill No. 2038 was referred from Committee on Health Care to Committee on Ways & Means.

The Speaker declared the House to be at ease.

The Speaker (Mr. Wang presiding) called the House to order

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

INTRODUCTIONS AND FIRST READING

HB 2052 by Representatives Locke, Grimm, Holland and Ferguson

AN ACT Relating to public facilities supported by excise taxes imposed by the state in class AA counties and imposed by local governments in all counties. (t.o.)

Referred to Committee on Ways & Means.

HB 2053 by Representative Grimm

AN ACT Relating to the transfer of money from the state lottery account to the general fund. (t.o.)

Referred to Committee on Ways & Means.

HB 2054 by Representatives Grimm and Peery

AN ACT Relating to authorizing waivers of state matching requirements for school construction projects without increasing the maximum amount of state assistance; and amending RCW 28A.47.801.

Referred to Committee on Ways & Means.

MOTION

On motion of Mr. Ebersole, the bills listed on today supplemental introduction sheet were considered first reading under the fourth order of business and referred to the committees so designated.

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

REPORTS OF STANDING COMMITTEES

February 25, 1988

ESSB 5036 Prime Sponsor, Committee on Environment & Natural Resources: Restricting sale of surplus salmon eggs by the department of fisheries. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10, after "sale," strike all material through "the" on line 11 and insert "The"
 On page 1, line 13, after "Washington," insert "All sales or transfers shall be consistent with the department's egg transfer and aquaculture disease control regulations as now existing or hereafter amended."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representative Belcher.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 5076 Prime Sponsor, Committee on Ways & Means: Establishing a commission on mobile home rental space availability. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that the cost of mobile home rental spaces has been rapidly escalating and that the availability of rental spaces has been steadily declining. For this reason, there is established the task force on mobile home rental space availability to conduct a comprehensive examination of the problem and its impact on mobile home owners, particularly senior citizens on fixed incomes.

NEW SECTION, Sec. 2. As used in this act:

(1) 'Task force' means the task force on mobile home rental space availability; and

(2) 'Department' means the department of community development.

NEW SECTION, Sec. 3. (1) The task force shall consist of the following members:

(a) Two members of the senate, one from each caucus, appointed by the president of the senate;

(b) Two members of the house of representatives, one from each caucus, appointed by the speaker of the house of representatives;

(c) Two representatives of cities, appointed by the association of Washington cities. One representative shall be from a city with a population of greater than fifty thousand persons and one representative shall be from a city with a population of less than fifty thousand;

(d) Two representatives of counties, appointed by the Washington state association of counties. One representative shall be from a third class county or larger and one representative shall be from a fourth class county or smaller;

(e) Two representatives of mobile home park owners, appointed by the director of community development, based on recommendations from the mobile home park owners; and

(f) Two representatives of mobile home owners, appointed by the director of community development, based on recommendations from the mobile home owners.

(2) The task force shall select one of its legislative members as chairperson. Task force members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 for nonlegislative members and as provided under RCW 44.04.120 for legislative members.

(3) The department shall provide the necessary administrative and clerical assistance to the task force for the purposes of carrying out its powers and duties.

NEW SECTION, Sec. 4. The task force shall conduct a comprehensive examination of the issue of mobile home space availability. In conducting this examination the task force shall:

(1) Review data on the extent of rent increases on mobile home rental spaces;

(2) Review the ordinances of local governments to assess their impact on the availability and development of mobile home rental spaces;

(3) Study the need for increased mobile home rental space within the state;

(4) Consult with federal, state, and local agencies, senior citizen organizations, the real estate industry, and other groups as it considers necessary;

(5) Use, to the fullest extent possible, the services, facilities, information, and advice of public and private agencies, organizations, and individuals in order to avoid duplication of effort and expense; and

(6) Hold public hearings to allow public input and involvement.

In developing recommendations, the task force may not consider, evaluate, or develop policies or any means of government controlling the economic return to mobile home park owners resulting from operation of their parks.

NEW SECTION. Sec. 5. The task force, based on its review and evaluation of the collected data, may:

(1) Recommend policies to address the issue of mobile home rental space availability and affordability;

(2) Make recommendations on the appropriate roles of state and local government and the private sector on the issue of mobile home rental space availability and affordability; and

(3) Develop a data base on mobile home space availability and affordability on a statewide basis.

NEW SECTION. Sec. 6. The department shall, to the maximum extent possible, coordinate the efforts of the task force with other housing studies it is conducting. The duties of the task force shall be incorporated into the housing study and the task force membership shall be incorporated into a subcommittee of the housing study.

NEW SECTION. Sec. 7. (1) The task force shall submit to the housing committee of the house of representatives and the economic development and labor committee of the senate a preliminary report by July 1, 1989, and a final report by July 1, 1990.

(2) This act shall expire on July 1, 1992.

NEW SECTION. Sec. 8. There is appropriated from the general fund to the department of community development for the biennium ending June 30, 1989, the sum of thirty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act."

On page 1, beginning on line 1 of the title, after "mobile homes;" strike the remainder of the title and insert "creating new sections; making an appropriation; and providing an expiration date."

Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Sanders, Todd, J. Williams and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Padden

Referred to Committee on Ways & Means.

February 23, 1988

SB 5117 Prime Sponsor, Senator Barr: Requiring owners to control livestock to within twelve hours of running at large in livestock restricted area. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 31, Laws of 1893 as amended by section 1, chapter 56, Laws of 1925 ex. sess. and RCW 16.04.010 are each amended to read as follows:

Any person suffering damage done by any horses, ~~((mares;))~~ mules, asses, cattle, goats, sheep, swine, or any such animals, which shall either trespass upon any ~~((cultivated))~~ land ~~((; enclosed))~~ enclosed by lawful fence ~~((or situated within any district created pursuant to RCW 16.24.010 through 16.24.065;))~~ as provided in chapter 16.60 RCW or trespass while running at large in violation of chapter 16.24 RCW may retain and keep in custody such offending animals until the owner or person having possession of such animals shall pay such damage and costs, or until good and sufficient security be given for the same.

NEW SECTION. Sec. 2. A new section is added to chapter 16.04 RCW to read as follows:

Whenever any animals trespass as provided in RCW 16.04.010, the owner or person having possession of such animal shall be liable for all damages the owner or occupant may sustain by reason of such trespass. The damages may be recovered in a civil action.

Sec. 3. Section 2, chapter 124, Laws of 1895 and RCW 16.16.020 are each amended to read as follows:

In any prosecution under ~~((RCW 16.16.010 through 16.16.030))~~ chapter 16.24 RCW proof that the animal running at large is branded with the registered or known brand of the defendant shall be prima facie evidence that the defendant is the owner of said animal ~~((and proof that said animal is found at large shall be prima facie evidence that the owner permitted the same to be at large)).~~

Sec. 4. Section 6, chapter 40, Laws of 1937 as amended by section 20, chapter 415, Laws of 1985 and RCW 16.24.065 are each amended to read as follows:

~~((No))~~ (1) Any person owning or in control of any livestock ~~((shall))~~ who willfully or negligently ~~((allow))~~ allows such livestock to run at large in any stock restricted area ~~((nor shall any~~

~~person owning or in control of any livestock allow such livestock)) or to wander or stray upon the right-of-way of any public highway of two or more lanes lying within a stock restricted area when not in the charge of some person, shall be guilty of a misdemeanor under RCW 16.24.040 if, twelve hours after receiving notice, the person does not control the livestock.~~

~~(2) Livestock may run at large upon lands belonging to the state of Washington or the United States only when the owner of the livestock has been granted grazing privileges in writing. Cattle of any age may run at large in a range area as provided in this chapter without a herder unless the land has been enclosed by a lawful fence as provided in chapter 16.60 RCW.~~

Sec. 5. Section 127, chapter 189, Laws of 1937 and RCW 16.24.070 are each amended to read as follows:

~~((It shall be unlawful for any person to cause or permit any livestock to graze or stray upon any portion of the right-of-way of any public highway of this state, within any stock restricted area:)) It shall be unlawful for any person to herd or move any livestock over, along or across the right-of-way of any public highway, or portion thereof, within any stock restricted area, without having in attendance a sufficient number of persons to control the movement of such livestock and to warn or otherwise protect vehicles traveling upon such public highway from any danger by reason of such livestock being herded or moved thereon.~~

~~((In the event that any livestock is allowed to stray or graze upon the right-of-way of any public highway, or portion thereof, within any stock restricted area, unattended, the same may be impounded for safekeeping and, if the owner be not known, complaint may be instituted against such stock in a court of competent jurisdiction. Notice shall be published in one issue of a paper of general circulation published as close as possible to the location where the livestock were found, describing as nearly as possible the stock, where found, and that the same are to be sold. In the event that the owner appears and convinces the court of his right thereto, the stock may be delivered upon payment by him of all costs of court, advertising and caring for the stock. In the event no person claiming the right thereto shall appear by the close of business on the tenth day following and exclusive of the date of publication of notice, the stock may be sold at public or private sale, all costs of court, advertising and caring therefor paid from the proceeds thereof and the balance certified by the judge of the court ordering such sale, to the treasurer of the county in which located, to be credited to the county school fund:))~~

Sec. 6. Section 2, chapter 31, Laws of 1951 as last amended by section 16, chapter 415, Laws of 1985 and RCW 16.13.020 are each amended to read as follows:

~~Any ((horses, mules, donkeys, or cattle)) livestock of any age running at large or trespassing in violation of ((RCW 16.13.010)) chapter 16.24 RCW as now or hereafter amended, which are not restrained as provided by RCW 16.04.010, are declared to be a public nuisance((-and shall be impounded by the)). The sheriff of the county where found(:()) and the nearest brand inspector shall ((aise)) have authority to impound ((class 1 strays as defined in RCW 16.13.025)) such animals which are not restrained as provided by RCW 16.04.010.~~

Sec. 7. Section 5, chapter 31, Laws of 1951 and RCW 16.13.050 are each amended to read as follows:

Upon claiming any animal impounded under this chapter, the owner shall pay ((the)) all costs of transportation, advertising, legal proceedings, and keep ((thereof)) of the animal.

Sec. 8. Section 5, chapter 25, Laws of 1911 and RCW 16.24.090 are each amended to read as follows:

~~((The owner)) Except as provided in RCW 16.24.065(2), any person owning or in possession, charge, or control of swine ((shall not allow)), sheep, goats, horses, mules, or jackasses who negligently allows them to run at large at any time or within any territory((-and any violation of this section shall render such owner liable to the penalties provided for in RCW 16.24.040)) shall be guilty of a misdemeanor under RCW 16.24.040 if, twelve hours after receiving notice, the owner has failed to control such animals. It shall not be necessary for any person to fence against such animals, and it shall be no defense to any action or proceedings brought pursuant to this chapter or chapter 16.04 RCW that the party injured by or restraining such animals did not have his lands enclosed by a lawful fence: PROVIDED, That ((swine)) such animals may be driven upon the highways while in charge of sufficient attendants. This section shall not apply to horses which are herded and corralled by the owners or persons in possession once each day.~~

Sec. 9. Section 1, page 453, Laws of 1890 as amended by section 4, chapter 66, Laws of 1965 and RCW 16.20.010 are each amended to read as follows:

It shall be lawful for any person having cows or heifers running at large in this state to take up or capture and castrate, at the risk of the owner, at any time between the first day of March and the fifteenth day of May, any bull above the age of ten months found running at large out of the enclosed grounds of the owner or keeper((-and)), It shall be lawful for any person to take up or capture and geld, at the risk of the owner, between April 1 and September 30 of any year, any stud horse or jackass or any male mule above the age of eighteen months found running at large out of the enclosed grounds of the owner or keeper. If the said animal shall die, as a result of such castration, the owner shall have no recourse against the person who shall have taken up or captured and castrated, or caused to be castrated, the said animal:

PROVIDED, Such act of castration shall have been skillfully done by a person accustomed to doing the same: AND PROVIDED FURTHER, That if the person so taking up or capturing such ~~((both))~~ animal, or causing ~~((him))~~ it to be so taken up or captured, shall know the owner or keeper of such animal, and shall know that said animal is being kept for breeding purposes, it shall be his duty forthwith to notify such owner or keeper of the taking up of said animal, and if such owner or keeper shall not within two days after being so notified pay for the reasonable costs of keeping of said animal ~~((at the rate of fifty cents per day))~~, and take and safely keep said animal thereafter within his own enclosures, then it shall be lawful for the taker-up of said animal to castrate the same, and the owner thereof shall pay a reasonable sum for such act of castration ~~((the sum of one dollar and fifty cents))~~, if done skillfully, as hereinbefore required, and shall also pay for the keeping of said animal as above provided, and the amount for which he may be liable therefor may be recovered in an action at law in any court having jurisdiction thereof: AND PROVIDED FURTHER, That if said animal should be found running at large a third time within the same year, and within the prohibited dates hereinbefore mentioned, it shall be lawful for any person to capture and castrate ~~((him))~~ the animal without giving any notice to the owner or keeper whatever. For purposes of this section, geld and castrate shall have the same meaning.

Sec. 10. Section 2537, Code of 1881 as last amended by section 181, chapter 202, Laws of 1987 and RCW 16.28.160 are each amended to read as follows:

It shall be the duty of any and all persons searching or hunting for stray horses, mules or cattle, to drive the band or herd in which they may find their stray horses, mules or cattle, into the nearest corral before separating their said stray animals from the balance of the herd or band; that in order to separate their said stray animals from the herd or band, the person or persons owning said stray shall drive them out of and away from the corral in which they may be driven before setting the herd at large. ~~((Any person violating this section shall be deemed guilty of a misdemeanor, and on conviction thereof, before a district judge, shall be fined in any sum not exceeding one hundred dollars, and half the costs of prosecution; said fine so recovered to be paid into the school fund of the county in which the offense was committed; and in addition thereto shall be imprisoned until the fine and costs are paid: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a district court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended:))~~

Sec. 11. Section 19, chapter 415, Laws of 1985 and RCW 16.20.035 are each amended to read as follows:

RCW 16.20.020 and 16.20.030, each as recodified by this 1988 act, shall not apply to counties lying west of the summit of the Cascade mountains.

NEW SECTION, Sec. 12. The following sections, as amended by this 1988 act, are each recodified as sections in chapter 16.24 RCW: RCW 16.16.020, 16.13.020, 16.13.050, 16.28.160, and 16.20.010.

NEW SECTION, Sec. 13. RCW 16.13.030, 16.13.040, 16.13.060, 16.13.070, 16.13.080, 16.20.020, 16.20.030, 16.20.035, and 16.28.165 are each recodified as sections in chapter 16.24 RCW.

NEW SECTION, Sec. 14. The following acts or parts of acts are each repealed:

- (1) Section 2, chapter 12, Laws of 1891 and RCW 16.28.170;
- (2) Section 1, page 454, Laws of 1890 and RCW 16.12.010;
- (3) Section 2, page 454, Laws of 1890, section 1, chapter 86, Laws of 1927, section 178, chapter 202, Laws of 1987 and RCW 16.12.020;
- (4) Section 3, page 454, Laws of 1890, section 1, chapter 39, Laws of 1899, section 179, chapter 202, Laws of 1987 and RCW 16.12.030;
- (5) Section 7, page 456, Laws of 1890 and RCW 16.12.070;
- (6) Section 8, page 456, Laws of 1890 and RCW 16.12.080;
- (7) Section 1, chapter 115, Laws of 1888, section 1, chapter 53, Laws of 1907, section 1, chapter 159, Laws of 1913, section 1, chapter 33, Laws of 1945 and RCW 16.12.090;
- (8) Section 2, chapter 115, Laws of 1888, section 2, chapter 53, Laws of 1907, section 2, chapter 159, Laws of 1913, section 2, chapter 33, Laws of 1945 and RCW 16.12.100;
- (9) Section 3, chapter 115, Laws of 1888 and RCW 16.12.110;
- (10) Section 1, chapter 31, Laws of 1951, section 13, chapter 7, Laws of 1975 1st ex. sess., section 15, chapter 415, Laws of 1985 and RCW 16.13.010;
- (11) Section 9, chapter 31, Laws of 1951 and RCW 16.13.090;
- (12) Section 1, chapter 124, Laws of 1895 and RCW 16.16.010;
- (13) Section 3, chapter 124, Laws of 1895 and RCW 16.16.030;
- (14) Section 2549, Code of 1881 and RCW 16.16.040;
- (15) Section 4, page 90, Laws of 1871, section 2547, Code of 1881 and RCW 16.16.050;
- (16) Section 4, page 90, Laws of 1871, section 2548, Code of 1881, section 180, chapter 202, Laws of 1987 and RCW 16.16.060;
- (17) Section 3, chapter 111, Laws of 1917 and RCW 16.20.040;
- (18) Section 22, chapter 154, Laws of 1979 and RCW 16.13.025; and
- (19) Section 25, chapter 154, Laws of 1979 and RCW 16.57.295.

Sec. 15. Section 3, chapter 31, Laws of 1893 as last amended by section 24, chapter 415, Laws of 1985 and RCW 16.04.025 are each amended to read as follows:

If the owner or the person having in charge or possession such animals is unknown to the person sustaining the damage, the person retaining such animals shall, within twenty-four hours, notify the county sheriff or the nearest state brand inspector as to the number, description, and location of the animals. The county sheriff or brand inspector shall examine the animals by brand, tattoo, or other identifying characteristics and attempt to ascertain ownership. If the animal is marked with a brand or tattoo which is registered with the director of agriculture, the brand inspector or county sheriff shall furnish this information and other pertinent information to the person holding the animals who in turn shall send the notice required in RCW 16.04.020 to the animals' owner of record by certified mail.

If the county sheriff or the brand inspector determines that there is no apparent damage to the property of the person retaining the animals, or if the person sustaining the damage contacts the county sheriff or brand inspector to have the animals removed from his or her property, such animals shall be removed in accordance with chapter ~~((16-13))~~ 16.24 RCW. Such removal shall not prejudice the property owner's ability to recover damages through civil suit.

Sec. 16. Section 1, chapter 54, Laws of 1959 as last amended by section 15, chapter 296, Laws of 1981 and RCW 16.57.010 are each amended to read as follows:

For the purpose of this chapter:

(1) 'Department' means the department of agriculture of the state of Washington.
 (2) 'Director' means the director of the department or his duly appointed representative.
 (3) 'Person' means a natural person, individual, firm, partnership, corporation, company, society, and association, and every officer, agent or employee thereof. This term shall import either the singular or the plural as the case may be.

(4) 'Livestock' includes, but is not limited to, horses, mules, cattle, sheep, swine, goats, poultry and rabbits.

(5) 'Brand' means a permanent fire brand or any artificial mark, other than an individual identification symbol, approved by the director to be used in conjunction with a brand or by itself.

(6) 'Production record brand' means a number brand which shall be used for production identification purposes only.

(7) 'Brand inspection' means the examination of livestock or livestock hides for brands or any means of identifying livestock or livestock hides and/or the application of any artificial identification such as back tags or ear clips necessary to preserve the identity of the livestock or livestock hides examined.

~~(8) ('Class I estray' means any cattle or horses at large contrary to the provisions of RCW 16.13.010 as now or hereafter amended, or any unclaimed cattle or horses submitted or impounded by any person at any public livestock market or any other facility approved by the director.~~

~~(9) 'Class II estray' means any cattle or horses identified as estray that are offered for sale and as provided for in RCW 16.57.290 as now or hereafter amended.~~

~~((10)) 'Individual identification symbol' means a permanent mark placed on a horse for the purpose of individually identifying and registering the horse and which has been approved for use as such by the director.~~

~~((11)) (9) 'Registering agency' means any person issuing an individual identification symbol for the purpose of individually identifying and registering a horse.~~

Sec. 17. Section 29, chapter 54, Laws of 1959 as last amended by section 20, chapter 296, Laws of 1981 and RCW 16.57.290 are each amended to read as follows:

All unbranded cattle and horses and those bearing brands not recorded, in the current edition of this state's brand book, which are not accompanied by a certificate of permit, and those bearing brands recorded, in the current edition of this state's brand book, which are not accompanied by a certificate of permit signed by the owner of the brand when presented for inspection, ~~((are hereby declared to be class II estrays)) shall be sold by the director or the director's representative, unless other satisfactory proof of ownership is presented showing the person presenting them to be lawfully in possession. ((Such estrays shall be sold by)) Upon the sale of such cattle or horses, the director or ((his)) the director's representative ((who)) shall give the purchasers a bill of sale therefor, or, if theft is suspected, the horse may be impounded by the director or the director's representative.~~

Sec. 18. Section 30, chapter 54, Laws of 1959 as amended by section 21, chapter 296, Laws of 1981 and RCW 16.57.300 are each amended to read as follows:

The proceeds from the sale of ~~((class II estrays)) cattle and horses as provided for under RCW 16.57.290~~, after paying the cost thereof, shall be paid to the director, who shall make a record showing the brand or marks or other method of identification of the animals and the amount realized from the sale thereof. However, the proceeds from a sale of ~~((class II estrays)) such cattle or horses~~ at a licensed public livestock market shall be held by the licensee for a reasonable period not to exceed thirty days to permit the consignor to establish ownership or the right to sell such cattle or horses. If such consignor fails to establish legal ownership or the

right to sell such cattle or horses, such proceeds shall be paid to the director to be disposed of as any other estray proceeds.

Sec. 19. Section 35, chapter 296, Laws of 1981 and RCW 16.57.410 are each amended to read as follows:

(1) No person may act as a registering agency without a permit issued by the department. The director may issue a permit to any person or organization to act as a registering agency for the purpose of issuing permanent identification symbols for horses in a manner prescribed by the director. Application for such permit, or the renewal thereof by January 1 of each year, shall be on a form prescribed by the director, and accompanied by the proof of registration to be issued, any other documents required by the director, and a fee of one hundred dollars.

(2) Each registering agency shall maintain a permanent record for each individual identification symbol. The record shall include, but need not be limited to, the name, address, and phone number of the horse owner and a general description of the horse. A copy of each permanent record shall be forwarded to the director, if requested by the director.

(3) Individual identification symbols shall be inspected as required for brands under RCW 16.57.380 and 16.57.390. Any horse presented for inspection and bearing such a symbol, but not accompanied by proof of registration and certificate of permit, shall be ~~((considered a class II estray))~~ sold as provided under RCW 16.57.290 through 16.57.330.

(4) The director shall adopt such rules as are necessary for the effective administration of this section pursuant to chapter 34.04 RCW.

NEW SECTION, Sec. 20. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "livestock;" strike the remainder of the title and insert "amending RCW 16.04.010, 16.16.020, 16.24.065, 16.24.070, 16.13.020, 16.13.050, 16.24.090, 16.20.010, 16.28.160, 16.20.035, 16.04.025, 16.57.010, 16.57.290, 16.57.300, and 16.57.410; adding a new section to chapter 16.04 RCW; recodifying RCW 16.16.020, 16.13.020, 16.13.050, 16.28.160, 16.20.010, 16.13.030, 16.13.040, 16.13.060, 16.13.070, 16.13.080, 16.20.020, 16.20.030, 16.20.035, and 16.28.165; repealing RCW 16.28.170, 16.12.010, 16.12.020, 16.12.030, 16.12.070, 16.12.080, 16.12.090, 16.12.100, 16.12.110, 16.13.010, 16.13.090, 16.16.010, 16.16.030, 16.16.040, 16.16.050, 16.16.060, 16.20.040, 16.13.025, and 16.57.295; and prescribing penalties."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 5333 Prime Sponsor, Committee on Education: Giving all members on the state board of education the authority to vote. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16, after "shall" strike "only vote on issues directly affecting private" and insert "not vote on matters affecting public"

On page 1, line 18, before "schools" strike "private" and insert "public"

On page 2, beginning on line 31, strike all of section 4

Renumber the remaining section.

On page 1, line 2 of the title, after "28A.04.020," insert "and" and after "28A.04.050" strike ", and 28A.04.090"

Signed by Representatives Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Schoon, Todd, Valle and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Cole, Rayburn and Rust.

Voting nay: Representatives Peery, Chair; Cole, Rayburn, Rust and Taylor.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 5595 Prime Sponsor, Committee on Economic Development & Labor: Establishing liens for owners of self-storage facilities. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

your right to use the storage space will terminate, you may be denied, or continue to be denied, access and an owner's lien on any stored property will be imposed. You may pay the sum due and contact the owner at:

(Name) _____
 (Address) _____
 (State) _____
 (Telephone) _____
 (Date) _____

(Owner's Signature) _____

NEW SECTION. Sec. 7. If a notice has been sent, as required by section 5 of this act, and the total sum due has not been paid as of the date specified in the preliminary lien notice, the lien proposed by this notice attaches as of that date and the owner may deny an occupant access to the space, enter the space, inventory the goods therein, and remove any property found therein to a place of safe keeping. The owner shall then send to the occupant, addressed to the occupant's last known address and to the alternative address specified in section 13(2) of this act by certified mail, postage prepaid, a notice of lien sale or notice of disposal which shall state all of the following:

(1) That the occupant's right to use the storage space has terminated and that the occupant no longer has access to the stored property.

(2) That the stored property is subject to a lien, and the amount of the lien accrued and to accrue prior to the date required to be specified in subsection (3) of this section.

(3) That the property may be sold to satisfy the lien after a specified date which is not less than fourteen days from the date of mailing the lien sale notice, or a minimum of forty-two days after the date when any part of the rent or other charges due from the occupants remain unpaid, whichever is later, unless the amount of the lien is paid.

NEW SECTION. Sec. 8. The owner may, subject to sections 10 and 11 of this act, sell the property upon complying with the requirements set forth in section 9 of this act.

NEW SECTION. Sec. 9. After the date of lien sale specified in section 7(3) of this act, and after prior notice of the sale is mailed to the last known address of the occupant, or the alternative address, the owner may sell the property and may apply any income derived from the sale against the rent due the owner, including actual costs of storage of the property. Any excess income derived from the sale of the property under this section shall be held by the owner for the benefit of the occupant for a period of one year from the date of sale, and if no claim is made or action commenced by the occupant for the recovery of the proceeds prior to the expiration of that period of time, the balance shall be turned over to the state as abandoned property. No employee or owner, or family member or agent of an employee or owner, may bid on the property sold at a lien sale authorized under sections 1 through 18 of this act.

NEW SECTION. Sec. 10. Any person who has a perfected security interest under Article 62A.9 RCW of the uniform commercial code may claim any personal property subject to the security interest and subject to a lien pursuant to this chapter by paying the total amount due, as specified in the lien notices, for the storage of the property. Upon payment of the total amount due, the owner shall deliver possession of the particular property subject to the security interest to the person who paid the total amount due. The owner shall not be liable to any person for any action taken pursuant to this section if the owner has fully complied with sections 6 and 7 of this act.

NEW SECTION. Sec. 11. Prior to any sale pursuant to section 8 of this act, any person not the occupant claiming a right to the goods may pay the amount necessary to satisfy the lien and the reasonable expenses incurred for particular actions taken pursuant to this chapter. In that event, the goods shall not be sold, but shall be retained by the owner subject to rent and the terms of this chapter pending a court order directing a particular disposition of the property.

NEW SECTION. Sec. 12. A purchaser in good faith of goods sold to enforce a lien or judgment entered on the lien in favor of the owner on goods stored at a self-service storage facility takes the goods free of any rights of persons against whom the lien was claimed, despite non-compliance by the owner of the storage facility with this chapter.

NEW SECTION. Sec. 13. (1) Each contract for the rental or lease of individual storage space in a self-service storage facility shall be in writing and shall contain, in addition to the provisions otherwise required or permitted by law to be included, a statement requiring the occupant to disclose any lienholders or secured parties who have an interest in the property that is or will be stored in the self-service storage facility, a statement that the occupant's property will be subject to a claim of lien and may even be sold to satisfy the lien if the rent or other charges due remain unpaid for fourteen consecutive days, and that such actions are authorized by this chapter.

(2) This chapter shall not apply, and the lien authorized by this chapter shall not attach, unless the rental agreement requests, and provides space for, the occupant to give the name and address of another person to whom the preliminary lien notice and subsequent notices required to be given under this chapter may be sent. Notices sent pursuant to section 7 of this act shall be sent to the occupant's address and the alternative address, if both addresses are

provided by the occupant. Failure of an occupant to provide an alternative address shall not affect an owner's remedies under this chapter or under any other provision of law.

NEW SECTION. Sec. 14. Any insurance protecting the personal property stored within the storage space against fire, theft, or damage must be provided by the occupant and shall not be the responsibility of the owner.

NEW SECTION. Sec. 15. Nothing in this chapter may be construed to impair or affect the right of the parties to create additional rights, duties, and obligations in and by virtue of the rental agreement. The rights provided by this chapter shall be in addition to all other rights provided by law to a creditor against his or her debtor.

NEW SECTION. Sec. 16. This chapter shall only apply to rental agreements entered into, extended, or renewed after the effective date of this section. Rental agreements entered into before the effective date of this section which provide for monthly rental payments but providing no specific termination date shall be subject to this chapter on the first monthly rental payment date next succeeding the effective date of this section.

NEW SECTION. Sec. 17. All rental agreements entered into before the effective date of this section, and not extended or renewed after that date, or otherwise made subject to this chapter pursuant to section 16 of this act, and the rights, duties, and interests flowing from them, shall remain valid, and may be enforced or terminated in accordance with their terms or as permitted by any other statute or law of this state.

NEW SECTION. Sec. 18. If an owner issues any warehouse receipt, bill of lading, or other document of title for the personal property stored, the owner and the occupant are subject to Article 62A.7 RCW (commencing with RCW 62A.7-101) of the uniform commercial code and this chapter does not apply.

Sec. 19. Section 3, chapter 252, Laws of 1941 as last amended by section 9, chapter 370, Laws of 1977 ex. sess. and RCW 18.85.110 are each amended to read as follows:

This chapter shall not apply to (1) any person who purchases property and/or a business opportunity for his own account, or that of a group of which he is a member, or who, as the owner or part owner of property, and/or a business opportunity, in any way disposes of the same; nor, (2) any duly authorized attorney in fact, or an attorney at law in the performance of his duties; nor, (3) any receiver, trustee in bankruptcy, executor, administrator, guardian, or any person acting under the order of any court, or selling under a deed of trust; nor, (4) any secretary, bookkeeper, accountant, or other office personnel who does not engage in any conduct or activity specified in any of the definitions under RCW 18.85.010; nor, (5) any owner of rental or lease property, members of the owner's family whether or not residing on such property, or a resident manager of a complex of residential dwelling units wherein such manager resides; nor, (6) any person who manages residential dwelling units on an incidental basis and not as his principal source of income so long as that person does not advertise or hold himself out to the public by any oral or printed solicitation or representation that he is so engaged; nor, (7) only with respect to the rental or lease of individual storage space, any person who owns or manages a self-service storage facility as defined under chapter 19.-- RCW (sections 1 through 18 of this 1988 act).

NEW SECTION. Sec. 20. A new section is added to chapter 63.29 RCW to read as follows:

The excess proceeds of a sale conducted pursuant to section 9 of this act by an owner of a self-storage facility to satisfy the lien and costs of storage which are not claimed by the occupant of the storage space or any other person which remains unclaimed for more than one year is presumed abandoned.

NEW SECTION. Sec. 21. Sections 1 through 18 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 22. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "facilities;" strike the remainder of the title and insert "amending RCW 18.85.110; adding a new section to chapter 63.29 RCW; and adding a new chapter to Title 19 RCW."

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Voting nay: Representative Appelwick.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 5943

Prime Sponsor, Committee on Law & Justice: Revising provisions on the small claims department of district court. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Moyer, Padden, Patrick, Schmidt, Scott and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Crane, Vice Chair; Meyers and Wang.

Absent: Representative Scott.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6024 Prime Sponsor, Committee on Agriculture: Prohibiting restriction or denial of certain agriculturally related hydraulic project permits. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, McLean, Moyer, Nealey and Rasmussen.

MINORITY recommendation: Do not pass. Signed by Representative R. King.

Passed to Committee on Rules for second reading.

February 26, 1988

SB 6106 Prime Sponsor, Senator Metcalf: Changing provisions relating to the interagency committee for outdoor recreation's comprehensive guide of public parks and recreation sites. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Beck, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Meyers, Schmidt, Panel and S. Wilson.

Absent: Representatives Basich, Sayan and Smith.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6115 Prime Sponsor, Committee on Children & Family Services: Providing for programs to enhance parenting skills and strengthen families. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 19, after "fund" insert ", within available funds."

On page 6, after line 10, strike all material through line 25.

Renumber remaining sections accordingly.

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6117 Prime Sponsor, Senator Kiskaddon: Creating a pilot program of volunteer support for families with a developmentally disabled child. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION, Sec. 1.** The legislature recognizes that families who care for their child with a developmental disability at home often experience difficulty providing for that person's twenty-four hour care. The legislature further recognizes that to assist children to become as independent as possible and remain within the family unit, parents need assistance to work effectively with their child. This can be accomplished in part through parent participation in volunteer parent-to-parent support programs and in the provision of in-home family support services.

NEW SECTION, Sec. 2. (1) The developmental disabilities planning council shall contract with local nonprofit organizations for volunteer parent-to-parent support programs that will provide access to such programs to parents in all areas of the state.

(2) Each volunteer parent-to-parent support program shall have the following components: (a) Matching volunteer experienced families who have a child with a developmental

disability with parents of a newly diagnosed child with a developmental disability or parents in need of assistance related to caring for their developmentally disabled child and (b) education and training to assist families to cope with the special needs associated with raising and caring for a child with a developmental disability and in understanding the services and supports that can be available to them through specialized programs and generic services and support systems.

(3) In each location, the project contractor shall hire paid coordinators to establish, implement, and maintain the volunteer parent-to-parent programs. In addition, the coordinators shall work with local community organizations, groups, clubs, religious institutions, service groups, education entities, and other appropriate organizations and service groups to build community understanding and to explore community receptivity to establishing other methods of volunteer support for children with disabilities and their families.

(4) The volunteer parent-to-parent support programs shall be implemented in consultation with county developmental disabilities boards.

NEW SECTION, Sec. 3. The council shall prepare a report on the project to the legislature by January 1, 1990. The report shall include an evaluation of the effects of the project as well as the numbers of families needing family support services who have been formally denied assistance and those who are in need of assistance but who have not requested assistance."

On page 1, line 1 of the title, after "support;" strike the remainder of the title and insert "and creating new sections."

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Referred to Committee on Ways & Means.

February 23, 1988

SSB 6118 Prime Sponsor, Committee on Children & Family Services: Providing for the establishment of state child care policy. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. It shall be the policy of the state of Washington to:

(1) Recognize the family as the most important social and economic unit of society and support the central role parents play in child rearing. All parents are encouraged to participate fully in the effort to improve the quality of child care services.

(2) Promote a variety of culturally and developmentally appropriate child care settings and services of the highest possible quality in accordance with the basic principle of continuity of care. These settings shall include, but not be limited to, family day care homes, mini-centers, centers and schools.

(3) Promote the growth, development and safety of children by working with community groups including providers and parents to establish standards for quality service, training of child care providers, fair and equitable monitoring, and salary levels commensurate with provider responsibilities and support services.

(4) Promote equal access to quality, affordable, socio-economically integrated child care for all children and families.

(5) Facilitate broad community and private sector involvement in the provision of quality child care services to foster economic development and assist industry.

NEW SECTION, Sec. 2. (1) There is established a child care coordinating committee to provide coordination and communication between state agencies responsible for child care and early childhood education services. The child care coordinating committee shall be composed of not less than seventeen nor more than thirty members who shall include:

(a) One representative each from the department of social and health services, the department of community development, the office of the superintendent of public instruction, and any other agency having responsibility for regulation, provision, or funding of child care services in the state;

(b) One representative from the governor's commission on children;

(c) One representative from the department of trade and economic development;

(d) At least one representative of family home child care providers and one representative of center care providers;

(e) At least one representative of early childhood development experts;

(f) At least one representative of school districts and teachers involved in the provision of child care and preschool programs;

(g) At least one parent education specialist;

(h) At least one representative of resource and referral programs;

(i) One pediatric or other health professional;

(j) At least one representative of college or university child care providers;

(k) At least one representative of a citizen group concerned with child care;

(l) At least one representative of a labor organization;

(m) At least one representative of a head start - early childhood education assistance program agency;

(n) At least one employer who provides child care assistance to employees;

(o) Parents of children receiving, or in need of, child care, half of whom shall be parents needing or receiving subsidized child care and half of whom shall be parents who are able to pay for child care.

The named state agencies shall select their representative to the child care coordinating committee. The department of social and health services shall select the remaining members, considering recommendations from lists submitted by professional associations and other interest groups until such time as the committee adopts a member selection process. Staff support for the child care coordinating committee shall be provided by the department of social and health services on an ongoing basis.

The committee shall elect officers from among its membership and shall adopt policies and procedures specifying the lengths of terms, methods for filling vacancies, and other matters necessary to the ongoing functioning of the committee. The secretary of social and health services shall appoint a temporary chair until the committee has adopted policies and elected a chair accordingly. Child care coordinating committee members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(2) The child care coordinating committee shall:

(a) Serve as an advisory coordinator for all state agencies responsible for early childhood or child care programs for the purpose of improving communication and interagency coordination, but not to review the substance of programs. The committee shall annually review state programs and make recommendations to the agencies and the legislature which will maximize funding and promote furtherance of the policies set forth in section 1 of this act;

(b) Review and propose changes to the child care subsidy system by December 1, 1989;

(c) Review agency administration of the child care expansion grant program described in section 3 of this act;

(d) Review alternative models for child care service systems, in the context of the policies set forth in section 1 of this act, and recommend to the legislature a new child care service structure;

(e) Perform other functions to improve the quantity and quality of child care in the state, including compliance with existing and future prerequisites for federal funding.

NEW SECTION. Sec. 3. (1) The legislature recognizes that a severe shortage of child care exists to the detriment of all families and employers throughout the state. Many workers are unable to enter or remain in the work force due to a shortage of child care resources. The high costs of starting a child care business create a barrier to the creation of new slots, especially for children with special needs.

(2) A child care expansion grant fund is created in the custody of the secretary of the department of social and health services. Grants shall be awarded on a one-time only basis to persons, organizations, or schools needing assistance to start a child care center or mini-center as defined by the department by rule, or to existing licensed child care providers, including family home providers, for the purpose of making capital improvements in order to accommodate handicapped children as defined under chapter 72.40 RCW, sick children, or infant care, or children needing night time care. No grant may exceed ten thousand dollars. Start-up costs shall not include operational costs after the first three months of business.

(3) Child care expansion grants shall be awarded on the basis of need for the proposed services in the community, within appropriated funds.

(4) The department shall adopt rules under chapter 34.04 RCW setting forth criteria, application procedures, and methods to assure compliance with the purposes described in this section.

NEW SECTION. Sec. 4. A new section is added to chapter 82.04 RCW to read as follows:

In computing tax there may be deducted from the measure of tax amounts expended for the capital and operation expenses to provide child care in an on-site facility for employees or to directly purchase child care services for employees.

This section shall not apply to expenditures for services provided out-of-state and shall not apply to any type of salary reduction plan.

Taxpayers who take advantage of the tax deduction allowed under this section who cease utilizing their capital investment for child care purposes within five years shall be obligated to pay tax on that portion not taxed in proportion to the amount the investment represents relative to the total tax liability of the taxpayer.

NEW SECTION. Sec. 5. Sections 1 through 3 of this act are each added to chapter 74.13 RCW.

NEW SECTION. Sec. 6. (1) The sum of two hundred thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the department of social and health services for the biennium ending June 30, 1989, for the purposes of section 3 of this act.

(2) The sum of two hundred thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the department of social and health services for the

biennium ending June 30, 1989, for the purpose of increasing the subsidy rates for regular day care, seasonal day care, and reservation day care programs.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, H. Sommers, Sutherland and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Referred to Committee on Ways & Means.

February 26, 1988

ESB 6119 Prime Sponsor, Senator Barr: Revising certain procedures for persons applying to be licensed practical nurses. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representative Bristow

Passed to Committee on Rules for second reading.

February 26, 1988

ESSB 6124 Prime Sponsor, Committee on Health Care & Corrections: Providing technical and financial assistance to assist in the delivery of rural health care systems. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. (1) The legislature finds and declares that the social and economic well-being of the people of rural areas of Washington is closely related to the state's rural health care delivery system. Demographic, economic, and financial changes have greatly affected the viability of rural health care providers. These providers include, but are not limited to, hospitals, health clinics, community clinics, nursing homes, home health providers, and individual providers. The problems faced by rural health care providers include erratic fluctuations or general decline in rural economies, the aging of the rural population, older physical plants, lack of health care professionals, and inappropriate or burdensome regulations, facility standards, and licensure requirements.

(2) Rural health providers help ensure access to and the availability of preventive, primary, and emergency health care services to rural residents and tourist populations in rural areas. A large percentage of rural health resources are used to provide services to government-sponsored patients. The availability of health care services in rural areas is essential to the integrity of the medicare and medicaid programs:

(3) Rural health providers affect the economic well-being of rural areas. Not only are these facilities a source of employment for rural residents, but also the existence of health care services in a rural community is important to its economic development and ability to attract businesses;

(4) Government regulations and standards for facility and professional licensure and certification are typically appropriate to urban facilities and are, in some cases, inordinately burdensome for rural health care facilities. Such regulations and standards can create barriers to the delivery of innovative, efficient, and cost-effective health care services to better meet the health needs of the rural communities; and

(5) The changing environment in health care delivery has changed how and where health care is provided and includes an increased emphasis on outpatient services, preventive care, home health care, and community-based care. Rural communities need to consider restructuring the delivery of health care services to insure continued availability of adequate community-based health care. Coordination among providers is essential to facilitate the planning necessary to maintain a viable health care delivery system within rural areas of the state.

NEW SECTION. Sec. 2. (1) There is created the Washington rural health care commission composed of eleven members; two members shall be the chair and ranking minority member from the senate health care and corrections committee and two members shall be the chair and ranking minority member from the house of representatives health care committee.

(2) The legislative members of the commission shall select seven public members, to serve on the commission, that are representative of rural health care professionals, rural health care

providers, those directly involved in the purchase, provision, or delivery of rural health care services, industry, consumers, and those knowledgeable of the ethical issues involved with rural health care public policy. The chairs of the senate health care and corrections committee and the house of representatives health care committee shall jointly chair the commission. The ranking minority members of these committees shall jointly vice-chair the commission. The legislative members shall serve as the executive committee.

(3) The commission may hire staff or contract for professional assistance with funds made available for their activities. To the extent possible, the department of social and health services, the department of community development, the house of representatives, and the senate shall provide staff support. The commission may apply for and receive and accept grants, gifts, and other payments, including property and services, from any governmental or other public or private entity or person, and may make arrangements as to the use of these receipts, including the undertaking of special studies and other projects relating to health care costs or access to health care.

(4) The public members of the commission shall receive no compensation for their service as members, but shall be reimbursed for their expenses while attending any meetings of the commission in the same manner as legislators engaged in interim committee business as specified in RCW 44.04.120.

(5) The commission may establish ad hoc technical advisory committees to assist it with any particular matters deemed necessary and any person serving in such capacity may be reimbursed for their expenses while attending any meetings of such committee or the commission in the same manner as public members of the commission. To the extent possible, the department of social and health services, the department of community development, the department of trade and economic development, the department of employment security, the state health coordinating council, and other state agencies shall assist the commission in performing its responsibilities.

(6) The commission shall:

(a) Review current statutes and regulations governing the provision of rural health services, including the licensure, certification, and operation of rural health providers, including hospitals, health districts, rural health clinics, rural community health centers, and rural ambulatory surgical centers. The purpose of the review shall be to identify barriers to cost-effective and efficient health care delivery that are created by statute or regulation. The review shall include, but not be limited to:

(i) Licensure and certification survey processes conducted by both federal and state agencies;

(ii) Processes for review and approval of proposed facility construction or remodeling or establishing new services;

(iii) Mandated personnel requirements; and

(iv) Mandatory information gathering and reporting requirements;

(b) Review issues that affect the current delivery of rural health care. This review shall include, but not be limited to:

(i) Determination of basic health care services to be available to rural residents;

(ii) The need for and availability of emergency and nonemergency transportation to medical care facilities;

(iii) The need for and availability of appropriate health care providers;

(iv) Health care financing;

(v) Coordination among private and public health care providers on a local, regional, and state-wide basis; and

(vi) Use of modern telecommunications between rural and regional and urban medical care centers to facilitate better diagnosis and treatment of patients in rural facilities and for use in training rural health care providers;

(c) Establish operational guidelines or standards for a model alternative rural health facility. The standards shall include, but are not limited to:

(i) The basic array of health services that is appropriate in rural areas;

(ii) Minimum staffing requirements for safe, efficient, and effective operation of these services, commensurate with community practice standards; and

(iii) Other such requirements for operation as the commission deems appropriate to establish minimum standards for licensure;

(d) Develop measurements of the economic impact of rural health care facilities on the communities that they serve. The purpose of the study shall be to establish the role health facilities play in determining the economic viability and development of rural communities;

(e) Review the impact of existing government payment policies and methods on rural health facilities. The purpose of the review shall be to identify current payment practices or standards, make recommendations for change as appropriate, and establish guidelines for payment to model rural health facilities as described in this section; and

(f) Recommend, as deemed appropriate by the commission, that the department of social and health services convey to the federal health care financing administration interest in testing new models of institutional health care delivery in rural areas, and seek such waivers as may be necessary and appropriate to such demonstrations.

(7) The commission shall coordinate its activities with the study of trauma care services authorized by Second Substitute House Bill No. 1713 and other health care policy studies conducted during the commission's term.

(8) The commission shall submit a report to the appropriate committees of the legislature by December 1, 1988. The report shall include such findings of the commission as are related to the responsibilities identified in this section. The report shall make recommendations to the legislature regarding changes to licensure, certification, and payment systems that will enhance the likelihood that high quality rural health care delivery occurs in a cost-effective and efficient manner.

NEW SECTION, Sec. 3. A new section is added to chapter 70.14 RCW to read as follows:

The department of social and health services shall compile and make available to the public information regarding medicare health care facility certification options available to hospitals licensed under this title that desire to convert to nonhospital health care facilities. The information provided shall include standards and requirements for certification and procedures for acquiring certification.

NEW SECTION, Sec. 4. The department of community development, department of trade and economic development, department of employment security, and department of social and health services are expected to use their present resources and staffing to carry out the requirements of this act.

NEW SECTION, Sec. 5. Sections 1 and 2 of this act shall expire on December 31, 1988.

NEW SECTION, Sec. 6. The sum of ten thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the general fund to the Washington rural health care commission for the purposes identified in this act. The senate facilities and operations committee may authorize expenditures for necessary expenses directly related to commission activities.

NEW SECTION, Sec. 7. Sections 1 and 2 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "health care;" strike the remainder of the title and insert "adding a new section to chapter 70.14 RCW; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency."

Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprinkle and Vekich.

Absent: Representative Day, Vice Chair.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6128 Prime Sponsor, Committee on Environment & Natural Resources: Revising provisions for park and recreation service areas. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 218, Laws of 1963 as last amended by section 1, chapter 253, Laws of 1985 and RCW 36.68.400 are each amended to read as follows:

Any county shall have the power to create park and recreation service areas for the purpose of financing ~~((the acquisition, construction, improvement, maintenance or operation of))~~ acquiring, constructing, improving, maintaining, or operating any park, senior citizen activities centers, zoos, aquariums, and recreational facilities as defined in RCW 36.69.010 which shall be owned or leased by the county and administered as other county parks or shall be owned or leased and administered by a city or town or ~~shall be owned or leased and administered by the park and recreation service area.~~ A park and recreation service area may purchase athletic equipment and supplies, and provide for the upkeep of park buildings, grounds and facilities, and provide custodial, recreational and park program personnel at any park or recreational facility owned or leased by the service area or a county, city, or town. A park and recreation service area shall be a quasi-municipal corporation, an independent taxing 'authority' within the meaning of section 1, Article 7 of the Constitution, and a 'taxing district' within the meaning of section 2, Article 7 of the Constitution.

A park and recreation service area shall constitute a body corporate and shall possess all the usual powers of a corporation for public purposes including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, to accept and expend or use gifts, grants, and donations, and to sue and be sued as well as all other powers that may now or hereafter be specifically conferred by statute.

The members of the county legislative authority ((shall be)), acting ex officio and independently, shall compose the governing body of any park and recreation service area which is created within the county: PROVIDED, That where a park and recreation service area includes an incorporated city or town within the county, the park and recreation service area may be governed as provided in an interlocal agreement adopted pursuant to chapter 39.34 RCW. The voters of a park and recreation service area shall be all registered voters residing within the service area.

A multicounty park and recreation service area shall be governed as provided in an interlocal agreement adopted pursuant to chapter 39.34 RCW.

Sec. 2. Section 12, chapter 210, Laws of 1981 and RCW 36.68.541 are each amended to read as follows:

Park and recreation service areas may hire employees and may fund all or a portion of the salaries and benefits of county park employees who perform work on county park and recreation facilities within the service area and may fund all or a portion of the salaries and benefits of city or town park employees who perform work on city or town park and recreation facilities within the service area.

Sec. 3. Section 16, chapter 218, Laws of 1963 as amended by section 13, chapter 210, Laws of 1981 and RCW 36.68.550 are each amended to read as follows:

A park and recreation service area may impose and collect use fees or other direct charges on facilities financed, acquired, and operated by the park and recreation service area. The county legislative authority may allow admission fees or other direct charges which are paid by persons using county park facilities located within a park and recreation service area to be transferred to a park and recreation service area. Such direct charges to users may be made for the use of or admission to swimming pools, field houses, tennis and handball courts, bathhouses, swimming beaches, boat launching, storage or moorage facilities, ski lifts, picnic areas and other similar recreation facilities, and for parking lots used in conjunction with such facilities. All funds collected under the provisions of this section shall be deposited to the fund of the service area established in the office of the county treasurer, to be disbursed under the service area budget as approved by the governing body of the park and recreation service area.

Sec. 4. Section 18, chapter 218, Laws of 1963 as amended by section 15, chapter 210, Laws of 1981 and RCW 36.68.570 are each amended to read as follows:

A park and recreation service area may reimburse the county for any charge incurred by the county current expense fund which is properly an expense of the service area, including reasonable administrative costs incurred by the offices of county treasurer and the county auditor in providing accounting, clerical or other services for the benefit of the service area. The county legislative authority ((shall)) may, where a county purchasing department has been established, provide for the purchase of all supplies and equipment for a park and recreation service area through the department. The park and recreation service area may contract with the county to administer purchasing.

Sec. 5. Section 19, chapter 218, Laws of 1963 as amended by section 16, chapter 210, Laws of 1981 and RCW 36.68.580 are each amended to read as follows:

Any park facility or park acquired, improved or otherwise financed in whole or in part by park and recreation service area funds shall be owned by the park service area and/or the county and/or the city or town in which the park or facility is located. The county may make expenditures from its current expense funds budgeted for park purposes for the maintenance, operation or capital improvement of any county park or park facility acquired, improved, or otherwise financed in whole or in part by park and recreation service area funds. Similarly, a city or town may make expenditures for any city or town park or park facility acquired, improved, or otherwise financed in whole or in part by park and recreation service area funds.

Sec. 6. Section 21, chapter 218, Laws of 1963 as amended by section 17, chapter 210, Laws of 1981 and RCW 36.68.600 are each amended to read as follows:

A ((county)) park and recreation service area may exercise any of the powers enumerated in chapter 67.20 RCW with respect to any park and recreation facility financed in whole or part from park and recreation service area funds.

Sec. 7. Section 1, chapter 107, Laws of 1921 as amended by section 1, chapter 97, Laws of 1949 and RCW 67.20.010 are each amended to read as follows:

Any city in this state acting through its city council, or its board of park commissioners when authorized by charter or ordinance, any separately organized park district acting through its board of park commissioners or other governing officers, any school district acting through its board of school directors, any county acting through its board of county commissioners, any park and recreation service area acting through its governing body, and any town acting through its ((city)) town council shall have power, acting independently or in conjunction with the United States, the state of Washington, any county, city, park district, school district or town or any number of such public organizations to acquire any land within this state for park, playground, gymnasiums, swimming pools, field houses and other recreational facilities, bathing beach or public camp purposes and roads leading from said parks, playgrounds,

gymnasiums, swimming pools, field houses and other recreational facilities, bathing beaches, or public camps to nearby highways by donation, purchase or condemnation, and to build, construct, care for, control, supervise, improve, operate and maintain parks, playgrounds, gymnasiums, swimming pools, field houses and other recreational facilities, bathing beaches, roads and public camps upon any such land, including the power to enact and enforce such police regulations not inconsistent with the constitution and laws of the state of Washington, as are deemed necessary for the government and control of the same. The power of eminent domain herein granted shall not extend to any land outside the territorial limits of the governmental unit or units exercising said power.

NEW SECTION, Sec. 8. A new section is added to chapter 36.68 RCW to read as follows:

A park and recreation service area may exercise the power of eminent domain to obtain property for its authorized purposes in a manner consistent with the power of eminent domain of the county in which the park and recreation service area is located."

On page 1, line 1 of the title, after "areas;" strike the remainder of the title and insert "amending RCW 36.68.400, 36.68.541, 36.68.550, 36.68.570, 36.68.580, 36.68.600, and 67.20.010; and adding a new section to chapter 36.68 RCW."

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nutley, Rayburn and Zellinsky.

Absent: Representative Dorn.

Passed to Committee on Rules for second reading.

February 26, 1988

SB 6136 Prime Sponsor, Senator Smith: Repealing authority for surcharges on nonresidents camping at state parks. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Sayan, Spanel and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Meyers.

Absent: Representatives Basich, Schmidt and Smith.

Passed to Committee on Rules for second reading.

February 25, 1988

ESB 6143 Prime Sponsor, Senator Pullen: Revising provisions on real estate contract forfeitures. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott and Wineberry.

Voting nay: Representatives Armstrong, Chair; Belcher and Wang.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6157 Prime Sponsor, Committee on Education: Changing provisions relating to student learning objectives. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10, after "~~develop~~")) strike "may" and insert "shall"

On page 1, line 14, after "programs" insert ": PROVIDED, That each school within the district, as a part of the self-study process, shall review the district learning objectives for each course of study and may identify additional or special learning objectives which are applicable to the particular school"

Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Passed to Committee on Rules for second reading.

February 26, 1988

ESSB 6160 Prime Sponsor, Committee on Education: Providing baccalaureate and masters degree equivalencies for certification of vocational instructors. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 212, chapter 525, Laws of 1987 and RCW 28A.70.040 are each amended to read as follows:

(1) The state board of education shall adopt rules providing that all individuals qualifying for an initial-level teaching certificate after August 31, 1992, shall possess a baccalaureate degree in the arts, sciences, and/or humanities and have fulfilled the requirements for teacher certification pursuant to RCW 28A.04.120 (1) and (2); PROVIDED, That the state board of education shall develop baccalaureate degree equivalency standards for certification of vocational instructors. However, candidates for grades preschool through six certificates shall have fulfilled the requirements for a major as part of their baccalaureate degree. If the major is in early childhood education, elementary education, or special education, the candidate must have at least thirty quarter hours or twenty semester hours in one academic field.

(2) The state board of education shall study the impact of eliminating the major in education under subsection (1) of this section and submit a report to the legislature by January 15, 1990. The report shall include a recommendation on whether the major in education under subsection (1) of this section should be eliminated.

(3) The initial certificate shall be valid for two years.

(4) Certificate holders may renew the certificate for a three-year period by providing proof of acceptance and enrollment in an approved masters degree program. A second renewal, for a period of two years, may be granted upon recommendation of the degree-granting institution and if the certificate holder can demonstrate substantial progress toward the completion of the masters degree and that the degree will be completed within the two-year extension period. Under no circumstances may an initial certificate be valid for a period of more than seven years.

Sec. 2. Section 215, chapter 525, Laws of 1987 and RCW 28A.70.042 are each amended to read as follows:

(1) The state board of education shall implement rules providing that all teachers performing instructional duties and acquiring professional level certificate status after August 31, 1992, shall possess, as a requirement of professional status, a masters degree in teaching, or a masters degree in the arts, sciences, and/or humanities.

(2) The state board of education shall develop and adopt rules establishing masters degree equivalency standards for vocational instructors performing instructional duties and acquiring professional level certification after August 31, 1992.

On page 1, line 2 of the title, after "instructors;" strike the remainder of the title and insert "and amending RCW 28A.70.040 and 28A.70.042."

Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives P. King and Todd.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6172 Prime Sponsor, Committee on Law & Justice: Changing reporting requirements for witnesses of violent crimes and child abuse and assault. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Voting nay: Representative Hargrove.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6174 Prime Sponsor, Committee on Children & Family Services: Requiring abuse and neglect to be reported both to law enforcement agencies and to the department of social and health services. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6176

Prime Sponsor, Committee on Agriculture: Creating a uniform seed law. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

'NEW SECTION. Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Advertisement' means all representations, other than those on the label, disseminated in any manner or by any means, relating to seed within the scope of this chapter.

(2) 'Agricultural seed' includes grass, forage, cereal, oil, fiber, and other kinds of crop seeds commonly recognized within this state as agricultural seeds, lawn seeds, and combinations of such seeds, and may include noxious weed seeds when the department determines that such seed is being used as agricultural seed.

(3) 'Blend' means seed consisting of more than one variety of a kind, each in excess of five percent by weight of the whole.

(4) 'Bulk seed' means seed distributed in a nonpackage form or in a package of one thousand or more pounds.

(5) 'Certifying agency' means (a) an agency authorized under the laws of any state, territory, or possession to certify seed officially and which has standards and procedures approved by the United States secretary of agriculture to assure the genetic purity and identity of the seed certified; or (b) an agency of a foreign country determined by the United States secretary of agriculture to adhere to procedures and standards for seed certification comparable to those adhered to generally by seed certifying agencies under (a) of this subsection.

(6) 'Conditioning' means drying, cleaning, scarifying, and other operations that could change the purity or germination of the seed and require the seed lot to be retested to determine the label information.

(7) 'Dealer' means any person who distributes.

(8) 'Department' means the department of agriculture of the state of Washington or its duly authorized representative.

(9) 'Director' means the director of the department of agriculture.

(10) 'Distribute' means to import, consign, offer for sale, hold for sale, sell, barter, or otherwise supply seed in this state.

(11) 'Flower seeds' includes seeds of herbaceous plants grown from their blooms, ornamental foliage, or other ornamental parts, and commonly known and sold under the name of flower seeds in this state.

(12) The terms 'foundation seed,' 'registered seed,' and 'certified seed' mean seed that has been produced and labeled in compliance with the regulations of the department.

(13) 'Germination' means the emergence and development from the seed embryo of those essential structures which, for the kind of seed in question, are indicative of the ability to produce a normal plant under favorable conditions.

(14) 'Hard seeds' means seeds that remain hard at the end of the prescribed test period because they have not absorbed water due to an impermeable seed coat.

(15) 'Hybrid' means the first generation seed of a cross produced by controlling the pollination and by combining (a) two or more inbred lines; (b) one inbred or a single cross with an open pollinated variety; or (c) two varieties or species, except open-pollinated varieties of corn (*Zea mays*). The second generation or subsequent generations from such crosses shall not be regarded as hybrids. Hybrid designations shall be treated as variety names.

(16) 'Inert matter' means all matter not seed, that includes broken seeds, sterile florets, chaff, fungus bodies, and stones as determined by methods defined by rule.

(17) 'Kind' means one or more related species or subspecies that singly or collectively is known by one common name, for example, corn, oats, alfalfa, and timothy.

(18) 'Label' includes a tag or other device attached to or written, stamped, or printed on any container or accompanying any lot of bulk seeds purporting to set forth the information required on the seed label by this chapter, and it may include any other information relating to the labeled seed.

(19) 'Lot' means a definite quantity of seed identified by a lot number or other mark, every portion or bag of which is uniform within recognized tolerances for the factors that appear in the labeling.

(20) 'Lot number' shall identify the producer or dealer and year of production or the year distributed for each lot of seed. This requirement may be satisfied by use of a conditioner's or dealer's code.

(21) 'Master license system' means the mechanism established by chapter 19.02 RCW by which master licenses, endorsed for individual state-issued licenses, are issued and renewed using a master application and a master license expiration date common to each renewable license endorsement.

(22) 'Mixture,' 'mix,' or 'mixed' means seed consisting of more than one kind, each in excess of five percent by weight of the whole.

(23) 'Noxious weeds' means those weeds defined in chapter 17.10 RCW.

(24) 'Official sample' means any sample of seed taken and designated as official by the department.

(25) 'Other crop seed' means seed of plants grown as crops, other than the kind or variety included in the pure seed, as determined by methods defined by rule.

(26) 'Prohibited noxious weed seeds' means those weed seeds that are designated under the director's authority pursuant to RCW 17.10.235.

(27) 'Person' means an individual, partnership, corporation, company, association, receiver, trustee, or agent.

(28) 'Pure live seed' means the product of the percent of germination plus hard or dormant seed multiplied by the percent of pure seed divided by one hundred. The result is expressed as a whole number.

(29) 'Pure seed' means seed exclusive of inert matter and all other seeds not of the seed being considered as determined by methods defined by rule.

(30) 'Restricted noxious weed seeds' means those weed seeds that are designated under the director's authority pursuant to RCW 17.10.235.

(31) 'Retail' means to distribute to the ultimate consumer.

(32) 'Screenings' mean chaff, seed, weed seed, inert matter, and other materials removed from seed in cleaning or conditioning.

(33) 'Seed labeling registrant' means a person who has obtained a permit to label seed for distribution in this state.

(34) 'Seeds' mean agricultural or vegetable seeds or other seeds as determined by rules adopted by the department.

(35) 'Stop sale, use, or removal order' means an administrative order restraining the sale, use, disposition, and movement of a specific amount of seed.

(36) 'Treated' means that the seed has received an application of a substance, or that it has been subjected to a process for which a claim is made.

(37) 'Type' means a group of varieties so nearly similar that the individual varieties cannot be clearly differentiated except under special conditions.

(38) 'Variety' means a subdivision of a kind that is distinct, uniform, and stable; 'distinct' in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics from all other varieties of public knowledge; 'uniform' in the sense that variations in essential and distinctive characteristics are describable; and 'stable' in the sense that the variety will remain unchanged in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted as required by the different categories of varieties.

(39) 'Vegetable seeds' includes the seeds of those crops that are grown in gardens and on truck farms and are generally known and sold under the name of vegetable or herb seeds in this state.

NEW SECTION. Sec. 2. Each container of agricultural, vegetable, or flower seeds that is sold, offered for sale, or exposed for sale, or transported within this state for sowing purposes shall have attached thereto in a conspicuous place a plainly written or printed label. The information contained on the label shall not be modified or denied in the labeling or on another label attached to the container.

For all treated agricultural, vegetable, or flower seeds, the label shall contain the following information:

(1) A word or statement indicating that the seed has been treated;

(2) The commonly accepted coined, chemical, or abbreviated chemical (generic) name of the applied substance or description of the process used;

(3) A caution statement indicating that such seed shall not be used for food, feed, or oil processes if the substance used to treat the seed is present in an amount that is identified by the department as harmful to human or other vertebrate animals. The caution for mercurials and similarly toxic substances shall be a poison statement or symbol;

(4) An expiration date beyond which inoculant is not to be considered effective, if the seed is treated with an inoculant.

NEW SECTION. Sec. 3. In addition to the requirements of section 2 of this act, agricultural seeds, except for grass seed mixtures as provided in section 4 of this act, and hybrids that contain less than ninety-five percent hybrid seed as provided in section 9 of this act, shall include on the label the following information:

(1) The kind and variety of each agricultural seed component present in excess of five percent of the whole and the percentage by weight of each: PROVIDED, That if the component varieties are of the kinds permitted by rules to be labeled as to variety the label shall show the name of the kind and the words, 'variety not stated.' Hybrids shall be labeled as hybrids;

(2) Lot numbers or other lot identification;

(3) Origin (state or foreign country) of alfalfa, red clover, and field corn except hybrid corn. If the origin is unknown, the fact shall be stated;

(4) Percentage by weight of all weed seeds;

(5) Name and rate of occurrence per pound of each kind of restricted noxious weed seed present;

(6) Percentage by weight of agricultural seeds, which may be designated as 'other crop seeds,' other than those required to be named on the label;

(7) Percentage by weight of inert matter;

(8) For each named agricultural seed:

(a) Percentage of germination, exclusive of hard seed;

(b) Percentage of hard seeds, if present; and

(c) The calendar month and year the germination test was completed to determine such percentages;

(9) Name and address of the person who labeled the seed, or who sells, offers, or exposes the seed for sale within this state.

NEW SECTION. Sec. 4. In addition to the requirements of section 2 of this act, seed mixtures for lawn or turf purposes shall include on the label the following information:

(1) The word 'mixed' or 'mixture' shall be stated when appropriate with the name of the mixture;

(2) The heading 'pure seed' and 'germination' or 'germ' shall be used when appropriate;

(3) Commonly accepted name of kind or kind and variety of each agricultural seed component in excess of five percent of the whole, and the percentage by weight of pure seed in order of its predominance and in columnar form;

(4) Percentage by weight of agricultural seed other than those required to be named on the label, which shall be designated as 'other crop seed.' If the mixture contains no crop seed, it may be identified with the following statement: 'Contains no other crop seed';

(5) Percentage by weight of inert matter not to exceed ten percent by weight. Foreign material not common to grass seed shall not be added;

(6) Percentage by weight of all weed seeds. Maximum weed seed content not to exceed one-half of one percent by weight;

(7) Name and rate of occurrence per pound of each kind of restricted noxious weed seed present;

(8) For each agricultural seed named under subsection (3) of this section:

(a) Percentage of germination, exclusive of hard seed;

(b) Percentage of hard seed, if present; and

(c) Calendar month and year the germination test was completed to determine such percentages. The oldest test date shall be used;

(9) Name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within the state.

NEW SECTION. Sec. 5. In addition to the requirements of sections 2 through 4 of this act, agricultural seeds that are coated shall include on the label the following information:

(1) Percentage of pure seeds with coating material removed;

(2) Percentage of coating material shown as a separate item in close association with the percentage of inert material; and

(3) Percentage of germination determined on four hundred pellets with or without seeds.

NEW SECTION. Sec. 6. In addition to the requirements of sections 2, 3, and 5 of this act, vegetable or household plantings of vegetable or flower seeds in preplanted containers, mats, tapes, or other planting devices shall include on the label or tag the following information:

(1) The year for which the seed was packed for sale or the percentage germination and the calendar month and year the test was completed to determine such percentage;

(2) For seeds that germinate below the standard last established by the department under this chapter:

(a) Percentage of germination, exclusive of hard seed;

(b) Percentage of hard seed, if present; and

(c) The words 'below standard' in not smaller than eight-point type;

(3) For seeds placed in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seeds from the medium, mat, tape, or device, a statement to indicate the minimum number of seeds in the container.

NEW SECTION. Sec. 7. In addition to the requirements of sections 2, 3, and 5 of this act, vegetable or flower seeds in containers other than packets prepared for use in home gardens or household plantings and other than preplanted containers, mats, tapes, or other planting devices, shall include on the label the following information:

(1) The name of each kind and variety present in excess of five percent and the percentage by weight of each in order of its predominance;

(2) For each named vegetable or flower seed:

(a) Percentage germination exclusive of hard seed;

(b) Percentage of hard seed, if present; and

(c) The calendar month and year the test was completed to determine such percentages;

(3) The labeling requirements for vegetable and flower seeds in containers of more than one pound shall be deemed to have been met if the seed is weighed from a properly labeled container in the presence of the purchaser.

NEW SECTION. Sec. 8. In addition to the requirements of sections 2 and 7 of this act, vegetable or flower seeds in packets prepared for use in home gardens or household plantings or flower seeds in preplanted containers, mats, tapes, or other planting devices shall include on the label the following information:

(1) For all kinds of vegetable or flower seeds, the name of the kind and variety or a statement of type and performance characteristics as prescribed in the rules adopted under this chapter;

(2) For seeds for which standard testing procedures are prescribed by rule and that germinate below the germination standard established under this chapter:

(a) Percentage of germination exclusive of hard seeds; and

(b) The words 'below standard' in not smaller than eight-point type.

NEW SECTION. Sec. 9. In addition to the requirements of sections 2 and 5 through 7 of this act, agricultural and vegetable hybrid seed that contain less than ninety-five percent hybrid seed shall include on the label the following information:

(1) Kind or variety must be labeled as 'hybrid';

(2) The percent that is hybrid shall be labeled parenthetically in direct association following named variety, for example, Comet (eighty-five percent hybrid);

(3) Varieties in which the pure seed contain less than seventy-five percent hybrid seed shall not be labeled hybrids.

NEW SECTION. Sec. 10. For agricultural, vegetable, or flower seed label requirements, the department, by rule, may provide that a label show an expiration date in lieu of:

(1) The calendar month and year of a germination test or pure live seed test; or

(2) The year for which the seed was packaged.

NEW SECTION. Sec. 11. (1) It is a class 1 civil infraction under chapter 7.80 RCW for any person to sell, offer for sale, expose for sale, or transport for sale any agricultural, vegetable, or flower seeds within this state unless the test to determine the percentage of germination required by sections 2 through 10 of this act has been completed within a twelve-month period, or thirty-six months for agricultural or vegetable seeds packaged in hermetically-sealed containers exclusive of the calendar month in which the test was completed, immediately before sale, exposure for sale, or offering for sale or transportation. If seeds in hermetically-sealed containers are sold, exposed for sale, or offered for sale or transportation more than thirty-six months after the last day of the month in which they were tested before packaging, they shall have been retested within a nine-month period, exclusive of the calendar month in which the retest was completed, immediately before sale, exposure for sale, or offering for sale or transportation.

(2) It is a class 1 civil infraction under chapter 7.80 RCW for any person to sell, offer for sale, expose for sale, or transport for sale any agricultural, vegetable, or flower seed within this state not labeled in accordance with this chapter or having false or misleading labeling or for which there has been false or misleading advertisement or if the seed contains or consists of prohibited noxious weed seed.

(3) It is a class 1 civil infraction under chapter 7.80 RCW for any person to sell, offer for sale, expose for sale, or transport for sale any agricultural, vegetable, or flower seed within this state that contains any prohibited noxious weed seeds or any restricted noxious weed seeds in excess of the amount authorized by rules adopted by the director under RCW 17.10.235.

(4) It is a class 1 civil infraction under chapter 7.80 RCW to represent seed to be certified unless it has been determined by a seed certifying agency that such seed conformed to standards of purity and identity or variety in compliance with the rules adopted under this chapter.

(5) It is a class 1 civil infraction under chapter 7.80 RCW to attach any tags of similar size and format to the official certification tag that could be mistaken for the official certification tag.

(6) It is a class 1 civil infraction under chapter 7.80 RCW for any person to sell, offer for sale, expose for sale, or transport for sale any agricultural, vegetable, or flower seed within this state labeled with a variety name but not certified by an official seed certifying agency when it is a variety for which a United States certification of plant variety protection under the plant variety protection act (7 U.S.C. 2321 et seq.) specifies sale only as a class of certified seed: PROVIDED, That seed from a certified lot may be labeled as to variety name when used in a mixture by, or with the approval of, the owner of the variety.

(7) It is a class 1 civil infraction under chapter 7.80 RCW for any person within this state:

(a) To detach, alter, deface, or destroy any label required by this chapter or its implementing rules or to alter or substitute seed in a manner that may defeat the purpose of this chapter;

(b) To disseminate any false or misleading advertisements concerning seeds subject to this chapter in any manner or by any means;

(c) To hinder or obstruct in any way, any authorized person in the performance of his or her duties under this chapter;

(d) To fail to comply with a 'stop sale' order or to move or otherwise to handle or dispose of any lot of seed held under a 'stop sale' order or tags attached thereto, except with express written permission of the enforcing officer, and for the purpose specified thereby;

(e) To use the word 'trace' as a substitute for any statement that is required;

(f) To use the word 'type' in any labeling in connection with the name of any agricultural seed variety;

(g) To sell, expose for sale, offer for sale, or transport any seed containing more than two percent by weight of all weed seed; and

(h) To engage in the conditioning of seed, entered by growers for certification, without first having obtained a seed conditioning permit from the department.

(8) It is a class 1 civil infraction under chapter 7.80 RCW for any person to violate any provision of this chapter or any rule or regulation adopted by the director to carry out this chapter.

NEW SECTION. Sec. 12. (1) The provisions of sections 2 through 11 of this act do not apply:

(a) To seed or grain not intended for sowing purposes;

(b) To seed in storage by, or being transported or consigned to a conditioning establishment for conditioning if the invoice or labeling accompanying the shipment of such seed bears the statement 'seeds for conditioning' and if any labeling or other representation that may be made with respect to the unconditioned seed is subject to this chapter;

(c) To any carrier with respect to any seed transported or delivered for transportation in the ordinary course of its business as a carrier if the carrier is not engaged in producing, conditioning, or marketing seeds subject to this chapter; or

(d) Seed stored or transported by the grower of the seed.

(2) No person may be subject to the penalties of this chapter for having sold or offered for sale seeds subject to this chapter that were incorrectly labeled or represented as to kind, species, variety, or type, which seeds cannot be identified by examination or testing laboratory analysis thereof, unless he or she has failed to obtain an invoice, genuine grower's declaration or other labeling information and to take such other precautions as may be reasonable to ensure the identity to be that stated. A genuine grower's declaration of variety shall affirm that the grower holds records of proof concerning parent seed, such as invoice and labels.

NEW SECTION. Sec. 13. (1) When a buyer is damaged by the failure of any agricultural, vegetable, or flower seed to produce or perform as represented by the required label, by warranty, or as a result of negligence, the buyer, as a prerequisite to maintaining a legal action against the dealer of such seed, shall have first provided for the arbitration of the claim. Any statutory period of limitations with respect to such claim shall be tolled from the date arbitration proceedings are instituted until ten days after the date on which the arbitration award becomes final.

(2) Similarly, no such claim may be asserted as a counterclaim or defense in any action brought by a dealer against a buyer until the buyer has first provided for arbitration of the claim. Upon the buyer's filing of a written notice of intention to assert such a claim as a counterclaim or defense in the action accompanied by a copy of the buyer's complaint in arbitration filed as provided in this chapter, the action shall be stayed, and any applicable statute of limitations shall be tolled with respect to such claim from the date arbitration proceedings are instituted until ten days after the arbitration award becomes final.

(3) If the parties agree to submit the claim to arbitration and to be bound by the arbitration award, then the arbitration shall be subject to chapter 7.04 RCW and the provisions of sections 14, 15, 16, and 17 of this act will not apply to the arbitration. If the parties do not so agree, then the buyer may provide for mandatory arbitration by the arbitration committee under the provisions of sections 14, 15, 16, and 17 of this act. An award rendered in such mandatory arbitration shall not be binding upon the parties and any trial on any claim so arbitrated shall be de novo.

(4) This section applies only to claims, or counterclaims, where the relief sought is, or includes, a monetary amount in excess of ten thousand dollars.

NEW SECTION. Sec. 14. The director shall adopt rules, in conformance with chapter 34.04 RCW, providing for mandatory arbitration under this chapter and governing the proceedings of the arbitration committee. The decisions and proceedings of the arbitration committee shall not be subject to chapter 34.04 RCW.

NEW SECTION. Sec. 15. (1) To submit a claim to mandatory arbitration, the buyer shall make and file with the department a sworn complaint against the dealer alleging the damages sustained. The buyer shall send a copy of the complaint to the dealer by United States registered mail. A filing fee of ten dollars shall be submitted to the department with each complaint filed and may be recovered from the dealer or other seller upon recommendations of the arbitration committee.

(2) Within twenty days after receipt of a copy of the complaint, the dealer shall file with the department, by United States registered mail, the answer to the complaint. Failure of a dealer to file a timely answer to the complaint shall be so documented for the record.

(3) The director shall, upon receipt of the answer, refer the complaint and answer to the arbitration committee for investigation, findings, and recommendations.

(4) Any dealer may request an investigation by the arbitration committee for any dispute involving seed which may not otherwise be before the arbitration committee.

NEW SECTION. Sec. 16. (1) Upon referral of a complaint for investigation, the arbitration committee shall make a prompt and full investigation of the matters complained of and report its award to the director within sixty days of such referral or such later date as parties may determine or as may be required in subsection (3) of this section.

(2) The report of the arbitration committee shall include, in addition to its award, recommendations as to costs, if any.

(3) In the course of its investigation, the arbitration committee may examine the buyer and the dealer on all matters that the arbitration committee may consider relevant; may grow a representative sample of the seed referred to in the complaint if considered necessary; and may hold informal hearings at such time and place as the committee chairman may direct upon reasonable notice to all parties. If the committee decides to grow a representative sample of the seed, the sixty-day period identified in this section shall be extended an additional thirty days.

(4) After the committee has made its award, the director shall promptly transmit the report by certified mail to all parties.

NEW SECTION. Sec. 17. (1) The director shall create an arbitration committee composed of five members, including the director, or a department employee designated by the director, and four members appointed by the director. The director shall make appointments so that the committee is balanced and does not favor the interests of either buyers or dealers. The director also shall appoint four alternates to the committee. In making appointments the director, to the extent practical, shall seek the recommendations of each of the following:

(a) The dean of the college of agriculture and home economics at Washington State University;

(b) The chief officer of an organization in this state representing the interests of seed dealers;

(c) The chief officer of an agriculture organization in this state as the director may determine to be appropriate; and

(d) The president of an agricultural organization representing persons who purchase seed.

(2) Each alternate member shall serve only in the absence of the member for whom the person is an alternate.

(3) The committee shall elect a chairman and a secretary from its membership. The chairman shall conduct meetings and deliberations of the committee and direct all of its other activities. The secretary shall keep accurate records of all such meetings and deliberations and perform such other duties for the commission as the chairman may direct.

(4) The purpose of the committee is to conduct arbitration as provided in this chapter. The committee may be called into session by or at the direction of the director or upon direction of its chairman to consider matters referred to it by the director in accordance with this chapter.

(5) The members of the committee shall receive no compensation for performing their duties but shall be reimbursed for travel expenses; expense reimbursement shall be borne equally by the parties to the arbitration.

(6) For purposes of this chapter, a quorum of four members or their alternates is necessary to conduct an arbitration investigation or to make an award. If a quorum is present, a simple majority of members present shall be sufficient to make a decision. Any member disagreeing with the award may prepare a dissenting opinion and such opinion also will be included in the committee's report.

(7) The director shall make provisions for staff support, including legal advice, as the committee finds necessary.

NEW SECTION. Sec. 18. The director shall have the authority under this chapter to issue and enforce civil infractions according to chapter 7.80 RCW.

Sec. 19. Section 1, chapter 83, Laws of 1961 as amended by section 19, chapter 3, Laws of 1983 and RCW 15.14.010 are each amended to read as follows:

For the purpose of this chapter:

(1) 'Department' means the department of agriculture of the state of Washington.

(2) 'Director' means the director of the department or his duly appointed representative.

(3) 'Person' means a natural person, individual, or firm, partnership, corporation, company, society and association and every officer, agent or employee thereof. This term shall import either the singular or plural, as the case may be.

(4) 'Plant pests' means, but is not limited to, any living stage of any insects, mites, nematodes, slugs, snails, protozoa, or other invertebrate animals, bacteria, fungi, other parasitic plants or reproductive parts thereof, viruses or any organisms similar to or allied with any of the foregoing, or any infectious substance, which can directly or indirectly injure or cause disease or damage to any plant or parts thereof, or any processed, manufactured, or other products of plants.

(5) 'Plant propagating stock' hereinafter referred to as 'planting stock' includes any propagating materials used for the production or processing of horticultural, floricultural, viticultural or olericultural plants for the purpose of being sold, offered for sale or exposed for sale for

planting or reproduction purposes: PROVIDED, That it shall not include agricultural and vegetable seeds as defined in (~~RCW 15.49.050 and 15.49.060~~) section 1 of this 1988 act.

(6) 'Certified plant stock' means the progeny of foundation, registered or certified plant stock if designated foundation and plant propagating materials that are so handled as to maintain satisfactory genetic identity and purity and have met certification standards required by this chapter and have been approved and certified by the director.

(7) 'Foundation planting stock' means plant stock propagating materials that are increased from breeder or designated plant stock and are so handled as to most nearly maintain specific genetic identity and purity. Foundation plant stock, established by designation shall be that plant stock so designated by the director.

(8) 'Breeder planting stock' means plant propagating materials directly controlled by the originating or in certain cases the sponsoring plant breeder or institution, which may include the department and which provides the source of the foundation plant stock.

(9) 'Registered planting stock' means the progeny of foundation or registered planting stock or plant propagating material that is so handled as to maintain satisfactory genetic identity and purity and that has been approved and certified by the director. This class of planting stock shall be of a quality suitable for the production of certified planting stock.

NEW SECTION, Sec. 20. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 63, Laws of 1969 and RCW 15.49.010;
- (2) Section 2, chapter 63, Laws of 1969 and RCW 15.49.020;
- (3) Section 3, chapter 63, Laws of 1969 and RCW 15.49.030;
- (4) Section 23, chapter 182, Laws of 1982 and RCW 15.49.035;
- (5) Section 4, chapter 63, Laws of 1969 and RCW 15.49.040;
- (6) Section 5, chapter 63, Laws of 1969 and RCW 15.49.050;
- (7) Section 6, chapter 63, Laws of 1969 and RCW 15.49.060;
- (8) Section 7, chapter 63, Laws of 1969 and RCW 15.49.070;
- (9) Section 8, chapter 63, Laws of 1969 and RCW 15.49.080;
- (10) Section 9, chapter 63, Laws of 1969 and RCW 15.49.090;
- (11) Section 10, chapter 63, Laws of 1969 and RCW 15.49.100;
- (12) Section 11, chapter 63, Laws of 1969 and RCW 15.49.110;
- (13) Section 12, chapter 63, Laws of 1969 and RCW 15.49.120;
- (14) Section 13, chapter 63, Laws of 1969 and RCW 15.49.130;
- (15) Section 14, chapter 63, Laws of 1969 and RCW 15.49.140;
- (16) Section 15, chapter 63, Laws of 1969 and RCW 15.49.150;
- (17) Section 16, chapter 63, Laws of 1969 and RCW 15.49.160;
- (18) Section 17, chapter 63, Laws of 1969 and RCW 15.49.170;
- (19) Section 18, chapter 63, Laws of 1969 and RCW 15.49.180;
- (20) Section 19, chapter 63, Laws of 1969 and RCW 15.49.190;
- (21) Section 20, chapter 63, Laws of 1969 and RCW 15.49.200;
- (22) Section 21, chapter 63, Laws of 1969 and RCW 15.49.210;
- (23) Section 22, chapter 63, Laws of 1969, section 6, chapter 297, Laws of 1981 and RCW 15.49.220;
- (24) Section 23, chapter 63, Laws of 1969 and RCW 15.49.230;
- (25) Section 24, chapter 63, Laws of 1969 and RCW 15.49.240;
- (26) Section 25, chapter 63, Laws of 1969, section 2, chapter 26, Laws of 1977 ex. sess. and RCW 15.49.250;
- (27) Section 26, chapter 63, Laws of 1969 and RCW 15.49.260;
- (28) Section 27, chapter 63, Laws of 1969 and RCW 15.49.270;
- (29) Section 28, chapter 63, Laws of 1969, section 7, chapter 297, Laws of 1981 and RCW 15.49.280;
- (30) Section 29, chapter 63, Laws of 1969, section 8, chapter 297, Laws of 1981 and RCW 15.49.290;
- (31) Section 30, chapter 63, Laws of 1969 and RCW 15.49.300;
- (32) Section 32, chapter 63, Laws of 1969, section 10, chapter 297, Laws of 1981 and RCW 15.49.320;
- (33) Section 34, chapter 63, Laws of 1969, section 3, chapter 26, Laws of 1977 ex. sess., section 12, chapter 297, Laws of 1981 and RCW 15.49.340;
- (34) Section 43, chapter 63, Laws of 1969 and RCW 15.49.430;
- (35) Section 44, chapter 63, Laws of 1969 and RCW 15.49.440; and
- (36) Section 45, chapter 63, Laws of 1969 and RCW 15.49.450.

NEW SECTION, Sec. 21. Sections 1 through 18 of this act are each added to chapter 15.49 RCW.

NEW SECTION, Sec. 22. This act shall take effect January 1, 1989.

NEW SECTION, Sec. 23. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 8 of the title, strike "and 15.49.340" and insert "15.49.340, 15.49.430, 15.49.440, and 15.49.450"

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Bristow and Holm.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6181 Prime Sponsor, Committee on Education: Revising the early childhood education and assistance program. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Fuhrman, P. King, Schoon and Todd.

Passed to Committee on Rules for second reading.

February 25, 1988

ESSB 6190 Prime Sponsor, Committee on Environment & Natural Resources: Providing for the construction of a spawning channel for salmon on the Skagit river. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5, after "operating" strike all material through "salmon" and insert "an instream salmon enhancement channel or pond"

On page 1, line 15, after "construct" strike all material through "channel" on line 16 and insert "an instream salmon enhancement channel or pond"

On page 1, line 21, after "of" strike all material through "channel" on line 22 and insert "an instream salmon enhancement channel or pond"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Haugen, Meyers, Sayan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representatives Belcher and Hargrove.

Referred to Committee on Ways & Means.

February 23, 1988

SB 6192 Prime Sponsor, Senator Patterson: Exempting from sales and use tax fuel purchased for marine use by the state ferry system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betrozoff, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Meyers, Patrick, Prince, Schmidt, Smith, D. Sommers, Sutherland, Vekich, J. Williams and S. Wilson.

Voting nay: Representatives Cooper and Kremen.

Absent: Representatives Baugher, Vice Chair; Allen, Cantwell, Hankins, Todd, Vekich, J. Williams, K. Wilson and Zellinsky.

Referred to Committee on Ways & Means.

February 26, 1988

SSB 6195 Prime Sponsor, Committee on Environment & Natural Resources: Establishing civil and criminal liability for hindering logging activities. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 20, strike all material down to and including "thereby" on line 26 and insert the following:

"NEW SECTION, Sec. 2. Any person who is damaged by any act prohibited in section 1 of this act may bring a civil action to recover damages sustained, including a reasonable attorney's fee. A party seeking civil damages under this section may recover upon proof of a violation of the provisions of section 1 of this act by a preponderance of the evidence."

Renumber the remaining section consecutively.

On page 1, line 1 of the title, after "adding" strike "a" and on line 2, strike "section" and insert "sections"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Basich, Cole and Smith.

Passed to Committee on Rules for second reading.

February 24, 1988

ESSB 6200 Prime Sponsor, Committee on Governmental Operations: Extending reduced utility rates to low income disabled citizens. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Armstrong, Barnes, Brooks, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representatives Todd, Vice Chair; Gallagher and Hankins.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6203 Prime Sponsor, Committee on Health Care & Corrections: Requiring a report on state care of developmentally disabled persons. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 26, after "(b)" strike "Determine" and insert "For a sample of the group identified in subsection (a), determine"

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6206 Prime Sponsor, Committee on Health Care & Corrections: Requiring cardiopulmonary resuscitation instructions to be posted at multifamily swimming pools. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Absent: Representatives Cantwell and Lewis.

Passed to Committee on Rules for second reading.

February 23, 1988

ESSB 6207 Prime Sponsor, Committee on Children & Family Services: Increasing out-of-home placement alternatives for victims of child abuse. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 27, after "days," insert "However, if such relative appears otherwise suitable and competent to provide care and treatment, the criminal history background check need not be completed before placement, but as soon as possible after placement."

On page 6, line 10, after "13.34.130," insert "and if such relative appears otherwise suitable and competent to provide care and treatment"

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Leonard, Moyer and Sutherland.

Voting nay: Representatives Anderson and H. Sommers.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6217 Prime Sponsor, Committee on Agriculture: Requiring the department of ecology to sell its interest in the Prosser well at the Washington State

University research center. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The department of ecology shall sell its ownership interest in the Prosser well at the Washington State University research center for fair market value, to accommodate the needs of all concerned parties for the 1988 irrigation season. The proceeds of the sale shall be deposited in the state emergency water project revolving account established under RCW 43.83B.300. The department of ecology shall, to the extent possible, work closely with the department of general administration under RCW 43.82.010 to expedite the sale of the Prosser well. As a prerequisite to sale, the parties who agree to purchase the Prosser well according to this section, shall agree to be bound by any existing agreements between the department of ecology and the Washington State University research center at Prosser regarding the operation and maintenance of the Prosser well. The parties agree that the sale of the department of ecology's interest in the Prosser well will require compliance with chapter 90.44 RCW.

NEW SECTION. Sec. 2. The sum of one hundred fifty thousand dollars or as much thereof as may be necessary is appropriated from the emergency water projects revolving account to the department of ecology for the biennium ending June 30, 1989, for capital projects authorized under RCW 43.83B.300 to alleviate drought conditions. Expenditures of moneys appropriated under this section shall not exceed the amount of moneys deposited in the revolving account from the sale of the department of ecology's ownership interest in the well near Prosser under section 1 of this act.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2, after "center;" strike the remainder of the title and insert "creating a new section; making an appropriation; and declaring an emergency."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representative Doty.

Passed to Committee on Rules for second reading.

February 24, 1988

ESSB 6218 Prime Sponsor, Committee on Health Care & Corrections: Revising certain provisions regulating the practice of physical therapy. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 239, Laws of 1949 as last amended by section 2, chapter 116, Laws of 1983 and RCW 18.74.010 are each amended to read as follows:

Unless the context otherwise requires, the definitions in this section apply throughout this chapter.

(1) 'Board' means the board of physical therapy created by RCW 18.74.020.

(2) 'Department' means the department of licensing.

(3) 'Director' means the director of licensing.

(4) 'Physical therapy' means the treatment of any bodily or mental condition of any person by the use of the physical, chemical, and other properties of heat, cold, air, light, water, electricity, sound, massage, and therapeutic exercise, which includes posture and rehabilitation procedures; the performance of tests and measurements of ~~((neuro-muscular))~~ neuromuscular function as an aid to the diagnosis or treatment of any human condition; performance of treatments on the basis of test findings after consultation with and periodic review by an authorized health care practitioner except as provided in section 2 of this 1988 act until June 30, 1991; supervision of selective forms of treatment by trained supportive personnel; and provision of consultative services for health, education, and community agencies. The use of Roentgen rays and radium for diagnostic and therapeutic purposes, the use of electricity for surgical purposes, including cauterization, and ~~((chiropractic practices as defined by RCW 18.25.005, which include the adjustment or manipulation of the articulations of the spine and its immediate articulations or mobilization of these articulations by use of a thrusting force))~~ the use of spinal manipulation or manipulative mobilization of the spine and its immediate articulations, are not included under the term 'physical therapy' as used in this chapter.

(5) 'Physical therapist' means a person who practices physical therapy as defined in this chapter but does not include massage operators as defined in RCW 18.108.010.

(6) Words importing the masculine gender may be applied to females.

(7) 'Authorized health care practitioner' means and includes licensed physicians, osteopathic physicians, chiropractors, naturopaths, podiatrists, and dentists: PROVIDED, HOWEVER, That nothing herein shall be construed as altering the scope of practice of such practitioners as defined in their respective licensure laws.

NEW SECTION, Sec. 2. A new section is added to chapter 18.74 RCW to read as follows:

Notwithstanding the provisions of RCW 18.74.010(4), a consultation and periodic review by an authorized health care practitioner is not required for treatment of neuromuscular or musculoskeletal conditions: PROVIDED, That a physical therapist may only provide treatment utilizing orthoses that support, align, prevent, or correct any structural problems intrinsic to the foot or ankle by referral or consultation from an authorized health care practitioner. The legislative budget committee shall review whether the practices authorized under this section shall be continued and shall report to the legislature by January 1, 1991.

NEW SECTION, Sec. 3. A new section is added to chapter 18.74 RCW to read as follows:

(1) Physical therapists shall refer persons under their care to authorized health care practitioners if they have reasonable cause to believe symptoms or conditions are present which require services beyond the scope of their practice or for which physical therapy is contraindicated.

(2) A violation of this section is unprofessional conduct under this chapter and chapter 18.130 RCW.

NEW SECTION, Sec. 4. A new section is added to chapter 18.74 RCW to read as follows:

(1) Physical therapists shall not advertise that they perform spinal manipulation or manipulative mobilization of the spine.

(2) A violation of this section is unprofessional conduct under this chapter and chapter 18.130 RCW.

NEW SECTION, Sec. 5. A new section is added to chapter 18.74 RCW to read as follows:

This chapter shall not be construed to restrict the ability of any insurance entity regulated by Title 48 RCW, or any state agency or program from limiting or controlling the utilization of physical therapy services by the use of any type of gatekeeper function; nor shall it be construed to require or prohibit that individual or group policies or contracts of an insurance carrier, health care service contractor, or health maintenance organization provide benefits or coverage for services and supplies provided by a person licensed under this chapter. For the purpose of this chapter, 'gatekeeper function' means any provision in a contract which establishes a threshold requirement, such as a recommendation from a case manager or a primary care physician, which must be satisfied before a covered person is eligible to receive benefits under the contract."

Signed by Representatives Braddock, Chair; Bumgarner, Cantwell, Lewis, Lux, Sprenkle and Vekich.

Voting nay: Representatives Day, Vice Chair; Brooks, D. Sommers and Sprenkle.

Absent: Representative Bristow

Passed to Committee on Rules for second reading.

February 22, 1988

E2SSB 6220

Prime Sponsor, Committee on Ways & Means: Changing provisions relating to business and industrial development corporations. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 29, strike "~~(Fifteen)~~ Seven or more persons," and insert "~~(Fifteen or more)~~ At least seven but not more than twenty-one persons."

On page 9, beginning on line 25, strike ", the department of trade and economic development, the department of community development," and insert "~~((the department of trade and economic development.))"~~

On page 15, line 17, after "senate" strike the remainder of the line and insert "economic development and labor committee, the house trade and economic development committee, and the senate and house"

On page 21, line 16, after "dollars" insert "for the period July 1, 1989, through June 30, 1994"

On page 27, after line 20, insert the following:

"Sec. 25. Section 7, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.16.070 are each amended to read as follows:

The federal interest payment fund shall consist of contributions payable by each employer (except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, employers who are required to make payments in lieu of contributions, and employers paying contributions under RCW 50.44.035) for any calendar quarter which begins on or after January 1, 1984, and for which the commissioner determines that the department will have an outstanding balance of accruing federal interest at the end of

the calendar quarter. The amount of wages subject to tax shall be determined according to RCW 50.24.010. The tax rate applicable to wages paid during the calendar quarter shall be determined by the commissioner and shall not exceed fifteen one-hundredths of one percent. In determining whether to require contributions as authorized by this section, the commissioner shall consider the current balance in the federal interest payment fund and the projected amount of interest which will be due and payable as of the following September 30. Except as provided in section 26 of this 1988 act, any excess moneys in the federal interest payment fund shall be retained in the fund for future interest payments.

Contributions under this section shall become due and be paid by each employer in accordance with such rules as the commissioner may prescribe and shall not be deducted, in whole or in part, from the remuneration of individuals in the employ of the employer. Any deduction in violation of this section is unlawful.

In the payment of any contributions under this section, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent."

Renumber the remaining sections and correct any internal references accordingly.

On page 27, line 21, after "sum of" strike "sixty" and insert "nine hundred eighty-five"

On page 1, line 4 of the title, strike "and 31.24.160" and insert "31.24.160, and 50.16.070"

Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Hargrove, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Heavey.

Absent: Representative Braddock

Referred to Committee on Ways & Means.

February 26, 1988

E2SSB 6221 Prime Sponsor, Committee on Ways & Means: Modifying provisions relating to sexually transmissible diseases. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendments:
Strike everything after the enacting clause and insert the following:

"PART I
DEFINITIONS

NEW SECTION, Sec. 101. A new section is added to chapter 70.24 RCW to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Acquired immunodeficiency syndrome' or 'AIDS' means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) 'Board' means the state board of health.

(3) 'Department' means the department of social and health services, or any successor department with jurisdiction over public health matters.

(4) 'Health care provider' means any person who is a member of a profession under RCW 18.130.040 or other person providing medical, nursing, psychological, or other health care services regulated by the department of licensing or the department of social and health services.

(5) 'Health care facility' means a hospital, nursing home, neuropsychiatric or mental health facility, home health agency, hospice, child care agency, adult family home, group care facility, family foster home, clinic, blood bank, blood center, sperm bank, laboratory, or other social service or health care institution regulated or operated by the department of social and health services.

(6) 'HIV-related condition' means any medical condition resulting from infection with HIV including, but not limited to, seropositivity for HIV.

(7) 'Human immunodeficiency virus' or 'HIV' means all HIV and HIV-related viruses which damage the cellular branch of the human immune or neurological systems and leave the infected person immunodeficient or neurologically impaired.

(8) 'Test for a sexually transmitted disease' means a test approved by the board by rule.

(9) 'Legal guardian' means a person appointed by a court to assume legal authority for another who has been found incompetent or, in the case of a minor, a person who has legal custody of the child.

(10) 'Local public health officer' means the officer directing the county health department or his or her designee who has been given the responsibility and authority to protect the health of the public within his or her jurisdiction.

(11) 'Person' includes any natural person, partnership, association, joint venture, trust, public or private corporation, or health facility.

(12) 'Release of test results' means a written authorization for disclosure of any sexually transmitted disease test result which is signed, dated, and which specifies to whom disclosure is authorized and the time period during which the release is to be effective.

(13) 'Sexually transmitted disease' means a bacterial, viral, fungal, or parasitic disease, determined by the board by rule to be sexually transmitted, to be a threat to the public health and welfare, and to be a disease for which a legitimate public interest will be served by providing for regulation and treatment. The board shall designate chancroid, gonorrhea, granuloma inguinale, lymphogranuloma venereum, genital herpes simplex, chlamydia, nongonococcal urethritis (NGU), trachomitis, genital human papilloma virus infection, syphilis, acquired immunodeficiency syndrome (AIDS), and human immunodeficiency virus (HIV) infection as sexually transmitted diseases, and shall consider the recommendations and classifications of the centers for disease control and other nationally recognized medical authorities in designating other diseases as sexually transmitted.

(14) 'State public health officer' means the secretary of social and health services or an officer appointed by the secretary.

PART II

SEXUAL ABSTINENCE AND AVOIDANCE OF SUBSTANCE ABUSE

NEW SECTION. Sec. 201. A new section is added to chapter 70.24 RCW to read as follows:

Information directed to the general public and providing education regarding any sexually transmitted disease that is written, published, distributed, or used by any public entity, and all such information paid for, in whole or in part, with any public moneys shall give emphasis to the importance of sexual abstinence, sexual fidelity, and avoidance of substance abuse in controlling disease.

NEW SECTION. Sec. 202. A new section is added to chapter 70.24 RCW to read as follows:

All material directed to children in grades kindergarten through twelve and providing education regarding any sexually transmitted disease that is written, published, distributed, or used by any public entity, and all such information paid for, in whole or in part, with any public moneys shall give emphasis to the importance of sexual abstinence outside lawful marriage and avoidance of substance abuse in controlling disease.

PART III

CENTER FOR VOLUNTARY ACTION

Sec. 301. Section 5, chapter 11, Laws of 1982 1st ex. sess. and RCW 43.150.050 are each amended to read as follows:

The center, working in cooperation with individuals, local groups, and organizations throughout the state, may undertake any program or activity for which funds are available which furthers the goals of this chapter. These programs and activities may include, but are not limited to:

- (1) Providing information about programs, activities, and resources of value to volunteers and to organizations operating or planning volunteer programs;
- (2) Sponsoring recognition events for outstanding individuals and organizations;
- (3) Facilitating the involvement of business, industry, government, and labor in community service and betterment;
- (4) Organizing, or assisting in the organization of, training workshops and conferences;
- (5) Publishing schedules of significant events, lists of published materials, accounts of successful programs and programming techniques, and other information concerning the field of volunteerism, and distributing this information broadly;
- (6) Reviewing the laws and rules of the state of Washington, and proposed changes therein, to determine their impact on the success of volunteer activities and programs, and recommending such changes as seem appropriate to ensure the achievement of the goals of this chapter;

(7) Providing information about agencies and individuals who are working to prevent the spread of the human immunodeficiency virus, as defined in chapter 70.24 RCW, and to agencies and individuals who are working to provide health and social services to persons with acquired immunodeficiency syndrome, as defined in chapter 70.24 RCW.

PART IV

AIDS EDUCATION IN THE COMMON SCHOOLS

NEW SECTION. Sec. 401. The legislature finds that the public schools provide a unique and appropriate setting for educating young people about the pathology and prevention of acquired immunodeficiency syndrome (AIDS). The legislature recognizes that schools and communities vary throughout the state and that locally elected school directors should have a significant role in establishing a program of AIDS education in their districts.

NEW SECTION. Sec. 402. A new section is added to chapter 28A.05 RCW to read as follows:

(1) The life-threatening dangers of acquired immunodeficiency syndrome (AIDS) and its prevention shall be taught in the public schools of this state. AIDS prevention education shall be limited to the discussion of the life-threatening dangers of the disease, its spread, and prevention. Students shall receive such education at least once each school year beginning no later than the fifth grade.

(2) Each district board of directors shall adopt an AIDS prevention education program which is developed in consultation with teachers, administrators, parents, and other community members including, but not limited to, persons from medical, public health, and mental health organizations and agencies so long as the curricula and materials developed for use in the AIDS education program either (a) are the model curricula and resources under subsection (3) of this section, or (b) are developed by the school district and approved for medical accuracy by the office on AIDS established in section 602 of this act.

(3) Model curricula and other resources available from the superintendent of public instruction through the state clearinghouse for educational information may be reviewed by the school district board of directors, in addition to materials designed locally, in developing the district's AIDS education program. The model curricula shall be reviewed for medical accuracy by the office on AIDS established in section 602 of this act within the department of social and health services.

(4) Each school district shall, at least one month before teaching AIDS prevention education in any classroom, conduct at least one presentation during weekend and evening hours for the parents and guardians of students concerning the curricula and materials that will be used for such education. The parents and guardians shall be notified by the school district of the presentation and that the curricula and materials are available for inspection. No student may be required to participate in AIDS prevention education if the student's parent or guardian, having attended one of the district presentations, objects in writing to the participation.

(5) The office of the superintendent of public instruction with the assistance of the office on AIDS shall update AIDS education curriculum material as newly discovered medical facts make it necessary.

(6) The curriculum for AIDS prevention education shall be designed to teach students which behaviors place a person dangerously at risk of infection with the human immunodeficiency virus (HIV) and methods to avoid such risk including, at least:

(a) The dangers of drug abuse, especially that involving the use of hypodermic needles; and

(b) The dangers of sexual intercourse, with or without condoms.

(7) The program of AIDS prevention education shall stress the life-threatening dangers of contracting AIDS and shall stress that abstinence from sexual activity is the only certain means for the prevention of the spread or contraction of the AIDS virus through sexual contact. It shall also teach that condoms and other artificial means of birth control are not a certain means of preventing the spread of the AIDS virus and reliance on condoms puts a person at risk for exposure to the disease.

Sec. 403. Section 28A.05.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 232, Laws of 1987 and RCW 28A.05.010 are each amended to read as follows:

All common schools shall give instruction in reading, penmanship, orthography, written and mental arithmetic, geography, the history of the United States, English grammar, physiology and hygiene with special reference to the effects of alcoholic stimulants and narcotics on the human system, science with special reference to the environment, and such other studies as may be prescribed by rule or regulation of the state board of education. All teachers shall stress the importance of the cultivation of manners, the fundamental principles of honesty, honor, industry and economy, the minimum requisites for good health including the beneficial effect of physical exercise and methods to prevent exposure to and transmission of sexually transmitted diseases, and the worth of kindness to all living creatures and the land. The prevention of child abuse may be offered as part of the curriculum in the common schools.

NEW SECTION. Sec. 404. Sections 402 and 403 of this act shall take effect July 1, 1988.

PART V

AIDS EDUCATION IN COLLEGES, UNIVERSITIES, AND VOCATIONAL SCHOOLS

NEW SECTION. Sec. 501. A new section is added to chapter 28B.10 RCW to read as follows:

The governing board of each state four-year institution of higher education shall make information available to all newly matriculated students on methods of transmission of the human immunodeficiency virus and prevention of acquired immunodeficiency syndrome. The curricula and materials shall be reviewed for medical accuracy by the office on AIDS in coordination with the appropriate regional AIDS service network.

NEW SECTION. Sec. 502. A new section is added to chapter 28B.50 RCW to read as follows:

The state board for community college education shall make information available to all newly matriculated students on methods of transmission of the human immunodeficiency virus and prevention of acquired immunodeficiency syndrome. The curricula and materials shall be reviewed for medical accuracy by the office on AIDS in coordination with the appropriate regional AIDS service network.

NEW SECTION. Sec. 503. A new section is added to chapter 28C.04 RCW to read as follows:

Each publicly operated vocational school shall make information available to all newly matriculated students on methods of transmission of the human immunodeficiency virus and prevention of acquired immunodeficiency syndrome. The curricula and materials shall be reviewed for medical accuracy by the office on AIDS in coordination with the appropriate regional AIDS service network.

PART VI
AIDS TRAINING FOR EMPLOYEES

NEW SECTION. Sec. 601. The number of acquired immunodeficiency syndrome (AIDS) cases in the state may reach five thousand by 1991. This makes it necessary to provide our state's workforce with the resources and knowledge to deal with the epidemic. To ensure that accurate information is available to the state's work force, a clearinghouse for all technically correct educational materials related to AIDS should be created.

NEW SECTION. Sec. 602. There is established in the department an office on AIDS. If a department of health is created, the office on AIDS shall be transferred to the department of health, and its chief shall report directly to the secretary of health. The office on AIDS shall have as its chief a physician licensed under chapter 18.57 or 18.71 RCW or a person experienced in public health who shall report directly to the assistant secretary for health. This office shall be the repository and clearinghouse for all education and training material related to the treatment, transmission, and prevention of AIDS. The office on AIDS shall have the responsibility for coordinating all publicly funded education and service activities related to AIDS. The University of Washington shall provide the office on AIDS with appropriate training and educational materials necessary to carry out its duties. The office on AIDS shall assist state agencies with information necessary to carry out the purposes of this chapter. The department shall work with state and county agencies and specific employee and professional groups to provide information appropriate to their needs, and shall make educational materials available to private employers and encourage them to distribute this information to their employees.

NEW SECTION. Sec. 603. The department shall adopt rules that recommend appropriate education and training for licensed and certified emergency medical personnel under chapter 18.73 RCW on the prevention, transmission, and treatment of AIDS. The department shall require appropriate education or training as a condition of certification or license issuance or renewal.

NEW SECTION. Sec. 604. Each disciplining authority under chapter 18.130 RCW shall adopt rules that require appropriate education and training for licensees on the prevention, transmission, and treatment of AIDS. The disciplining authorities shall work with the office on AIDS under section 602 of this act to develop the training and educational material necessary for health professionals.

NEW SECTION. Sec. 605. The state board of pharmacy shall adopt rules that require appropriate education and training for licensees on the prevention, transmission, and treatment of AIDS. The board shall work with the office on AIDS under section 602 of this act to develop the training and educational material necessary for health professionals.

NEW SECTION. Sec. 606. The superintendent of public instruction shall adopt rules that require appropriate education and training, to be included as part of their present continuing education requirements, for public school employees on the prevention, transmission, and treatment of AIDS. The superintendent of public instruction shall work with the office on AIDS under section 602 of this act to develop the educational and training material necessary for school employees.

NEW SECTION. Sec. 607. The state personnel board, the higher education personnel board, and each unit of local government shall determine whether any employees under their jurisdiction have a substantial likelihood of exposure in the course of their employment to the human immunodeficiency virus. If so, the agency or unit of government shall adopt rules requiring appropriate training and education for the employees on the prevention, transmission, and treatment of AIDS. The rules shall specifically provide for such training and education for law enforcement, correctional, and health care workers. The state personnel board, the higher education personnel board, and each unit of local government shall work with the office on AIDS under section 602 of this act to develop the educational and training material necessary for employees.

NEW SECTION. Sec. 608. The department shall adopt rules requiring appropriate education and training of employees of state licensed or certified health care facilities. The education and training shall be on the prevention, transmission, and treatment of AIDS and shall not be required for employees who are covered by comparable rules adopted under other sections of this chapter. In adopting rules under this section, the department shall consider infection control standards and educational materials available from appropriate professional associations and professionally prepared publications.

NEW SECTION. Sec. 609. Sections 602 through 608 of this act are each added to chapter 70.24 RCW.

PART VII
COUNSELING AND TESTING

NEW SECTION. Sec. 701. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Pretest counseling' means counseling aimed at helping the individual understand ways to reduce the risk of HIV infection, the nature and purpose of the tests, the significance of the results, and the potential dangers of the disease, and to assess the individual's ability to cope with the results.

(2) 'Posttest counseling' means further counseling following testing usually directed toward increasing the individual's understanding of the human immunodeficiency virus infection, changing the individual's behavior, and, if necessary, encouraging the individual to notify persons with whom there has been contact capable of spreading HIV.

(3) 'AIDS counseling' means counseling directed toward increasing the individual's understanding of acquired immunodeficiency syndrome and changing the individual's behavior.

(4) 'HIV testing' means a test indicative of infection with the human immunodeficiency virus as specified by the board of health by rule.

NEW SECTION. Sec. 702. No person may undergo HIV testing without the person's consent except:

(1) Pursuant to RCW 7.70.065 for incompetent persons;

(2) In seroprevalence studies where neither the persons whose blood is being tested know the test results nor the persons conducting the tests know who is undergoing testing;

(3) If the department of labor and industries determines that it is relevant, in which case payments made under Title 51 RCW may be conditioned on the taking of an HIV antibody test; or

(4) As otherwise expressly authorized by this chapter.

NEW SECTION. Sec. 703. (1) Local health departments authorized under this chapter shall conduct or cause to be conducted pretest counseling, HIV testing, and posttest counseling of all persons:

(a) Convicted of a sexual offense under chapter 9A.44 RCW;

(b) Convicted of prostitution or offenses relating to prostitution under chapter 9A.88 RCW; or

(c) Convicted of drug offenses under chapter 69.50 RCW if the court determines at the time of conviction that the related drug offense is one associated with the use of hypodermic needles.

(2) Such testing shall be conducted as soon as possible after sentencing and shall be so ordered by the sentencing judge.

(3) This section applies only to offenses committed after the effective date of this section.

(4) A law enforcement officer, fire fighter, health care provider, or health care facility staff person, who has experienced a substantial exposure to another person's bodily fluids in the course of his or her employment, may request a state or local public health officer to order pretest counseling, HIV testing, and posttest counseling for the person whose bodily fluids he or she has been exposed to. The person who is subject to the order shall be given written notice of the order promptly, personally, and confidentially, stating the grounds and provisions of the order, including the factual basis therefor. If the person who is subject to the order refuses to comply, the state or local public health officer may petition the superior court for a hearing. The standard of review for the order is whether substantial exposure occurred and whether that exposure presents a possible risk of transmission of the HIV virus as defined by the board by rule. Upon conclusion of the hearing, the court shall issue the appropriate order. The state or local public health officer shall perform counseling and testing under this subsection if he or she finds that the exposure was substantial and presents a possible risk as defined by the board of health by rule.

NEW SECTION. Sec. 704. Local health departments, in cooperation with the regional AIDS services networks, shall make available voluntary testing and counseling services to all persons arrested for prostitution offenses under chapter 9A.88 RCW and drug offenses under chapter 69.50 RCW. Services shall include educational materials that outline the seriousness of AIDS and encourage voluntary participation.

NEW SECTION. Sec. 705. (1) Every health care practitioner attending a pregnant woman or a person seeking treatment of a sexually transmitted disease shall insure that AIDS counseling of the patient is conducted.

(2) AIDS counseling shall be provided to each person in a drug treatment program under chapter 69.54 RCW.

NEW SECTION. Sec. 706. Jail administrators, with the approval of the local public health officer, may order pretest counseling, HIV testing, and posttest counseling for persons detained in the jail if the local public health officer determines that actual or threatened behavior presents a possible risk to the staff, general public, or other persons. Approval of the local public health officer shall be based on section 909(3) of this act and may be contested through section 909(4) of this act. The administrator shall establish, pursuant to RCW 70.48.071, a procedure to document the possible risk which is the basis for the HIV testing. 'Possible risk,' as used in this section, shall be defined by the board in rule. Documentation of the behavior, or threat thereof, shall be reviewed with the person to try to assure that the person understands the basis for testing.

NEW SECTION. Sec. 707. (1) Department of corrections facility administrators may order pretest counseling, HIV testing, and posttest counseling for inmates if the secretary of corrections or the secretary's designee determines that actual or threatened behavior presents a possible risk to the staff, general public, or other inmates. The department of corrections shall

establish a procedure to document the possible risk which is the basis for the HIV testing. 'Possible risk,' as used in this section, shall be defined by the department of corrections after consultation with the board. Possible risk, as used in the documentation of the behavior, or threat thereof, shall be reviewed with the inmate.

(2) Department of corrections administrators and superintendents who are authorized to make decisions about testing and dissemination of test information shall, at least annually, participate in training seminars on public health considerations conducted by the assistant secretary for public health or her or his designee.

(3) Administrative hearing requirements set forth in chapter 34.04 RCW do not apply to the procedure developed by the department of corrections pursuant to this section. This section shall not be construed as requiring any hearing process except as may be required under existing federal constitutional law.

(4) Section 703 of this act does not apply to the department of corrections or to inmates in its custody or subject to its jurisdiction.

NEW SECTION, Sec. 708. By January 1, 1989, the secretary of corrections shall report to the legislature on the necessity of an AIDS-related segregation policy for all facilities under the director of the secretary.

NEW SECTION, Sec. 709. The board of health shall adopt rules establishing minimum standards for pretest counseling, HIV testing, posttest counseling, and AIDS counseling.

NEW SECTION, Sec. 710. Sections 701 through 707 and 709 of this act are each added to chapter 70.24 RCW.

PART VIII

REGIONAL AIDS SERVICE NETWORKS

NEW SECTION, Sec. 801. A new section is added to chapter 70.24 RCW to read as follows:

The department shall establish a state-wide system of regional acquired immunodeficiency syndrome (AIDS) service networks as follows:

(1) The secretary of social and health services shall direct that all state or federal funds, excluding those from federal Title XIX for services or other activities authorized in this chapter, shall be allocated to the office on AIDS established in section 602 of this act. The secretary shall further direct that all funds for services and activities specified in subsection (3) of this section shall be provided to lead counties through contractual agreements based on plans developed as provided in subsection (2) of this section, unless direction of such funds is explicitly prohibited by federal law, federal regulation, or federal policy. The department shall deny funding allocations to lead counties only if the denial is based upon documented incidents of nonfeasance, misfeasance, or malfeasance. However, the department shall give written notice and thirty days for corrective action in incidents of misfeasance or nonfeasance before funding may be denied. The department shall designate six AIDS service network regions encompassing the state. In doing so, the department shall use the boundaries of the regional structures in place for the community services administration on January 1, 1988.

(2) The department shall request that a lead county within each region, which shall be the county with the largest population, prepare, through a cooperative effort of local health departments within the region, a regional organizational and service plan, which meets the requirements set forth in subsection (3) of this section. Efforts should be made to use existing plans, where appropriate. The plan should place emphasis on contracting with existing hospitals, major voluntary organizations, or health care organizations within a region that have in the past provided quality services similar to those mentioned in subsection (3) of this section and that have demonstrated an interest in providing any of the components listed in subsection (3) of this section. If any of the counties within a region do not participate, it shall be the lead county's responsibility to develop the part of the plan for the nonparticipating county or counties. If all of the counties within a region do not participate, the department shall assume the responsibility.

(3) The regional AIDS service network plan shall include the following components:

- (a) A designated single administrative or coordinating agency;
- (b) A complement of services to include:
 - (i) Voluntary and anonymous counseling and testing;
 - (ii) Mandatory testing and/or counseling services for certain individuals, as required by law;
 - (iii) Notification of sexual partners of infected persons, as required by law;
 - (iv) Education for the general public, health professionals, and high-risk groups;
 - (v) Intervention strategies to reduce the incidence of HIV infection among high-risk groups, possibly including needle sterilization and methadone maintenance;
 - (vi) Related community outreach services for runaway youth;
 - (vii) Case management;
 - (viii) Strategies for the development of volunteer networks;
 - (ix) Strategies for the coordination of related agencies within the network; and
 - (x) Other necessary information, including needs particular to the region;
- (c) A service delivery model that includes:
 - (i) Case management services; and

(li) A community-based continuum-of-care model encompassing both medical, mental health, and social services with the goal of maintaining persons with AIDS in a home-like setting, to the extent possible, in the least-expensive manner; and

(d) Budget, caseload, and staffing projections.

(4) Efforts shall be made by both the counties and the department to use existing service delivery systems, where possible, in developing the networks.

(5) The University of Washington health science program, in cooperation with the office on AIDS may, within available resources, establish a center for AIDS education, which shall be linked to the networks. The center for AIDS education is not intended to engage in state-funded research related to HIV infection, AIDS, or HIV-related conditions. Its duties shall include providing the office on AIDS with the appropriate educational materials necessary to carry out that office's duties.

(6) The department shall implement this section, consistent with available funds, by October 1, 1988, by establishing six regional AIDS service networks whose combined jurisdictions shall include the entire state.

(a) Until June 30, 1991, available funding for each regional AIDS service network shall be allocated as follows:

(i) Seventy-five percent of the amount provided for regional AIDS service networks shall be allocated per capita based on the number of persons residing within each region, but in no case less than one hundred fifty thousand dollars for each regional AIDS service network per fiscal year. This amount shall be expended for testing, counseling, education, case management, notification of sexual partners of infected persons, planning, coordination, and other services required by law, except for those enumerated in (ii) of this subsection.

(ii) Twenty-five percent of the amount provided for regional AIDS service networks shall be allocated for intervention strategies specifically addressing groups that are at a high risk of being infected with the human immunodeficiency virus. The allocation shall be made by the office on AIDS based on documented need as specified in regional AIDS network plans.

(b) After June 30, 1991, the funding shall be allocated as provided by law. By December 15, 1990, the department shall report to the appropriate committees of the legislature on proposed methods of funding regional AIDS service networks.

(7) The regional AIDS service networks shall be the official state regional agencies for AIDS information education and coordination of services. The state public health officer, as designated by the secretary of social and health services, shall make adequate efforts to publicize the existence and functions of the networks.

(8) If the department is not able to establish a network by an agreement solely with counties, it may contract with nonprofit agencies for any or all of the designated network responsibilities.

(9) The department, in establishing the networks, shall study mechanisms that could lead to reduced costs and/or increased access to services. The methods shall include capitation.

(10) The department shall reflect in its departmental biennial budget request the funds necessary to implement this section.

(11) The department shall submit an implementation plan to the appropriate committees of the legislature by July 1, 1988.

(12) The use of appropriate materials as authorized by regional AIDS service networks in the prevention or control of HIV infection shall not be deemed a violation of RCW 69.50.412.

NEW SECTION. Sec. 802. The department shall study the need for community residential care for persons with AIDS, including facility size, staffing, and related community health and social services, and report its finding to the appropriate committees of the legislature by December 15, 1988.

NEW SECTION. Sec. 803. To assist the secretary of social and health services in the development and implementation of AIDS programs, the governor shall appoint an AIDS advisory committee. Among its duties shall be a review of insurance problems as related to persons with AIDS. The committee shall terminate on June 30, 1991.

PART IX

CONTROL OF SEXUALLY TRANSMITTED DISEASES

NEW SECTION. Sec. 901. A new section is added to chapter 70.24 RCW to read as follows:

The legislature declares that sexually transmitted diseases constitute a serious and sometimes fatal threat to the public and individual health and welfare of the people of the state. The legislature finds that the incidence of sexually transmitted diseases is rising at an alarming rate and that these diseases result in significant social, health, and economic costs, including infant and maternal mortality, temporary and lifelong disability, and premature death. The legislature further finds that sexually transmitted diseases, by their nature, involve sensitive issues of privacy, and it is the intent of the legislature that all programs designed to deal with these diseases afford patients privacy, confidentiality, and dignity. The legislature also finds that medical knowledge and information about sexually transmitted diseases are rapidly changing. It is therefore the intent of the legislature to provide a program that is sufficiently flexible to meet emerging needs, deals efficiently and effectively with reducing the incidence of sexually

transmitted diseases, and provides patients with a secure knowledge that information they provide will remain private and confidential.

NEW SECTION. Sec. 902. A new section is added to chapter 49.60 RCW to read as follows:

(1) Sensory, mental, or physical handicap shall include actual or perceived HIV infection status of an individual.

(2) Subsection (1) of this section shall not apply to transactions with insurance entities, health service contractors, or health maintenance organizations subject to RCW 49.60.030 (1)(e) or 49.60.178 to prohibit fair discrimination on the basis of actual HIV infection status when bona fide statistical differences in risk or exposure have been substantiated.

(3) For the purposes of this chapter, 'HIV' means the human immunodeficiency virus, and includes all HIV and HIV-related viruses which damage the cellular branch of the human immune system and leave the infected person immunodeficient.

NEW SECTION. Sec. 903. A new section is added to chapter 49.60 RCW to read as follows:

(1) No person may require an individual to take an HIV test, as defined in chapter 70.24 RCW, as a condition of hiring, promotion, or continued employment unless the absence of HIV infection is a bona fide occupational qualification for the job in question.

(2) No person may discharge or fail or refuse to hire any individual, or segregate or classify any individual in any way which would deprive or tend to deprive that individual of employment opportunities or adversely affect his or her status as an employee, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment on the basis of the results of an HIV test unless the absence of HIV infection is a bona fide occupational qualification of the job in question.

(3) The absence of HIV infection as a bona fide occupational qualification exists when performance of a particular job can be shown to present a significant risk, as defined by the human rights commission in consultation with the board of health, of transmitting HIV infection to other persons, and there exists no means of eliminating the risk by restructuring the job.

(4) Employers are immune from civil action for damages arising out of transmission of HIV to employees or to members of the public unless such transmission occurs as a result of the employer's gross negligence.

NEW SECTION. Sec. 904. A new section is added to chapter 70.24 RCW to read as follows:

(1) No person may disclose or be compelled to disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease, except as authorized by this chapter.

(2) No person may disclose or be compelled to disclose the identity of any person upon whom a test for a sexually transmitted disease is performed, or the results of such a test or any information relating to diagnosis of or treatment for a sexually transmitted disease in a manner which permits identification of the subject of the test, diagnosis, or treatment except to the following persons:

(a) The subject of the test or the subject's legal representative for health care decisions in accordance with RCW 7.70.065, with the exception of such a representative of a minor child over fourteen years of age and otherwise competent;

(b) Any person who secures a specific release of test results executed by the subject of the test or the subject's legal representative for health care decisions in accordance with RCW 7.70.065, with the exception of such a representative of a minor child over fourteen years of age and otherwise competent;

(c) The state public health officer, a local public health officer, or the centers for disease control of the United States public health service in accordance with reporting requirements for a diagnosed case of a sexually transmitted disease;

(d) A health facility or health care provider that procures, processes, distributes, or uses: (i) A human body part, tissue, or blood from a deceased person with respect to medical information regarding that person; (ii) semen, including that provided prior to the effective date of this section, for the purpose of artificial insemination; or (iii) blood specimens;

(e) Any state or local public health officer conducting an investigation pursuant to section 909 of this act, provided that such record was obtained by means of court ordered HIV testing pursuant to section 703 or 909 of this act;

(f) A person allowed access to the record by a court order granted after application showing good cause therefor. In assessing good cause, the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of the order, the court, in determining the extent to which any disclosure of all or any part of the record of any such test is necessary, shall impose appropriate safeguards against unauthorized disclosure. An order authorizing disclosure shall: (i) Limit disclosure to those parts of the patient's record deemed essential to fulfill the objective for which the order was granted; (ii) limit disclosure to those persons whose need for information is the basis for the order; and (iii) include any other appropriate measures to keep disclosure to a minimum for the protection of the patient, the physician-patient relationship, and the treatment services, including but not limited to the written statement set forth in subsection (5) of this section;

(g) Persons who, because of their behavioral interaction with the infected individual, have been placed at risk for acquisition of a sexually transmitted disease, as provided in section 906 of this act, if the health officer or authorized representative believes that the exposed person was unaware that a risk of disease exposure existed and that the disclosure of the identity of the infected person is necessary;

(h) A law enforcement officer, fire fighter, health care provider, or health care facility staff person, who has requested a test of a person whose bodily fluids he or she has been substantially exposed to, pursuant to section 703(4) of this act, if a state or local public health officer performs the test; and

(i) Claims management personnel employed by or associated with an insurer, health care service contractor, health maintenance organization, self-funded health plan, state-administered health care claims payer, or any other payer of health care claims where such disclosure is to be used solely for the prompt and accurate evaluation and payment of medical or related claims. Information released under this subsection shall be confidential and shall not be released or available to persons who are not involved in handling or determining medical claims payment.

(3) No person to whom the results of a test for a sexually transmitted disease have been disclosed pursuant to subsection (2) of this section may disclose the test results to another person except as authorized by that subsection.

(4) The release of sexually transmitted disease information regarding an offender, except as provided in subsection (2)(e) of this section, shall be governed as follows:

(a) The sexually transmitted disease status of a department of corrections offender shall be made available by department of corrections health care providers to a department of corrections superintendent or administrator as necessary for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. The information may be submitted to transporting officers and receiving facilities, including facilities that are not under the department of correction's jurisdiction.

(b) The sexually transmitted disease status of a person detained in a jail shall be made available by the local public health officer to a jail administrator as necessary for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. The information may be submitted to transporting officers and receiving facilities.

(c) Information regarding a department of corrections offender's sexually transmitted disease status is confidential and may be disclosed by a correctional superintendent or administrator or local jail administrator only as necessary for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. Unauthorized disclosure of this information to any person may result in disciplinary action, in addition to any other penalties as may be prescribed by law.

(5) Whenever disclosure is made pursuant to this section, it shall be accompanied by a statement in writing which includes the following or substantially similar language: 'This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by state law. A general authorization for the release of medical or other information is NOT sufficient for this purpose.' An oral disclosure shall be accompanied or followed by such a notice within ten days.

NEW SECTION. Sec. 905. A new section is added to chapter 70.24 RCW to read as follows:

The board shall establish reporting requirements for sexually transmitted diseases by rule. Reporting under this section may be required for such sexually transmitted diseases included under this chapter as the board finds appropriate.

NEW SECTION. Sec. 906. A new section is added to chapter 70.24 RCW to read as follows:

(1) The board shall adopt rules authorizing interviews and the state and local public health officers and their authorized representatives may interview, or cause to be interviewed, all persons infected with a sexually transmitted disease and all persons who, in accordance with standards adopted by the board by rule, are reasonably believed to be infected with such diseases for the purpose of investigating the source and spread of the diseases and for the purpose of ordering a person to submit to examination, counseling, or treatment as necessary for the protection of the public health and safety, subject to section 909 of this act.

(2) State and local public health officers or their authorized representatives shall investigate identified partners of persons infected with sexually transmitted diseases in accordance with procedures prescribed by the board.

(3) All information gathered in the course of contact investigation pursuant to this section shall be considered confidential.

(4) No person contacted under this section or reasonably believed to be infected with a sexually transmitted disease who reveals the name or names of sexual contacts during the course of an investigation shall be held liable in a civil action for such revelation, unless the revelation is made with a knowing or reckless disregard for the truth.

(5) Any person who knowingly or maliciously disseminates any false information or report concerning the existence of any sexually transmitted disease under this section is guilty of a gross misdemeanor punishable as provided under RCW 9A.20.021.

Sec. 907. Section 6, chapter 114, Laws of 1919 and RCW 70.24.050 are each amended to read as follows:

Diagnosis of a sexually transmitted disease in every instance must be confirmed by laboratory tests or examinations in a laboratory approved or conducted in accordance with procedures and such other requirements as may be established by the ((state)) board ((of health; before any person shall be isolated or committed to quarantine and before any person committed to quarantine shall be discharged therefrom)). Laboratories testing for HIV shall report anonymous HIV prevalence results to the department, for health statistics purposes, in a manner established by the board.

Sec. 908. Section 8, chapter 114, Laws of 1919 and RCW 70.24.070 are each amended to read as follows:

For the purpose of carrying out ((the provisions of)) this ((act)) chapter, the ((state)) board ((of health)) shall have the power and authority((- from time to time, to divide the state into such number of quarantine districts consisting of one or more counties or parts of counties or municipalities as it shall deem expedient, and to establish at such place or places as it shall deem necessary quarantine stations and clinics)) to designate facilities for the detention and treatment of persons found to be infected with a sexually transmitted disease and to ((establish)) designate any such ((quarantine station and clinic in connection with any county or city jail, or)) facility in any hospital or other public or private institution, other than a jail or correctional facility, having, or which may be provided with, such necessary detention, segregation, isolation, clinic and hospital facilities as may be required and prescribed by the board, and to enter into arrangements for the conduct of such ((quarantine stations and clinics)) facilities with the public officials or persons, associations, or corporations in charge of or maintaining and operating such institutions.

NEW SECTION. Sec. 909. A new section is added to chapter 70.24 RCW to read as follows:

(1) Subject to the provisions of this chapter, the state and local public health officers or their authorized representatives may examine and counsel or cause to be examined and counseled persons reasonably believed to be infected with or to have been exposed to a sexually transmitted disease.

(2) Orders or restrictive measures directed to persons with a sexually transmitted disease shall be used as the last resort when other measures to protect the public health have failed, including reasonable efforts, which shall be documented, to obtain the voluntary cooperation of the person who may be subject to such an order. The orders and measures shall be applied serially with the least intrusive measures used first. The burden of proof shall be on the state or local public health officer to show that specified grounds exist for the issuance of the orders or restrictive measures and that the terms and conditions imposed are no more restrictive than necessary to protect the public health.

(3) When the state or local public health officer within his or her respective jurisdiction knows or has reason to believe, because of direct medical knowledge or reliable testimony of others in a position to have direct knowledge of a person's behavior, that a person has a sexually transmitted disease and is engaging in specified conduct, as determined by the board by rule based upon generally accepted standards of medical and public health science, that endangers the public health, he or she shall conduct an investigation in accordance with procedures prescribed by the board to evaluate the specific facts alleged, if any, and the reliability and credibility of the person or persons providing such information and, if satisfied that the allegations are true, he or she may issue an order according to the following priority to:

(a) Order a person to submit to a medical examination or testing, seek counseling, or obtain medical treatment for curable diseases, or any combination of these, within a period of time determined by the public health officer, not to exceed fourteen days.

(b) Order a person to immediately cease and desist from specified conduct which endangers the health of others by imposing such restrictions upon the person as are necessary to prevent the specified conduct that endangers the health of others only if the public health officer has determined that clear and convincing evidence exists to believe that such person has been ordered to report for counseling as provided in (a) of this subsection and continues to demonstrate behavior which endangers the health of others. Any restriction shall be in writing, setting forth the name of the person to be restricted and the initial period of time, not to exceed three months, during which the order shall remain effective, the terms of the restrictions, and such other conditions as may be necessary to protect the public health. Restrictions shall be imposed in the least-restrictive manner necessary to protect the public health.

(4) (a) Upon the issuance of any order by the state or local public health officer or an authorized representative pursuant to subsection (3) of this section or section 703(4) of this act, such public health officer shall give written notice promptly, personally, and confidentially to the person who is the subject of the order stating the grounds and provisions of the order, including the factual bases therefor, the evidence relied upon for proof of infection and dangerous behavior, and the likelihood of repetition of such behaviors in the absence of such an order, and notifying the person who is the subject of the order that, if he or she contests the order, he or she may appear at a judicial hearing on the enforceability of the order, to be held in superior court. He or she may have an attorney appear on his or her behalf in the hearing

at public expense, if necessary. The hearing shall be held within seventy-two hours of receipt of the notice, unless the person subject to the order agrees to comply. If the person contests the order, no invasive medical procedures shall be carried out prior to a hearing being held pursuant to this subsection. If the person does not contest the order within seventy-two hours of receiving it, and the person does not comply with the order within the time period specified for compliance with the order, the state or local public health officer may request a warrant be issued by the superior court to insure appearance at the hearing. The hearing shall be within seventy-two hours of the expiration date of the time specified for compliance with the original order. The burden of proof shall be on the public health officer to show by clear and convincing evidence that the specified grounds exist for the issuance of the order and for the need for compliance and that the terms and conditions imposed therein are no more restrictive than necessary to protect the public health. Upon conclusion of the hearing, the court shall issue appropriate orders affirming, modifying, or dismissing the order.

(b) If the superior court dismisses the order of the public health officer, the fact that the order was issued shall be expunged from the records of the department or local department of health.

(5) Any hearing conducted pursuant to this section shall be closed and confidential unless a public hearing is requested by the person who is the subject of the order, in which case the hearing will be conducted in open court. Unless in open hearing, any transcripts or records relating thereto shall also be confidential and may be sealed by the order of the court.

NEW SECTION, Sec. 910. A new section is added to chapter 70.24 RCW to read as follows:

(1) When the procedures of section 909 of this act have been exhausted and the state or local public health officer, within his or her respective jurisdiction, knows or has reason to believe, because of medical information, that a person has a sexually transmitted disease and that the person continues to engage in behaviors that present an imminent danger to the public health as defined by the board by rule based upon generally accepted standards of medical and public health science, the public health officer may bring an action in superior court to detain the person in a facility designated by the board for a period of time necessary to accomplish a program of counseling and education, excluding any coercive techniques or procedures, designed to get the person to adopt nondangerous behavior. In no case may the period exceed ninety days under each order. The board shall establish, by rule, standards for counseling and education under this subsection. The public health officer shall request the prosecuting attorney to file such action in superior court. During that period, reasonable efforts will be made in a noncoercive manner to get the person to adopt nondangerous behavior.

(2) If an action is filed as outlined in subsection (1) of this section, the superior court, upon the petition of the prosecuting attorney, shall issue other appropriate court orders including, but not limited to, an order to take the person into custody immediately, for a period not to exceed seventy-two hours, and place him or her in a facility designated or approved by the board. The person who is the subject of the order shall be given written notice of the order promptly, personally, and confidentially, stating the grounds and provisions of the order, including the factual bases therefor, the evidence relied upon for proof of infection and dangerous behavior, and the likelihood of repetition of such behaviors in the absence of such an order, and notifying the person that if he or she refuses to comply with the order he or she may appear at a hearing to review the order and that he or she may have an attorney appear on his or her behalf in the hearing at public expense, if necessary. If the person contests testing or treatment, no invasive medical procedures shall be carried out prior to a hearing being held pursuant to subsection (3) of this section.

(3) The hearing shall be conducted no later than forty-eight hours after the receipt of the order. The person who is subject to the order has a right to be present at the hearing and may have an attorney appear on his or her behalf in the hearing, at public expense if necessary. If the order being contested includes detention for a period of fourteen days or longer, the person shall also have the right to a trial by jury upon request. Upon conclusion of the hearing or trial by jury, the court shall issue appropriate orders.

The court may continue the hearing upon the request of the person who is subject to the order for good cause shown for no more than five additional judicial days. If a trial by jury is requested, the court, upon motion, may continue the hearing for no more than ten additional judicial days. During the pendency of the continuance, the court may order that the person contesting the order remain in detention or may place terms and conditions upon the person which the court deems appropriate to protect public health.

(4) The burden of proof shall be on the state or local public health officer to show by clear and convincing evidence that grounds exist for the issuance of any court order pursuant to subsection (2) or (3) of this section. If the superior court dismisses the order, the fact that the order was issued shall be expunged from the records of the state or local department of health.

(5) Any hearing conducted by the superior court pursuant to subsection (2) or (3) of this section shall be closed and confidential unless a public hearing is requested by the person who is the subject of the order, in which case the hearing will be conducted in open court. Unless in open hearing, any transcripts or records relating thereto shall also be confidential and may be sealed by order of the court.

(6) Any order entered by the superior court pursuant to subsection (1) or (2) of this section shall impose terms and conditions no more restrictive than necessary to protect the public health.

Sec. 911. Section 5, chapter 114, Laws of 1919 and RCW 70.24.080 are each amended to read as follows:

Any person who shall violate any of the provisions of this ~~((act))~~ chapter or any lawful rule ~~((or regulation made))~~ adopted by the ~~((state))~~ board ~~((of health))~~ pursuant to the authority herein granted, or who shall fail or refuse to obey any lawful order issued by any state, county or municipal public health officer, pursuant to the authority granted in this ~~((act))~~ chapter, shall be deemed guilty of a gross misdemeanor punishable as provided under RCW 9A.20.021.

Sec. 912. Section 1, chapter 164, Laws of 1969 ex. sess. and RCW 70.24.110 are each amended to read as follows:

A minor fourteen years of age or older who may have come in contact with any ~~((venerable))~~ sexually transmitted disease or suspected ~~((venerable))~~ sexually transmitted disease may give consent to the furnishing of hospital, medical and surgical care related to the diagnosis or treatment of such disease. Such consent shall not be subject to disaffirmance because of minority. The consent of the parent, parents, or legal guardian of such minor shall not be necessary to authorize hospital, medical and surgical care related to such disease and such parent, parents, or legal guardian shall not be liable for payment for any care rendered pursuant to this section.

Sec. 913. Section 1, chapter 59, Laws of 1977 and RCW 70.24.120 are each amended to read as follows:

~~((Venerable))~~ Sexually transmitted disease case investigators, upon specific authorization from a ~~((doctor))~~ physician, are hereby authorized to perform venipuncture or skin puncture on a person for the sole purpose of withdrawing blood for use in ~~((venerable))~~ sexually transmitted disease tests.

The term '~~((venerable))~~ sexually transmitted disease case investigator' shall mean only those persons who:

- (1) Are employed by public health authorities; and
- (2) Have been trained by a ~~((doctor))~~ physician in proper procedures to be employed when withdrawing blood in accordance with training requirements established by the department of social and health services; and
- (3) Possess a statement signed by the instructing ~~((doctor))~~ physician that the training required by subsection (2) of this section has been successfully completed.

The term '~~((doctor))~~ physician' means any person licensed under the provisions of chapters 18.57 or 18.71 RCW.

NEW SECTION, Sec. 914. A new section is added to chapter 70.24 RCW to read as follows:

(1) Any person aggrieved by a violation of this chapter shall have a right of action in superior court and may recover for each violation:

- (a) Against any person who negligently violates a provision of this chapter, one thousand dollars, or actual damages, whichever is greater, for each violation.
- (b) Against any person who intentionally or recklessly violates a provision of this chapter, two thousand dollars, or actual damages, whichever is greater, for each violation.
- (c) Reasonable attorneys' fees and costs.
- (d) Such other relief, including an injunction, as the court may deem appropriate.

(2) Any action under this chapter is barred unless the action is commenced within three years after the cause of action accrues.

(3) Nothing in this chapter limits the rights of the subject of a test for a sexually transmitted disease to recover damages or other relief under any other applicable law.

(4) Nothing in this chapter may be construed to impose civil liability or criminal sanction for disclosure of a test result for a sexually transmitted disease in accordance with any reporting requirement for a diagnosed case of sexually transmitted disease by the department or the centers for disease control of the United States public health service.

NEW SECTION, Sec. 915. A new section is added to chapter 70.24 RCW to read as follows:

The board shall adopt such rules as are necessary to implement and enforce this chapter. Rules may also be adopted by the department of social and health services or the department of licensing for the purposes of this chapter. The rules may include procedures for taking appropriate action, in addition to any other penalty under this chapter, with regard to health care facilities or health care providers which violate this chapter or the rules adopted under this chapter. The rules shall prescribe stringent safeguards to protect the confidentiality of the persons and records subject to this chapter. The procedures set forth in chapter 34.04 RCW apply to the administration of this chapter, except that in case of conflict between chapter 34.04 RCW and this chapter, the provisions of this chapter shall control.

Sec. 916. Section 5, chapter 257, Laws of 1986 as amended by section 2, chapter 324, Laws of 1987 and RCW 9A.36.021 are each amended to read as follows:

(1) A person is guilty of assault in the second degree if he or she, under circumstances not amounting to assault in the first degree:

- (a) Intentionally assaults another and thereby inflicts substantial bodily harm; or

(b) Intentionally and unlawfully causes substantial bodily harm to an unborn quick child by intentionally and unlawfully inflicting any injury upon the mother of such child; or

(c) Assaults another with a deadly weapon; or

(d) With intent to inflict bodily harm, administers to or causes to be taken by another, poison, the human immunodeficiency virus as defined in chapter 70.24 RCW, or any other destructive or noxious substance; or

(e) With intent to inflict bodily harm, exposes or transmits human immunodeficiency virus as defined in chapter 70.24 RCW; or

(1) With intent to commit a felony, assaults another.

(2) Assault in the second degree is a class B felony.

NEW SECTION. Sec. 917. A new section is added to chapter 70.24 RCW to read as follows:

It is unlawful for any person who has a sexually transmitted disease, except HIV infection, when such person knows he or she is infected with such a disease and when such person has been informed that he or she may communicate the disease to another person through sexual intercourse, to have sexual intercourse with any other person, unless such other person has been informed of the presence of the sexually transmitted disease.

NEW SECTION. Sec. 918. A new section is added to chapter 70.24 RCW to read as follows:

Members of the state board of health and local boards of health, public health officers, and employees of the department of social and health services and local health departments are immune from civil action for damages arising out of the good faith performance of their duties as prescribed by this chapter, unless such performance constitutes gross negligence.

NEW SECTION. Sec. 919. A new section is added to chapter 70.24 RCW to read as follows:

Nothing in this chapter may be construed to require additional local funding of programs to treat communicable disease established as of the effective date of this section.

NEW SECTION. Sec. 920. A new section is added to chapter 70.24 RCW to read as follows:

Nothing in this chapter is intended to create a state-mandated liberty interest of any nature for offenders or inmates confined in department of corrections facilities or subject to the jurisdiction of the department of corrections.

NEW SECTION. Sec. 921. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 114, Laws of 1919 and RCW 70.24.010;

(2) Section 2, chapter 114, Laws of 1919, section 93, chapter 141, Laws of 1979 and RCW 70.24.020;

(3) Section 3, chapter 114, Laws of 1919 and RCW 70.24.030;

(4) Section 4, chapter 114, Laws of 1919 and RCW 70.24.040; and

(5) Section 7, chapter 114, Laws of 1919, section 94, chapter 141, Laws of 1979 and RCW 70.24.060.

NEW SECTION. Sec. 922. Sections 916 and 917 of this act shall take effect July 1, 1988.

PART X

MISCELLANEOUS

NEW SECTION. Sec. 1001. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 1002. Except as otherwise specifically provided, this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, beginning on line 1 of the title, after "diseases;" strike the remainder of the title and insert "amending RCW 43.150.050, 28A.05.010, 70.24.050, 70.24.070, 70.24.080, 70.24.110, 70.24.120, and 9A.36.021; adding a new section to chapter 28A.05 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 28C.04 RCW; adding new sections to chapter 49.60 RCW; adding new sections to chapter 70.24 RCW; adding a new section to chapter 70.48 RCW; creating new sections; repealing RCW 70.24.010, 70.24.020, 70.24.030, 70.24.040, and 70.24.060; prescribing penalties; providing an effective date; and declaring an emergency."

Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprenkle and Vekich.

Passed to Committee on Rules for second reading.

February 28, 1988

SB 6227

Prime Sponsor, Senator Pullen: Revising provisions on acknowledgments. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Passed to Committee on Rules for second reading.

February 26, 1988

ESSB 6232 Prime Sponsor, Committee on Children & Family Services: Seeking federal waivers for self-employed persons receiving aid to families with dependent children. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. The health of our state's economy requires the promotion of entrepreneurship and new enterprise development as well as the retention of existing jobs. Encouraging families who are recipients of aid to families with dependent children to become self-sufficient through self-employment will improve the lives of citizens in this state.

NEW SECTION. Sec. 2. A new section is added to chapter 74.12 RCW to read as follows:

The secretary of social and health services shall seek an exception to federal law under the waiver authorities set forth in the federal social security act, 42 U.S.C. Sec. 301 et seq., for the purposes of allowing recipients of aid for families with dependent children to become self-employed in a manner that will lead to economic independence. The application for waivers shall be sought by October 1, 1988.

If the waivers are obtained, the department shall adopt rules that allow a recipient to separate business assets from personal assets during a start-up period not exceeding two years. The rules shall provide for evaluation of business progress during the start-up period and, if it appears to the department that sufficient income exists to provide an adequate income to replace the aid to families with dependent children, the recipient has the burden of showing why the recipient is not ready to terminate the aid prior to the expiration of the start-up period. The rules shall also provide for deductions from income for business expenses including but not limited to capital expenditures, payments on the loans to the business and reasonable amounts for cash reserves. Guidelines for determining a reasonable amount of cash reserves and for evaluation of business progress shall be based primarily on criteria used by small business loan officers and others of like expertise. The rules shall be promulgated only after consultation with the private industry councils and other small business experts."

On page 1, line 1 of the title, after "children;" strike the remainder of the title and insert "adding a new section to chapter 74.12 RCW; and creating a new section."

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Referred to Committee on Ways & Means.

February 23, 1988

SB 6234 Prime Sponsor, Senator Bailey: Approving projects recommended by the public works board. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Jones, Nealey, Nelson, Nutley and Rayburn.

Absent: Representatives Hine, Nelson and Zellinsky.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6238 Prime Sponsor, Committee on Environment & Natural Resources: Changing provisions relating to the authority of state agencies to administer part C of the federal safe drinking water act. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 27, beginning with "No" strike all material down to and including "health," on page 2, line 5.

Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Valle, Vice Chair; Allen and Lux.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6240 Prime Sponsor, Committee on Environment & Natural Resources: Establishing a wild mushroom harvesting program. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of agriculture.

(2) 'Wild mushroom' means a mushroom that is not cultivated or propagated by artificial means.

(3) 'Mushroom buyer' means any person who obtains wild mushrooms from another person for eventual conveyance to a mushroom processor.

(4) 'Mushroom harvester' means a person who picks wild mushrooms for sale to a mushroom buyer or processor, or who picks wild mushrooms as an employee of a mushroom buyer or processor.

(5) 'Mushroom processor' means a person, other than a restaurant or mushroom buyer, who purchases and processes wild mushrooms in any manner whatsoever for eventual resale.

NEW SECTION, Sec. 2. (1) A person may not act as a mushroom buyer or mushroom processor without an annual license. Any person applying for such a license shall file an application on a form prescribed by the department, and accompanied by the following license fee:

(a) Mushroom buyer, seventy-five dollars;

(b) Mushroom processor, three hundred seventy-five dollars.

(2) The mushroom buyer or mushroom processor shall display the license in a manner visible to the public.

NEW SECTION, Sec. 3. (1) A mushroom buyer who obtains wild mushrooms shall complete a form prescribed by the department that includes the following:

(a) The site at which the mushrooms were purchased by the buyer;

(b) The amount, by weight, of each species of mushrooms obtained;

(c) The approximate location of the harvest site;

(d) The date that the mushrooms were harvested;

(e) The price paid to the harvester;

(f) The name, address, and license number of the mushroom processor to whom the mushrooms are sold;

(g) Any additional information that the department, by rule, may require.

(2) Forms completed under this section shall be mailed or delivered to the department within fifteen days after the end of the month in which the mushrooms were delivered to the processor.

(3) Mushroom processors shall comply with the requirements of this section when obtaining wild mushrooms from any source other than a licensed mushroom buyer.

NEW SECTION, Sec. 4. (1) Mushroom processors shall annually, by December 31, complete and mail or deliver to the department a form prescribed by the department that includes for each variety of mushrooms:

(a) The quantity by weight sold within Washington, within the United States outside Washington, and to individual foreign countries;

(b) Any additional information that the department, by rule, may require.

(2) The department shall publish harvest totals in conjunction with United States department of agriculture crop reporting statistics as well as a compilation of the information received under subsection (1)(a) of this section.

NEW SECTION, Sec. 5. The department shall encourage voluntary reporting of the information prescribed under section 3(1) of this act by recreational mushroom harvesters and mycological societies.

NEW SECTION, Sec. 6. The department is authorized to issue and enforce civil infractions in the manner prescribed under chapter 7.80 RCW. Violations of this chapter or any rule adopted under this chapter constitute a class I civil infraction under chapter 7.80 RCW.

NEW SECTION, Sec. 7. The department may adopt rules for the administration of this chapter.

NEW SECTION, Sec. 8. Sections 1 through 7 of this act shall constitute a new chapter in Title 15 RCW.

NEW SECTION, Sec. 9. Sections 1 through 7 of this act shall expire June 30, 1994.

NEW SECTION, Sec. 10. The sum of twelve thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the department of agriculture for the biennium ending June 30, 1989, to carry out the purposes of this act.

NEW SECTION, Sec. 11. The sum of seven thousand five hundred dollars, or so much thereof as may be necessary, is appropriated to the University of Washington from the general fund for the biennium ending June 30, 1989, for mycological research. The appropriation in this section shall be available for expenditure only upon commitment of other funds for this project equaling two times the sum of the appropriation.

NEW SECTION, Sec. 12. Sections 1 through 9 of this act shall take effect January 1, 1989. The department of agriculture may immediately take such steps as are necessary to ensure that this act is implemented on that date."

On page 1, line 2 of the title, after "penalties;" insert "providing an effective date;"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Basich, Hargrove and Smith.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6244 Prime Sponsor, Committee on Education: Providing additional capital construction assistance to certain small school districts. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Todd and Walker.

Absent: Representatives Schoon and Walker.

Referred to Committee on Ways & Means.

February 23, 1988

SSB 6252 Prime Sponsor, Committee on Law & Justice: Revising enforcement provisions for failure to comply with traffic infraction laws. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Cantwell, Cooper, Day, Doty, Gallagher, Haugen, Heavey, Jacobsen, Jones, Meyers, Prince, Schmidt, Smith, D. Sommers, Sutherland, Vekich and S. Wilson.

Absent: Representatives Allen, Cantwell, Todd, J. Williams, K. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 24, 1988

SB 6260 Prime Sponsor, Senator Warnke: Changing requirements relating to sales of poisons. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 34, Laws of 1987 and RCW 69.38.030 are each amended to read as follows:

It is unlawful for any person, either on the person's own behalf or while an employee of another, to sell any poison without first recording in ink in a 'poison register' kept solely for this purpose the following information:

- (1) The date and hour of the sale;
- (2) The full name and home address of the purchaser;
- (3) The kind and quantity of poison sold; and
- (4) The purpose for which the poison is being purchased.

The purchaser shall present to the seller identification which contains the purchaser's photograph and signature. No sale may be made unless the seller is satisfied that the purchaser's representations are true and that the poison will be used for a lawful purpose. Both the purchaser and the seller shall sign the poison register entry.

If a delivery of a poison will be made outside the confines of the seller's premises, the seller may require the business purchasing the poison to submit a letter of authorization as a substitute for the purchaser's photograph and signature requirements. The letter of authorization shall include the unified business identifier and address of the business, a full description of how the substance will be used, and the signature of the purchaser. Either the seller or the employee of the seller delivering or transferring the poison shall affix his or her signature to the letter as a witness to the signature and identification of the purchaser. The transaction shall be recorded in the poison register as provided in this section. Letters of authorization shall be kept with the poison register and shall be subject to the inspection and preservation requirements contained in RCW 69.38.040.*

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 26, 1988

SB 6265 Prime Sponsor, Senator Metcalf: Establishing environmental excellence awards for solid waste reduction and recycling. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Jesernig, Lux, Pruitt, Sprengle and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representatives Ferguson, May, Schoon, D. Sommers and Walker.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

February 25, 1988

ESSB 6266 Prime Sponsor, Committee on Environment & Natural Resources: Revising provisions for aquifer protection districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 19, beginning with "Any" strike all the material down to and including "section" on line 21, and insert "The costs of monitoring and inspecting on-site sewage disposal systems or community sewage disposal systems for compliance with applicable standards and rules, and for enforcing compliance with these applicable standards and rules in aquifer protection areas created after the effective date of this 1988 act."

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley and Zellsnky.

Absent: Representative Dorn.

Passed to Committee on Rules for second reading.

February 24, 1988

ESB 6272 Prime Sponsor, Senator Anderson: Establishing the Washington investment opportunities office. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Holm, McLean, Moyer, Rasmussen and Schoon.

Absent: Representatives Wineberry, Vice Chair; Braddock, Doty, Hargrove, Heavey, Kremen, B. Williams and J. Williams.

Referred to Committee on Ways & Means.

February 22, 1988

E2SSB 6277 Prime Sponsor, Committee on Ways & Means: Establishing the business and job retention program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the Washington state economy has suffered as a result of plant closures, business failures, and mass layoffs. The state has experienced substantial increases in unemployment compensation and public assistance expenditures, decreases in taxes paid by workers and businesses, and increases in social and health program costs due to high levels of unemployment.

The legislature further finds that the state has a substantial and continuing interest in assuring the survival of firms currently operating in the state by assisting them in adjusting to changing economic conditions.

State agencies have recognized the importance of interagency cooperation in business and job retention efforts. It is the purpose of this chapter to further these agency efforts by authorizing and funding locally based business and job retention efforts to assist businesses which are likely to close, fail, or experience a permanent mass layoff. The legislature's primary objective is to coordinate, assist, augment, and improve existing business and job retention efforts and provide continuing financial and technical assistance and training to such efforts.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Department' means the department of trade and economic development.

(2) 'Director' means the director of trade and economic development.

NEW SECTION. Sec. 3. There is established within the department of trade and economic development the business and job retention program. An exempt position is hereby created for the assistant director level within the department of trade and economic development for the director of the business and job retention program. The director shall be appointed by the governor and shall serve under the direction of the director of trade and economic development at the governor's pleasure. In carrying out the purposes of this chapter, the director shall solicit volunteer assistance, work with the business assistance center, the small business development center, the department of community development's employee ownership program, local early warning programs, local reemployment centers, labor representatives, and other appropriate public and private agencies and organizations and, when appropriate, contract with private consultants.

NEW SECTION. Sec. 4. By July 1, 1988, the director shall appoint no more than six people to an advisory committee. The committee shall include one representative from state-wide business organizations, one from state-wide labor organizations, and one from government. The remaining members shall be chosen from representatives of higher education, community colleges, vocational technical institutes, associate development organizations, community based economic development organizations, private industry councils, local early warning programs, local reemployment centers, and other advocates for dislocated and unemployed workers. The director shall consult with the advisory committee in developing implementation plans for carrying out this chapter and shall monitor implementation and operations of the state and regional components of the program. Staff assistance shall be provided to the committee by the department. Members of the advisory committee shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 5. The director, after consultation with the advisory committee, shall:

(1) Designate service delivery regions in the state, each of which shall have no less than one county and no more than six counties.

(2) Designate an associate development organization or other appropriate locally based organization to coordinate business and job retention efforts in each region. The regional coordinating organization shall solicit the active involvement of all affected local groups. Special emphasis shall be placed on the involvement of local businesses, local governments, and local labor organizations. Other groups whose involvement should be sought include local associate development organizations, local reemployment centers, local educational institutions, community based organizations, advocates for the dislocated and unemployed workers, and local private industry councils. The regional coordinating organization shall coordinate efforts with the Washington ambassadors program and select appropriate marketing, management, training, and technical specialists to assist with efforts on any given project or group of projects. The department may subcontract with existing early warning or job retention programs to avoid duplication of effort in any region. The regional coordinating organization shall be responsible for soliciting assistance from within the region from local chambers of commerce, private industry councils, colleges, universities, local early warning programs, local reemployment centers, and any other private, public, or nonprofit group with appropriate expertise.

(3) Develop model local business surveys and assist with regional business and job retention efforts to administer in each region surveys of businesses, utilities, labor unions, employees, financial institutions, and community organizations in cooperation with any existing business retention programs, reemployment centers, and associate development organizations. The surveys will gather information about business needs, expansion plans, relocation decisions, training needs, potential layoffs, financing needs, the availability of financing, and other appropriate information.

(4) Designate criteria for receipt of services offered to businesses, labor unions, employee groups, community groups, local governments, and port districts. Such criteria shall include the number of employees affected, the type of business involved, reemployment potential of employees, severity of problems affecting the business or workforce, skill level of workforce, availability of financing, and the social and economic costs of layoffs or closure.

(5) Be responsible for the development and implementation of training programs for regional business and job retention regional coordinating organizations and involved community participants. The training programs shall be designed to assist regional efforts to develop and coordinate local resources, assess the need for outside resources, and locate other public and private resources needed to assist firms and workers.

(6) Provide or coordinate the delivery of technical and managerial assistance upon request from local business and job retention coordinating groups. Such assistance shall include financial management, marketing, product development, production process analysis, training, and other business services.

NEW SECTION. Sec. 6. Business and job retention regional coordinating organizations in service delivery regions with seventy thousand residents or above shall administer local business surveys. Regional coordinating organizations in service delivery regions with less than seventy thousand residents are encouraged to administer local business surveys. Regional

coordinating organizations may not require local businesses to fill out the surveys. Regional coordinating organizations in all regions shall provide marketing, technical, managerial, regulatory, and training assistance appropriate to client businesses, unions, employee groups, and workforces.

(1) Regional coordinating organizations shall initiate contact with those firms or employees indicating by their response to the business surveys the potential for imminent closure, mass layoff, or relocation. For firms or employees not indicating such potential, the provision of services by the regional coordinating organization will be in response to direct requests from firms, labor unions, employee groups, community groups, local governments, or port districts.

(2) The regional coordinating organization shall be responsible for conducting an initial assessment of firms or work forces to determine viability, problems, and skill levels, in cooperation with any early warning programs, reemployment centers, and associate development organizations. The assessment shall include but not be limited to the public and private costs of any potential closure or layoff, the role of governmental policies or regulations in contributing to closures or layoffs, the potential for preventing a closure, business failure, business relocation, or mass layoff, the potential for a change in ownership, including worker and community buy-outs of the firm, and the costs of keeping the facility in operation.

(3) After the initial assessment, the regional coordinating organization shall coordinate the delivery of technical, managerial, financial, training, and other assistance. If the initial assessment indicates the need for a more thorough study of the feasibility of various options for retaining a firm, the director shall be so notified.

(4) The regional coordinating organization shall work with the employment security department and local reemployment centers to assess the need for and to ensure the provision of training services to client businesses, prelayoff services, and the establishment of programs for dislocated workers such as job clubs, retraining counseling, and the referral and delivery of social services.

NEW SECTION, Sec. 7. The director shall develop and administer a business and job retention feasibility fund. Under this program, money shall be made available to study the feasibility of various options for continuing or renewing the operation of industrial facilities which are threatened with closure or which have already closed. Such money shall be made available as follows:

(1) Local governments, ports, local associate development organizations, or local nonprofit community organizations shall be eligible for the money.

(2) The department may require that money be matched dollar for dollar with local private or public money.

(3) A maximum of fifty thousand dollars shall be made available for each study.

(4) Only one study may be funded per industrial facility.

(5) Priority in availability of money shall be given to:

(a) Industrial facilities in distressed areas as defined under RCW 43.165.010;

(b) Industrial facilities with large numbers of employees;

(c) Employee buyouts; and

(d) Industrial facilities in mature industries.

NEW SECTION, Sec. 8. In addition to the responsibilities set forth in sections 2 through 7 of this act, the department shall draw upon its existing resources, employment and economic data from the employment security department, and data from the department of licensing and the department of revenue and other sources, to do nonduplicative analyses of trends in the state's industries and workforces. The department shall make such analyses available to relevant businesses, labor organizations or workforces, local governments, economic development organizations, early warning programs, and business and job retention regional coordinating organizations, and shall work with them to develop long-term strategies for economic growth and revitalization.

NEW SECTION, Sec. 9. The employment security department shall:

(1) Monitor industries, occupations, and substate labor markets by employment levels, and hourly wage and annual wage rates.

(2) Track numbers of dislocated workers and part-time workers in the state.

(3) Supply the director with data which will allow the state and local components of the program to prioritize delivery of service to distressed, mature, and cyclical industries.

(5) Provide information and assistance to the program on training resources available through the department.

(6) Offer any businesses assisted by the program its first source hiring services.

(7) Work with the department of social and health services to track dislocated workers who exhaust their unemployment compensation benefits and begin collecting public assistance.

NEW SECTION, Sec. 10. The department of community development shall provide resources to regional business and job retention efforts through its various programs, such as the community development finance unit, the employee ownership program, the community revitalization team, the local development matching fund, and the development loan fund.

NEW SECTION, Sec. 11. The state board for community college education and superintendent of public instruction shall provide coordination between the business and job retention program and the educational institutions providing the necessary academic, occupational and basic skills programs which are designated to train, upgrade, and retrain employees. These two state agencies will assist the business and job retention program in expanding partnerships between local educational institutions and the businesses and other employer groups who can benefit from the instructional programs and activities.

NEW SECTION, Sec. 12. The department of revenue in consultation with the department of trade and economic development shall ensure that taxpayers eligible for assistance under the business and job retention program receive information concerning the availability of services under the program.

NEW SECTION, Sec. 13. The director shall publish an annual report which shall be made available to the senate and house ways and means committees, the senate economic development and labor committee, and the house committee on trade and economic development. The report shall be issued in conjunction with the annual state economic report prepared by the department of employment security. The report shall include a description of the progress of the program to date and the following:

- (1) The number of businesses, labor unions, employee groups, local governments, and port districts assisted under this chapter;
- (2) The types of assistance provided; and
- (3) The number of businesses and jobs retained through assistance rendered under this chapter.

These reporting requirements shall be disaggregated by county, standard industrial classification, and size of firm.

NEW SECTION, Sec. 14. A new section is added to chapter 42.17 RCW to read as follows:

Notwithstanding the provisions of RCW 42.17.260 through 42.17.340, no financial or proprietary information supplied by businesses to the department of trade and economic development may be made available to the public.

NEW SECTION, Sec. 15. A new section is added to chapter 50.13 RCW to read as follows:

(1) If information provided to the department by another governmental agency is held private and confidential by state or federal law, the department may not release such information.

(2) Information provided to the department by another governmental entity conditioned upon privacy and confidentiality is to be held private and confidential according to the agreement between the department and other governmental agency.

(3) The department may hold private and confidential information obtained for statistical analysis, research, or study purposes if the information was supplied voluntarily, conditioned upon maintaining confidentiality of the information.

(4) Persons requesting disclosure of information held by the department under subsection (1) or (2) of this section shall request such disclosure from the providing agency rather than from the department.

Sec. 16. Section 7, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.16.070 are each amended to read as follows:

The federal interest payment fund shall consist of contributions payable by each employer (except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, employers who are required to make payments in lieu of contributions, and employers paying contributions under RCW 50.44.035) for any calendar quarter which begins on or after January 1, 1984, and for which the commissioner determines that the department will have an outstanding balance of accruing federal interest at the end of the calendar quarter. The amount of wages subject to tax shall be determined according to RCW 50.24.010. The tax rate applicable to wages paid during the calendar quarter shall be determined by the commissioner and shall not exceed fifteen one-hundredths of one percent. In determining whether to require contributions as authorized by this section, the commissioner shall consider the current balance in the federal interest payment fund and the projected amount of interest which will be due and payable as of the following September 30. Except as provided in section 19 of this 1988 act, any excess moneys in the federal interest payment fund shall be retained in the fund for future interest payments.

Contributions under this section shall become due and be paid by each employer in accordance with such rules as the commissioner may prescribe and shall not be deducted, in whole or in part, from the remuneration of individuals in the employ of the employer. Any deduction in violation of this section is unlawful.

In the payment of any contributions under this section, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

NEW SECTION, Sec. 17. Sections 1 through 13 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 18. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 19. The sum of six hundred thousand dollars, or so much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the federal interest payment fund to the department of trade and economic development for the purposes of this act."

On page 1, line 5 of the title, strike "appropriations" and insert "an appropriation"

Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Cantwell, Doty, Fox, Grant, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Beck and Heavey.

Absent: Representatives Braddock and Hargrove.

Referred to Committee on Ways & Means.

February 24, 1988

SSB 6284 Prime Sponsor, Committee on Ways & Means: Establishing the office of capital projects. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Holm, McLean, Moyer, Rasmussen and Schoon.

Absent: Representatives Wineberry, Vice Chair; Braddock, Doty, Hargrove, Heavey, Kremen, Rasmussen, B. Williams and J. Williams.

Referred to Committee on Ways & Means.

February 25, 1988

SB 6291 Prime Sponsor, Senator von Reichbauer: Expanding state relocation assistance and rental purchase policies. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:
Strike everything after the enacting clause and insert the following:

"PART I
GENERAL PROVISIONS

Sec. 1. Section 1, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.010 are each amended to read as follows:

PURPOSES AND SCOPE. (1) The purposes of this chapter are:

((+)) (a) To establish a uniform policy for the fair and equitable treatment of persons displaced as a direct result of public works programs of the state and local governments in order that such persons shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole and to minimize the hardship of displacement on such persons; ((and

(2)) (b) To encourage and expedite the acquisition of real property for public works programs by agreements with owners, to reduce litigation and relieve congestion in the courts, to assure consistent treatment for owners affected by state and local programs, and to promote public confidence in state and local land acquisition practices.

(2) Notwithstanding the provisions and limitations of this chapter requiring a local public agency to comply with the provisions of this chapter, the governing body of any local public agency may elect not to comply with the provisions of sections 3 through 11 of this act in connection with a program or project not receiving federal financial assistance. Any person who has the authority to acquire property by eminent domain under state law may elect not to comply with sections 12 through 14 of this act in connection with a program or project not receiving federal financial assistance.

(3) Any determination by the head of a state agency or local public agency administering a program or project as to payments under this chapter is subject to review pursuant to chapter 34.04 RCW; otherwise, no provision of this chapter may be construed to give any person a cause of action in any court.

(4) Nothing in this chapter may be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of value or of damage not in existence immediately before the effective date of this act.

Sec. 2. Section 2, chapter 240, Laws of 1971 ex. sess. as amended by section 1, chapter 34, Laws of 1972 ex. sess. and RCW 8.26.020 are each amended to read as follows:

DEFINITIONS. As used in this chapter(~~(---)~~):

(1) The term 'state' means any department, commission, agency, or instrumentality of the state of Washington.

(2) The term 'local public (~~body~~ as used in this chapter) agency' applies to any county, city or town, or other municipal corporation or political subdivision of the state and any person who has the authority to acquire property by eminent domain under state law, or any instrumentality of any of the foregoing (~~but only with respect to any program or project the cost of which is financed in whole or in part by a federal agency. Notwithstanding the limitations of this subsection, the governing body of any county, city or town, or other municipal corporation or political subdivision of the state or any instrumentality of any of the foregoing may elect to comply with all the provisions of this chapter in connection with programs and projects not receiving federal assistance.~~).

(3) The term 'person' means any individual, partnership, corporation, or association.

(4) (a) The term 'displaced person' means, ~~except as provided in (b) of this subsection, any person who~~(~~on or after July 1, 1971~~), moves from real property (~~lawfully occupied by him~~), or moves his personal property from real property (~~on which it was lawfully located, as a result of the acquisition of such real property, in whole or in part, or as the result of the written order of the acquiring agency to vacate real property, for a program or project undertaken by the state, or a local public body. Solely for the purposes of subsections (1) and (2) of RCW 8.26.040 and RCW 8.26.070, the term 'displaced person' includes any person who, on or after July 1, 1971, moves from real property or moves his personal property from real property, as a result of the acquisition of, or the written order of the acquiring agency to vacate other real property, on which such person conducts a business or farm operation, for a program or project undertaken by the state or a local public body.~~)

(i) as a direct result of a written notice of intent to acquire, or the acquisition of, such real property in whole or in part for a program or project undertaken by a displacing agency; or

(ii) on which the person is a residential tenant or conducts a small business, a farm operation, or a business defined in this section, as a direct result of rehabilitation, demolition, or such other displacing activity as the lead agency may prescribe, under a program or project undertaken by a displacing agency in any case in which the displacing agency determines that the displacement is permanent.

Solely for the purposes of sections 3 (1) and (2) and 6 of this act, the term 'displaced person' includes any person who moves from real property, or moves his personal property from real property

(i) as a direct result of a written notice of intent to acquire, or the acquisition of, other real property in whole or in part on which the person conducts a business or farm operation, for a program or project undertaken by a displacing agency; or

(ii) as a direct result of rehabilitation, demolition, or such other displacing activity as the lead agency may prescribe, of other real property on which the person conducts a business or a farm operation, under a program or project undertaken by a displacing agency where the displacing agency determines that the displacement is permanent.

(b) The term 'displaced person' does not include:

(i) A person who has been determined, according to criteria established by the lead agency, to be either unlawfully occupying the displacement dwelling or to have occupied the dwelling for the purpose of obtaining assistance under this chapter; or

(ii) In any case in which the displacing agency acquires property for a program or project, any person (other than a person who was an occupant of the property at the time it was acquired) who occupies the property on a rental basis for a short term or a period subject to termination when the property is needed for the program or project.

(5) The term 'business' means any lawful activity, excepting a farm operation, conducted primarily(~~(---)~~):

(a) For the purchase, sale, lease, and rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or other personal property;

(b) For the sale of services to the public;

(c) By a nonprofit organization; or

(d) Solely for the purposes of (~~(subsection (1) of RCW 8.26.040)~~) section 3 of this act, for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by (~~(means of)~~) the erection and maintenance of an outdoor advertising display or displays, (~~(otherwise lawfully erected and maintained;~~) whether or not such display or displays are located on the premises on which any of the above activities are conducted.

(6) The term 'farm operation(~~(s)~~)' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or for home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

(7) The term 'comparable replacement dwelling' means any dwelling that is (a) decent, safe, and sanitary; (b) adequate in size to accommodate the occupants; (c) within the financial

means of the displaced person; (d) functionally equivalent; (e) in an area not subject to unreasonably adverse environmental conditions; and (f) in a location generally not less desirable than the location of the displaced person's dwelling with respect to public utilities, facilities, services, and the displaced person's place of employment.

(8) For purposes of RCW 8.26.180 through 8.26.200, the term 'acquiring agency' means:

(a) A state agency or local public agency that has the authority to acquire property by eminent domain under state law; or

(b) Any state agency, local public agency, or person that (i) does not have the authority to acquire property by eminent domain under state law and (ii) has been designated an 'acquiring agency' under rules adopted by the lead agency. However, the lead agency may only designate a state agency, local public agency, or a person as an 'acquiring agency' to the extent that it is necessary in order to qualify for federal financial assistance.

(9) The term 'displacing agency' means the state agency, local public agency, or any person carrying out a program or project, with federal or state financial assistance, that causes a person to be a displaced person.

(10) The term 'federal financial assistance' means a grant, loan, or contribution provided by the United States, except any federal guarantee or insurance and any interest reduction payment to an individual in connection with the purchase and occupancy of a residence by that individual.

(11) The term 'mortgage' means such classes of liens as are commonly given to secure advances on, or the unpaid purchase price of, real property, under the laws of this state, together with the credit instruments, if any, secured thereby. ~~((The term 'mortgage' shall include real estate contracts.))~~

(12) The term 'lead agency' means the Washington state department of transportation.

(13) The term 'appraisal' means a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.

PART II

UNIFORM RELOCATION ASSISTANCE POLICY

NEW SECTION. Sec. 3. MOVING AND RELATED EXPENSES. (1) Whenever a program or project to be undertaken by a displacing agency will result in the displacement of any person, the displacing agency shall provide for the payment to the displaced person of:

(a) Actual reasonable expenses in moving himself, his family, business, farm operation, or other personal property;

(b) Actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not to exceed an amount equal to the reasonable expenses that would have been required to relocate the property, in accordance with criteria established by the lead agency;

(c) Actual reasonable expenses in searching for a replacement business or farm; and

(d) Actual reasonable expenses necessary to reestablish a displaced farm, nonprofit organization, or small business at its new site, in accordance with criteria established by the lead agency, but not to exceed ten thousand dollars.

(2) A displaced person eligible for payments under subsection (1) of this section who is displaced from a dwelling and who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (1) of this section may receive an expense and dislocation allowance determined according to a schedule established by the lead agency.

(3) A displaced person eligible for payments under subsection (1) of this section who is displaced from the person's place of business or farm operation and who is eligible under criteria established by the lead agency may elect to accept the payment authorized by this subsection in lieu of the payment authorized by subsection (1) of this section. The payment shall consist of a fixed payment in an amount to be determined according to criteria established by the lead agency, except that the payment shall be not less than one thousand dollars nor more than twenty thousand dollars. A person whose sole business at the displacement dwelling is the rental of that property to others does not qualify for a payment under this subsection.

NEW SECTION. Sec. 4. REPLACEMENT HOUSING FOR HOMEOWNERS. (1) In addition to payments otherwise authorized by this chapter, the displacing agency shall make an additional payment, not in excess of twenty-two thousand five hundred dollars, to any displaced person who is displaced from a dwelling actually owned and occupied by the displaced person for not less than one hundred and eighty days immediately before the initiation of negotiations for the acquisition of the property. The additional payment shall include the following elements:

(a) The amount, if any, that when added to the acquisition cost of the dwelling acquired by the displacing agency, equals the reasonable and necessary cost of a comparable replacement dwelling;

(b) The amount, if any, that will compensate the displaced person for any increased mortgage interest costs and other debt service costs that the person is required to pay for financing the acquisition of any such comparable replacement dwelling. This amount shall be paid only

if the dwelling acquired by the displacing agency was encumbered by a bona fide mortgage that was a valid lien on the dwelling for not less than one hundred and eighty days immediately before the initiation of negotiations for the acquisition of the dwelling;

(c) Reasonable expenses incurred by the displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

(2) The additional payment authorized by this section shall be made only to a displaced person who purchases and occupies a decent, safe, and sanitary replacement dwelling within one year after the date on which the person receives final payment from the displacing agency for the acquired dwelling or the date on which the obligation of the displacing agency under section 7 of this act is met, whichever date is later, except that the displacing agency may extend the period for good cause. If the period is extended, the payment under this section shall be based on the costs of relocating the person to a comparable replacement dwelling within one year of that date.

NEW SECTION, Sec. 5. REPLACEMENT HOUSING FOR TENANTS AND CERTAIN OTHERS. (1) In addition to amounts otherwise authorized by this chapter, a displacing agency shall make a payment to or for a displaced person displaced from a dwelling not eligible to receive a payment under section 4 of this act if the dwelling was actually and lawfully occupied by the displaced person for not less than ninety days immediately before (a) the initiation of negotiations for acquisition of the dwelling, or (b) in any case in which displacement is not a direct result of acquisition, such other event as the lead agency prescribes. The payment shall consist of the amount necessary to enable the person to lease or rent for a period not to exceed forty-two months, a comparable replacement dwelling, but not to exceed five thousand two hundred fifty dollars. At the discretion of the displacing agency, a payment under this subsection may be made in periodic installments. Computation of a payment under this subsection to a low-income displaced person for a comparable replacement dwelling shall take into account the person's income.

(2) A person eligible for a payment under subsection (1) of this section may elect to apply the payment to a down payment on, and other incidental expenses pursuant to, the purchase of a decent, safe, and sanitary replacement dwelling. The person may, at the discretion of the displacing agency, be eligible under this subsection for the maximum payment allowed under subsection (1) of this section, except that, in the case of a displaced homeowner who has owned and occupied the displacement dwelling for at least ninety days but not more than one hundred eighty days immediately before the initiation of negotiations for the acquisition of the dwelling, the payment shall not exceed the payment the person would otherwise have received under section 4(1) of this act had the person owned and occupied the displacement dwelling one hundred eighty days immediately before the initiation of the negotiations.

NEW SECTION, Sec. 6. RELOCATION ASSISTANCE ADVISORY SERVICES. (1) Programs or projects undertaken by a displacing agency shall be planned in a manner that (a) recognizes, at an early stage in the planning of the programs or projects and before the commencement of any actions that will cause displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations, and (b) provides for the resolution of the problems in order to minimize adverse impacts on displaced persons and to expedite program or project advancement and completion.

(2) Displacing agencies shall ensure that the relocation assistance advisory services described in subsection (3) of this section are made available to all persons displaced by the agency. If the agency determines that any person occupying property immediately adjacent to the property where the displacing activity occurs is caused substantial economic injury as a result thereof, the agency may make available to the person the advisory services.

(3) Each relocation assistance advisory program required by subsection (2) of this section shall include such measures, facilities, or services as may be necessary or appropriate in order to:

(a) Determine, and make timely recommendations on, the needs and preferences, if any, of displaced persons for relocation assistance;

(b) Provide current and continuing information on the availability, sales prices, and rental charges of comparable replacement dwellings for displaced homeowners and tenants and suitable locations for businesses and farm operations;

(c) Assist a person displaced from a business or farm operation in obtaining and becoming established in a suitable replacement location;

(d) Supply (i) information concerning federal, state, and local programs that may be of assistance to displaced persons, and (ii) technical assistance to the persons in applying for assistance under those programs;

(e) Provide other advisory services to displaced persons in order to minimize hardships to them in adjusting to relocation; and

(f) Coordinate relocation activities performed by the agency with other federal, state, or local governmental actions in the community that could affect the efficient and effective delivery of relocation assistance and related services.

(4) Notwithstanding RCW 8.26.020(4)(b), in any case in which a displacing agency acquires property for a program or project, a person who occupies the property on a rental basis for a short term or a period subject to termination when the property is needed for the program or project is eligible for advisory services to the extent determined by the displacing agency.

NEW SECTION. Sec. 7. ASSURANCE OF AVAILABILITY OF HOUSING. (1) If a program or project undertaken by a displacing agency cannot proceed on a timely basis because comparable replacement dwellings are not available, and the head of the displacing agency determines that the dwellings cannot otherwise be made available, the head of the displacing agency may take such action as is necessary or appropriate to provide the dwellings by use of funds authorized for the project. The displacing agency may use this section to exceed the maximum amounts that may be paid under sections 4 and 5 of this act on a case-by-case basis for good cause as determined in accordance with rules adopted by the lead agency.

(2) No person may be required to move from a dwelling on account of any program or project undertaken by a displacing agency unless the displacing agency is satisfied that comparable replacement housing is available to the person.

(3) The displacing agency shall assure that a person shall not be required to move from a dwelling unless the person has had a reasonable opportunity to relocate to a comparable replacement dwelling, except in the case of the following:

(a) A major disaster as defined in section 102(2) of the Federal Disaster Relief Act of 1974;

(b) A national emergency declared by the president; or

(c) Any other emergency that requires the person to move immediately from the dwelling because continued occupancy of the dwelling by the person constitutes a substantial danger to the health or safety of the person.

NEW SECTION. Sec. 8. AUTHORITY OF THE LEAD AGENCY. (1) The lead agency, after full consultation with the department of general administration, shall adopt rules and establish such procedures as the lead agency may determine to be necessary to assure:

(a) That the payments and assistance authorized by this chapter are administered in a manner that is fair and reasonable and as uniform as practicable;

(b) That a displaced person who makes proper application for a payment authorized for that person by this chapter is paid promptly after a move or, in hardship cases, is paid in advance; and

(c) That a displaced person who is aggrieved by a program or project that is under the authority of a state agency or local public agency may have his application reviewed by the state agency or local public agency.

(2) The lead agency, after full consultation with the department of general administration, may adopt such other rules and procedures, consistent with the provisions of this chapter, as the lead agency deems necessary or appropriate to carry out this chapter.

(3) State agencies and local public agencies shall comply with the rules adopted pursuant to this section by April 2, 1989.

NEW SECTION. Sec. 9. ADMINISTRATION. In order to prevent unnecessary expenses and duplication of functions, and to promote uniform and effective administration of relocation assistance programs for displaced persons, a state agency or local public agency may enter into contracts with any individual, firm, association, or corporation for services in connection with this chapter or may carry out its functions under this chapter through any federal or state agency or local public agency having an established organization for conducting relocation assistance programs. The state agency or local public agency shall, in carrying out relocation activities described in section 7 of this act, whenever practicable, use the services of state or local housing agencies, or other agencies having experience in the administration or conduct of similar housing assistance activities.

NEW SECTION. Sec. 10. FUND AVAILABILITY. (1) Funds appropriated or otherwise available to a state agency or local public agency for the acquisition of real property or an interest therein for a particular program or project shall also be available to carry out the provisions of this chapter as applied to that program or project.

(2) No payment or assistance under this chapter may be required to be made to any person or included as a program or project cost under this section, if the person receives a payment required by federal, state, or local law that is determined by the head of the displacing agency to have substantially the same purpose and effect as that payment under this chapter.

NEW SECTION. Sec. 11. RELOCATION ASSISTANCE PAYMENTS NOT INCOME OR RESOURCES. No payment received by a displaced person under sections 3 through 10 of this act may be considered as income for the purpose of determining the eligibility or extent of eligibility of any person for assistance under any state law or for the purposes of any income tax or any tax imposed under Title 82 RCW, and the payments shall not be deducted from any amount to which any recipient would otherwise be entitled under Title 74 RCW.

PART III

UNIFORM REAL PROPERTY ACQUISITION POLICY

Sec. 12. Section 18, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.180 are each amended to read as follows:

ACQUISITION PROCEDURES. Every ~~((state))~~ acquiring agency ~~((and local public body acquiring real property in connection with any program or project))~~ shall, to the greatest extent practicable, be guided by the following policies:

(1) Every reasonable effort shall be made to acquire expeditiously real property by negotiation.

(2) Real property shall be appraised before the initiation of negotiations, and the owner or his designated representative shall be given an opportunity to accompany at least one appraiser of the acquiring agency during his inspection of the property, except that the lead agency may prescribe a procedure to waive the appraisal in cases involving the acquisition of property with a low fair market value.

(3) Before the initiation of negotiations for real property, the acquiring agency shall establish an amount which it believes to be just compensation therefor, and shall make a prompt offer to acquire the property for the full amount so established. In no event shall such amount be less than the agency's approved appraisal of the fair market value of such property. Any decrease or increase in the fair market value of the real property to be acquired prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property. The acquiring agency shall provide the owner of real property to be acquired with a written statement of, and summary of the basis for, the amount it established as just compensation. Where appropriate the just compensation for the real property acquired, for damages to remaining real property, and for benefits to remaining real property shall be separately stated.

(4) No owner shall be required to surrender possession of real property before the agreed purchase price is paid or deposited with a court having jurisdiction of condemnation of such property, in accordance with applicable law, for the benefit of the owner an amount not less than the acquiring agency's approved appraisal of the fair market value of such property, or the amount of the award of compensation in the condemnation proceeding of such property.

(5) The construction or development of a public improvement shall be so scheduled that, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from a dwelling or to move his business or farm operation without at least ninety days written notice of the date by which such move is required.

(6) If an owner or tenant is permitted to occupy the real property acquired on a rental basis for a short term or for a period subject to termination on short notice, the amount of rent required shall not exceed the fair rental value of the property to a short-term occupier.

(7) In no event shall the time of condemnation be advanced, on negotiations or condemnation and the deposit of funds in court for the use of the owner be deferred, or any other coercive action be taken to compel an agreement on the price to be paid for the property.

(8) If an interest in real property is to be acquired by exercise of the power of eminent domain, formal condemnation proceedings shall be instituted. The acquiring agency shall not intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his real property.

(9) If the acquisition of only ~~((part))~~ a portion of a property would leave ~~((its))~~ the owner with an uneconomic remnant, the ~~((acquiring))~~ head of the agency concerned shall offer to acquire ~~((the entire property))~~ that remnant. For the purposes of this chapter, an uneconomic remnant is a parcel of real property in which the owner is left with an interest after the partial acquisition of the owner's property and that the head of the agency concerned has determined has little or no value or utility.

(10) A person whose real property is being acquired in accordance with this chapter may, after the person has been fully informed of his right to receive just compensation for the property, donate the property, any part thereof, any interest therein, or any compensation paid for it to any agency as the person may determine.

Sec. 13. Section 19, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.190 are each amended to read as follows:

BUILDINGS, STRUCTURES, AND IMPROVEMENTS. (1) Where any interest in real property is acquired, the acquiring agency shall acquire an equal interest in all buildings, structures, or other improvements located upon the real property so acquired and which is required to be removed from such real property or which is determined to be adversely affected by the use to which such real property will be put ~~((shall be acquired))~~.

(2) For the purpose of determining the just compensation to be paid for any building, structure, or other improvement required to be acquired ~~((as above set forth))~~ under subsection (1) of this section, such building, structure, or other improvement shall be deemed to be a part of the real property to be acquired notwithstanding the right or obligation of a tenant of the lands, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the fair market value which such building, structure, or improvement contributes to the fair market value of the real property to be acquired, or the fair market value of such building, structure, or improvement for removal

from the real property, whichever is the greater, shall be paid to the ~~((tenant therefor))~~ owner of such building, structure, or improvement.

(3) ~~Payment for such building((s)), structure((s)), or improvement((s as set forth above)) under subsection (1) of this section shall not result in duplication of any payments otherwise authorized by state law. No such payment shall be made unless the owner of the land involved disclaims all interest in the improvements of the tenant. In consideration for any such payment, the tenant shall assign, transfer, and release all his right, title, and interest in and to such improvements. Nothing with regard to the above-mentioned acquisition of buildings, structures, or other improvements shall be construed to deprive the tenant of any rights to reject payment and to obtain payment for such property interests in accordance with other laws of this state.~~

Sec. 14. Section 20, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.200 are each amended to read as follows:

EXPENSES INCIDENTAL TO TRANSFER OF RIGHT, TITLE, OR INTEREST TO THE ACQUIRING AGENCY. ~~((A state agency or a local public body acquiring real property.))~~ As soon as practicable after the date of payment of the purchase price or the date ~~((or))~~ of deposit in court of funds to satisfy the award of compensation in a condemnation proceeding to acquire real property, whichever is the earlier, the acquiring agency shall reimburse the owner, to the extent the acquiring agency deems fair and reasonable, for expenses the owner necessarily incurred ~~((---))~~:

(1) Recording fees, transfer taxes, and similar expenses incidental to conveying such real property to the acquiring agency;

(2) Penalty costs for full or partial prepayment of any preexisting recorded mortgage entered into in good faith encumbering such real property; and

(3) ~~The~~ pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting title in the acquiring agency, or the effective date of possession of such real property by the acquiring agency, whichever is the earlier.

NEW SECTION. Sec. 15. EFFECT ON PROPERTY ACQUISITIONS. The provisions of RCW 8.26.180, 8.26.190, and 8.26.200 create no rights or liabilities and do not affect the validity of any property acquisitions by purchase or condemnation.

PART IV SEVERABILITY, REPEALS, ETC.

NEW SECTION. Sec. 16. (1) If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

(2) If any part of this chapter is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this chapter is declared to be inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and that finding or determination shall not affect the operation of the remainder of this chapter in its application to the agencies concerned. The rules under this chapter shall meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 17. The following acts or parts of acts are each repealed.

(1) Section 3, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.030;

(2) Section 4, chapter 240, Laws of 1971 ex. sess., section 1, chapter 7, Laws of 1984 and RCW 8.26.040;

(3) Section 5, chapter 240, Laws of 1971 ex. sess., section 2, chapter 7, Laws of 1984 and RCW 8.26.050;

(4) Section 6, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.060;

(5) Section 7, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.070;

(6) Section 8, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.080;

(7) Section 9, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.090;

(8) Section 10, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.100;

(9) Section 11, chapter 240, Laws of 1971 ex. sess., section 3, chapter 7, Laws of 1984 and RCW 8.26.110;

(10) Section 12, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.120;

(11) Section 13, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.130;

(12) Section 14, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.140;

(13) Section 15, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.150;

(14) Section 16, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.160; and

(15) Section 17, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.170.

NEW SECTION. Sec. 18. Sections 3 through 11 and 15 of this act are added to chapter 8.26 RCW.

NEW SECTION. Sec. 19. Section captions and part divisions in this act do not constitute any part of the law.

NEW SECTION. Sec. 20. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery and Walk.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6294 Prime Sponsor, Committee on Economic Development & Labor: Providing funding for special employer services provided by the employment security department. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. Because of the significant impacts that the Immigration Reform and Control Act of 1986 has on Washington employers and employees, the legislature finds it necessary and in the public interest to establish a job service program with an interim emergency funding mechanism to provide certification that workers are legally entitled to work in the United States, to maintain such records as required by law, and to make such records available for inspection by the United States immigration and naturalization service and the United States department of labor. The legislature finds and declares that:

(1) National immigration reform and control legislation mandates added documentation requirements for new workers under the threat of increased employer sanctions. The Washington state department of employment security is authorized to certify worker documentation, and can thereby alleviate the burdens placed on employers when hiring new workers through the department's agencies.

(2) Employment services provided by the department to the state's agricultural employers and workers need to be increased in view of the fluctuations in agricultural labor supply and demand experienced during the state's 1987 harvest season. It is the intent of the legislature that these services emphasize recruitment of Washington workers.

(3) Information on the labor market, particularly agricultural worker supply and demand, needs to be improved to support employer decision making.

NEW SECTION, Sec. 2. For the purposes of section 1 of this act, 'to certify' and 'certification' refer to the act of verifying that an applicant is authorized to work in the United States by examining documentation as prescribed in the federal immigration reform and control act of 1986.

Sec. 3. Section 8, chapter 35, Laws of 1945 as last amended by section 4, chapter 5, Laws of 1985 ex. sess. and RCW 50.04.070 are each amended to read as follows:

'Contributions' means the money payments due to the state unemployment compensation fund as provided in RCW 50.24.010, to the federal interest payment fund under RCW 50.16.070, ~~((or))~~ to the special account in the administrative contingency fund under RCW 50.24.014, or to the special employer services account in the administrative contingency fund under section 7 of this 1988 act.

Sec. 4. Section 8, chapter 266, Laws of 1959 as last amended by section 5, chapter 5, Laws of 1985 ex. sess. and RCW 50.04.072 are each amended to read as follows:

The terms 'contributions' and 'payments in lieu of contributions' used in this title, whether singular or plural, designate the money payments to be made to the state unemployment compensation fund, to the federal interest payment fund under RCW 50.16.070, ~~((or))~~ to the special account in the administrative contingency fund under RCW 50.24.014 ~~((and))~~, or to the special employer services account in the administrative contingency fund under section 7 of this 1988 act. Such contributions and payments are deemed to be taxes due to the state of Washington.

Sec. 5. Section 60, chapter 35, Laws of 1945 as last amended by section 218, chapter 202, Laws of 1987 and RCW 50.16.010 are each amended to read as follows:

There shall be maintained as special funds, separate and apart from all public moneys or funds of this state an unemployment compensation fund, an administrative contingency fund, and a federal interest payment fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01.050 shall not be applicable. The unemployment compensation fund shall consist of

- (1) all contributions and payments in lieu of contributions collected pursuant to the provisions of this title,
- (2) interest earned upon any moneys in the fund,
- (3) any property or securities acquired through the use of moneys belonging to the fund,
- (4) all earnings of such property or securities,
- (5) any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended,
- (6) all money recovered on official bonds for losses sustained by the fund.

(7) all money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended.

(8) all money received from the federal government as reimbursement pursuant to section 204 of the federal-state extended compensation act of 1970 (84 Stat. 708-712; 26 U.S.C. Sec. 3304), and

(9) all moneys received for the fund from any other source.

All moneys in the unemployment compensation fund shall be commingled and undivided.

The administrative contingency fund shall consist of all interest on delinquent contributions collected pursuant to this title after June 20, 1953, all fines and penalties collected pursuant to the provisions of this title, all sums recovered on official bonds for losses sustained by the fund, and revenue received under RCW 50.24.014 and section 7 of this 1988 act; PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a district court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. Moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014, or the special employer services account created under section 7 of this 1988 act, shall be expended upon the direction of the commissioner, with the approval of the governor, whenever it appears to him or her that such expenditure is necessary for:

(a) The proper administration of this title and no federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(b) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

Money in the special account created under RCW 50.24.014 may only be expended, after appropriation, for the purposes specified in this 1985 act. Money in the special employer services account created under section 7 of this 1988 act may only be expended, after appropriation, for services described in that section.

Sec. 6. Section 5, chapter 205, Laws of 1984 as last amended by section 3, chapter 171, Laws of 1987 and RCW 50.29.025 are each amended to read as follows:

The contribution rate for each employer shall be determined under this section.

(1) A fund balance ratio shall be determined by dividing the balance in the unemployment compensation fund as of the June 30th immediately preceding the rate year by the total remuneration paid by all employers subject to contributions during the second calendar year preceding the rate year and reported to the department by the following March 31st. The division shall be carried to the fourth decimal place with the remaining fraction, if any, disregarded. The fund balance ratio shall be expressed as a percentage.

(2) The interval of the fund balance ratio, expressed as a percentage, shall determine which tax schedule in subsection (5) of this section shall be in effect for assigning tax rates for the rate year. The intervals for determining the effective tax schedule shall be:

Interval of the Fund Balance Ratio Expressed as a Percentage	Effective Tax Schedule
3.40 and above	A
2.90 to 3.39	B
2.40 to 2.89	C
1.90 to 2.39	D
1.40 to 1.89	E
Less than 1.40	F

(3) An array shall be prepared, listing all qualified employers in ascending order of their benefit ratios. The array shall show for each qualified employer: (a) Identification number; (b) benefit ratio; (c) taxable payrolls for the four calendar quarters immediately preceding the computation date and reported to the department by the cut-off date; (d) a cumulative total of taxable payrolls consisting of the employer's taxable payroll plus the taxable payrolls of all other employers preceding him or her in the array; and (e) the percentage equivalent of the cumulative total of taxable payrolls.

(4) Each employer in the array shall be assigned to one of twenty rate classes according to the percentage intervals of cumulative taxable payrolls set forth in subsection (5) of this section: PROVIDED, That if an employer's taxable payroll falls within two or more rate classes, the employer and any other employer with the same benefit ratio shall be assigned to the lowest rate class which includes any portion of the employer's taxable payroll.

(5) (a) Except as provided in (b) of this subsection, the contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect during the rate year:

Percent of Cumulative	Schedule of Contribution Rates for
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Taxable Payrolls			Effective Tax Schedule					
From	To	Rate Class	A	B	C	D	E	F
0.00	5.00	1	0.48	0.58	0.98	1.48	1.88	2.48
5.01	10.00	2	0.48	0.78	1.18	1.68	2.08	2.68
10.01	15.00	3	0.58	0.98	1.38	1.78	2.28	2.88
15.01	20.00	4	0.78	1.18	1.58	1.98	2.48	3.08
20.01	25.00	5	0.98	1.38	1.78	2.18	2.68	3.18
25.01	30.00	6	1.18	1.58	1.98	2.38	2.78	3.28
30.01	35.00	7	1.38	1.78	2.18	2.58	2.98	3.38
35.01	40.00	8	1.58	1.98	2.38	2.78	3.18	3.58
40.01	45.00	9	1.78	2.18	2.58	2.98	3.38	3.78
45.01	50.00	10	1.98	2.38	2.78	3.18	3.58	3.98
50.01	55.00	11	2.28	2.58	2.98	3.38	3.78	4.08
55.01	60.00	12	2.48	2.78	3.18	3.58	3.98	4.28
60.01	65.00	13	2.68	2.98	3.38	3.78	4.18	4.48
65.01	70.00	14	2.88	3.18	3.58	3.98	4.38	4.68
70.01	75.00	15	3.08	3.38	3.78	4.18	4.58	4.78
75.01	80.00	16	3.28	3.58	3.98	4.38	4.68	4.88
80.01	85.00	17	3.48	3.78	4.18	4.58	4.88	4.98
85.01	90.00	18	3.88	4.18	4.58	4.88	4.98	5.18
90.01	95.00	19	4.28	4.58	4.98	5.08	5.18	5.38
95.01	100.00	20	5.40	5.40	5.40	5.40	5.40	5.40

(b) For the period January 1, 1988, through December 31, 1988, the contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect:

Percent of Cumulative Taxable Payrolls			Schedule of Contribution Rates for Effective Tax Schedule					
From	To	Rate Class	A	B	C	D	E	F
0.00	5.00	1	0.46	0.56	0.96	1.46	1.86	2.46
5.01	10.00	2	0.46	0.76	1.16	1.66	2.06	2.66
10.01	15.00	3	0.56	0.96	1.36	1.76	2.26	2.86
15.01	20.00	4	0.76	1.16	1.56	1.96	2.46	3.06
20.01	25.00	5	0.96	1.36	1.76	2.16	2.66	3.16
25.01	30.00	6	1.16	1.56	1.96	2.36	2.76	3.26
30.01	35.00	7	1.36	1.76	2.16	2.56	2.96	3.36
35.01	40.00	8	1.56	1.96	2.36	2.76	3.16	3.56
40.01	45.00	9	1.76	2.16	2.56	2.96	3.36	3.76
45.01	50.00	10	1.96	2.36	2.76	3.16	3.56	3.96
50.01	55.00	11	2.26	2.56	2.96	3.36	3.76	4.06
55.01	60.00	12	2.46	2.76	3.16	3.56	3.96	4.26
60.01	65.00	13	2.66	2.96	3.36	3.76	4.16	4.46
65.01	70.00	14	2.86	3.16	3.56	3.96	4.36	4.66
70.01	75.00	15	3.06	3.36	3.76	4.16	4.56	4.76
75.01	80.00	16	3.26	3.56	3.96	4.36	4.66	4.86
80.01	85.00	17	3.46	3.76	4.16	4.56	4.86	4.96
85.01	90.00	18	3.86	4.16	4.56	4.86	4.96	5.16
90.01	95.00	19	4.26	4.56	4.96	5.06	5.16	5.36
95.01	100.00	20	5.40	5.40	5.40	5.40	5.40	5.40

(6) The contribution rate for each employer not qualified to be in the array shall be a rate equal to the average industry tax rate as determined by the commissioner; however, the rate may not be less than one percent; PROVIDED, That employers who do not meet the definition of 'qualified employer' by reason of failure to pay contributions when due shall be assigned the contribution rate of five and four-tenths percent. Assignment of employers by the commissioner to industrial classification, for purposes of this subsection, shall be in accordance with established classification practices found in the 'Standard Industrial Classification Manual' issued by the federal office of management and budget to the third digit provided in the Standard Industrial Classification code.

NEW SECTION. Sec. 7. A new section is added to chapter 50.24 RCW to read as follows:

A separate and identifiable account to provide for the financing of special employer services provided by the department is established in the administrative contingency fund. The special employer services shall consist of:

- (1) Certification of workers as defined in section 2 of this act;

(2) Working closely with employers, employer organizations, agricultural workers, and worker organizations to predict agricultural employment supply and demand and to ensure agricultural workers are provided the full range of employment services available; and

(3) Collection from agricultural workers, growers, worker and grower organizations, and other appropriate sources, and analysis, and dissemination, as needed, of agricultural labor market information for the decision-making process used by employers to hire agricultural workers.

Contributions to this account shall accrue and become payable by each employer, except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, taxable local government employers as described in RCW 50.44.035, and those employers who are required to make payments in lieu of contributions, at the rate of two one-hundredths of one percent. The amount of wages subject to tax shall be determined under RCW 50.24.010.

Contributions under this section shall become due and be paid by each employer under rules as the commissioner may prescribe, and shall not be deducted, in whole or in part, from the remuneration of individuals in the employ of the employer. Any deduction in violation of this section is unlawful.

In the payment of any contribution under this section, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

If the commissioner determines that federal funding has been increased to provide financing for the services described in this section and sections 1 and 2 of this act, or that state funds have been appropriated for such services in the 1988 omnibus appropriations act adopted prior to July 1, 1988, the commissioner shall direct that collection of contributions under this section be decreased or terminated.

NEW SECTION. Sec. 8. The sum of three million five hundred thousand dollars, or so much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the special employer service account of the administrative contingency fund to the employment security department for the purposes of the special employer services account under section 7 of this act. However, if federal funding is provided or increased to provide for the financing of the services specified in this act, or if the legislature appropriates funds for such services in the 1988 omnibus appropriations act adopted prior to July 1, 1988, the appropriation under this section shall be reduced by the amount that federal funding is increased specifically for such services, or by the amount of such appropriation in the 1988 omnibus appropriations act. This portion of the state appropriation under this section shall be deposited in the unemployment compensation fund.

NEW SECTION. Sec. 9. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 11. Sections 1 and 2 of this act are each added to chapter 50.12 RCW.

NEW SECTION. Sec. 12. The employment security department shall report on the special employer services described under sections 1, 2 and 7 of this act to the senate economic development and labor committee and the house of representatives commerce and labor committee, or appropriate successor committees, by December 1, 1988. The report shall include a discussion of alternative funding mechanisms.

NEW SECTION. Sec. 13. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except that sections 6 and 7 of this act shall be effective for the rate year beginning January 1, 1988."

On page 1, line 1 of the title, after "employers;" strike the remainder of the title and insert "amending RCW 50.04.070, 50.04.072, 50.16.010, and 50.29.025; adding new sections to chapter 50.12 RCW; adding a new section to chapter 50.24 RCW; creating new sections; making an appropriation; providing an effective date; and declaring an emergency."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Smith and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Sanders.

Absent: Representative Sayan.

Referred to Committee on Ways & Means.

February 24, 1988

SB 6297 Prime Sponsor, Senator von Reichbauer: Revising investment policies for funds of the department of labor and industries. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 11, chapter 3, Laws of 1981 as amended by section 4, chapter 219, Laws of 1981 and RCW 43.33A.110 are each amended to read as follows:

The state investment board may make appropriate rules and regulations for the performance of its duties. The board shall establish investment policies and procedures designed exclusively to maximize return at a prudent level of risk. However, until July 1, 1989, in the case of the department of labor and industries' accident, medical aid, and reserve funds, the board shall establish investment policies and procedures designed to attempt to limit fluctuations in industrial insurance premiums and, subject to this purpose, to maximize return at a prudent level of risk. The board shall adopt rules to ensure that its members perform their functions in compliance with chapter 42.18 RCW. Rules adopted by the board shall be adopted pursuant to chapter 34.04 RCW.

NEW SECTION. Sec. 2. At the start of the 1989 regular legislative session, the state investment board shall present to the economic development and labor committee of the senate and the commerce and labor committee of the house of representatives, or the appropriate successor committees, a report recommending, where necessary, changes in current investment policies. The report shall study current investment needs of the department of labor and industries and casualty insurance industry investment policies; analyze statutory and regulatory constraints and the need to encourage stability in Washington's industrial insurance rates; and recommend investment policies for determination of asset allocation. The report shall include recommendations for appropriate accounting policies that will allow stabilization of rates and maximization of investment return and a plan making recommendations for investment of state industrial insurance funds in both equity and fixed investments.

NEW SECTION. Sec. 3. There is appropriated from the medical aid fund and the accident fund in equal parts one hundred thousand dollars, or so much thereof as may be necessary, to the state investment board for the biennium ending June 30, 1989, for the purposes of this act.*

On page 1, line 2 of the title, after "industries;" strike the remainder of the title and insert "amending RCW 43.33A.110; creating a new section; and making appropriations."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6298 Prime Sponsor, Committee on Governmental Operations: Revising provisions on abandoned property with historical value. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. It is the intent of the legislature that those historic archaeological resources located on state-owned aquatic lands that are of importance to the history of our state, or its communities, be protected for the people of the state. At the same time, the legislature also recognizes that divers have long enjoyed the recreation of diving near shipwrecks and picking up artifacts from the state-owned aquatic lands, and it is not the intent of the legislature to regulate these occasional, recreational activities except in areas where necessary to protect underwater historic archaeological sites. The legislature also recognizes that salvors who invest in a project to salvage underwater archaeological resources on state-owned aquatic lands should be required to obtain a state permit for their operation in order to protect the interest of the people of the state, as well as to protect the interest of the salvors who have invested considerable time and money in the salvage expedition.

Sec. 2. Section 3, chapter 134, Laws of 1975 1st ex. sess. as last amended by section 17, chapter 266, Laws of 1986 and RCW 27.53.030 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout this chapter.

(1) 'Archaeology' means systematic, scientific study of man's past through material remains.

(2) 'Department' means the department of community development.

(3) 'Director' means the director of community development or the director's designee.

(4) 'Historic' means peoples and cultures who are known through written documents in their own or other languages. As applied to underwater archaeological resources, the term historic shall include only those properties which are listed in or eligible for listing in the

Washington State Register of Historic Places (RCW 27.34.220) or the National Register of Historic Places as defined in the National Historic Preservation Act of 1966 (Title 1, Sec. 101, Public Law 89-665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

(5) 'Prehistoric' means peoples and cultures who are unknown through contemporaneous written documents in any language.

(6) 'Professional archaeologist' means a person who has met the educational, training, and experience requirements of the society of professional archaeologists.

(7) 'Qualified archaeologist' means a person who has had formal training and/or experience in archaeology over a period of at least three years, and has been certified in writing to be a qualified archaeologist by two professional archaeologists.

(8) 'Amateur society' means any organization composed primarily of persons who are not professional archaeologists, whose primary interest is in the archaeological resources of the state, and which has been certified in writing by two professional archaeologists.

(9) 'Historic archaeological resources' means those properties which are listed in or eligible for listing in the Washington State Register of Historic Places (RCW 27.34.220) or the National Register of Historic Places as defined in the National Historic Preservation Act of 1966 (Title 1, Sec. 101, Public Law 89-665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

NEW SECTION, Sec. 3. All historic archaeological resources abandoned for thirty years or more in, on, or under the surface of any public lands or waters owned by or under the possession, custody, or control of the state of Washington, including, but not limited to all ships, or aircraft, and any part or the contents thereof, and all treasure trove is hereby declared to be the property of the state of Washington.

Sec. 4. Section 6, chapter 134, Laws of 1975 1st ex. sess. as last amended by section 18, chapter 266, Laws of 1986 and RCW 27.53.060 are each amended to read as follows:

On the private and public lands of this state it shall be unlawful for any person, firm, corporation, or any agency or institution of the state or a political subdivision thereof to knowingly remove, alter, dig into, or excavate by use of any mechanical, hydraulic, or other means, or to damage, deface, or destroy any historic or prehistoric archaeological resource or site, including, but not limited to, American Indian or aboriginal camp site, dwelling site, rock shelter, cave dwelling site, storage site, grave, burial site, or skeletal remains and grave goods, cairn, or tool making site, or to remove from any such land, site, or area, grave, burial site, cave, rock shelter, or cairn, any skeletal remains, artifact or implement of stone, bone, wood, or any other material, including, but not limited to, projectile points, arrowheads, knives, awls, scrapers, beads or ornaments, basketry, matting, mauls, pestles, grinding stones, rock carvings or paintings, or any other artifacts or implements, or portions or fragments thereof without having obtained a written ((permission)) permit from the director for such activities on public property or written permission from the private landowner for such activities on private land. A private landowner may request the director to assume the duty of issuing such permits. The director must obtain the consent of the public property owner or agency responsible for the management thereof, prior to issuance of the permit. The public property landowner or agency responsible for the management of such land may condition its consent on the execution of a separate agreement, lease, or other real property conveyance with the applicant as may be necessary to carry out the legal rights or duties of the public property landowner or agency. The director, in consultation with the Washington state archaeological research center, shall develop guidelines for the issuance and processing of ((such)) permits. Such written ((permission)) permit and any agreement or lease or other conveyance required by any public property owner or agency responsible for management of such land shall be physically present while any such activity is being conducted. The provisions of this section shall not apply to the removal of artifacts found exposed on the surface of the ground ((nor to the excavation and removal of artifacts from state-owned shorelands below the line of ordinary high water or within the intertidal zone)) which are not historic archaeological resources.

NEW SECTION, Sec. 5. Persons, firms, corporations, institutions, or agencies which discover a previously unreported historic archaeological resource on state-owned aquatic lands and report the site or location of such resource to the department shall have a right of first refusal to future salvage permits granted for the recovery of that resource, subject to the provisions of section 6 of this act. Such right of first refusal shall exist for five years from the date of the report. Should another person, firm, corporation, institution, or agency apply for a permit to salvage that resource, the reporting entity shall have sixty days to submit its own permit application and exercise its first refusal right, or the right shall be extinguished.

NEW SECTION, Sec. 6. The director is hereby authorized to enter into contracts with other state agencies or institutions and with qualified private institutions, persons, firms, or corporations for the discovery and salvage of state-owned historic archaeological resources. Such contracts shall include but are not limited to the following terms and conditions:

(1) Historic shipwrecks:

(a) The contract shall provide for fair compensation to a salvor. 'Fair compensation' means an amount not less than ninety percent of the appraised value of the objects recovered following successful completion of the contract.

(b) The salvor may retain objects with a value of up to ninety percent of the appraised value of the total objects recovered, or cash, or a combination of objects and cash. In no event may the total of objects and cash exceed ninety percent of the total appraised value of the objects recovered. A salvor shall not be entitled to further compensation from any state sources.

(c) The contract shall provide that the state will be given first choice of which objects it may wish to retain for display purposes for the people of the state from among all the objects recovered. The state may retain objects with a value of up to ten percent of the appraised value of the total objects recovered. If the state chooses not to retain recovered objects with a value of up to ten percent of the appraised value, the state shall be entitled to receive its share in cash or a combination of recovered objects and cash so long as the state's total share does not exceed ten percent of the appraised value of the objects recovered. Fees assessed by the department of natural resources for the issuance of leases, agreements, or other real property conveyances shall be deducted from the state's ten percent share of the appraised value of the total objects recovered.

(d) The contract shall provide that both the state and the salvor shall have the right to select a single appraiser or joint appraisers.

(e) The contract shall also provide that title to the objects shall pass to the salvor when the permit is issued. However, should the salvor fail to fully perform under the terms of the contract, title to all objects recovered shall revert to the state.

(2) Historic aircraft:

(a) The contract shall provide that historic aircraft belonging to the state of Washington may only be recovered if the purpose of that salvage operation is to recover the aircraft for a museum, historical society, nonprofit organization, or governmental entity.

(b) Title to the aircraft may only be passed by the state to one of the entities listed in (a) of this subsection.

(c) Compensation to the salvor shall only be derived from the sale or exchange of the aircraft to one of the entities listed in (a) of this subsection or such other compensation as one of the entities listed in (a) of this subsection and the salvor may arrange. The salvor shall not have a claim to compensation from state funds.

(3) Other historic archaeological resources: The director, in his or her discretion, may negotiate the terms of such contracts.

NEW SECTION. Sec. 7. The salvor shall agree to mitigate any archaeological damage which occurs during the salvage operation. The department shall have access to all property recovered from historic archaeological sites for purposes of scholarly research and photographic documentation for a period to be agreed upon by the parties following completion of the salvage operation. The department shall also have the right to publish scientific papers concerning the results of all research conducted as project mitigation.

The director has the right to refuse to issue a permit for salvaging an historic archaeological resource if that resource would be destroyed beyond mitigation by the proposed salvage operation. Any agency, institution, person, firm, or corporation which has been denied a permit because the resource would be destroyed beyond mitigation by their method of salvage shall have a right of first refusal for that permit at a future date should technology be found which would make salvage possible without destroying the resource. Such right of first refusal shall be in effect for sixty days after the director has determined that salvage can be accomplished by a subsequent applicant without destroying the resource.

No person, firm, or corporation may conduct such salvage or recovery operation herein described without first obtaining such contract.

Sec. 8. Section 43.19.1919, chapter 8, Laws of 1965 as amended by section 11, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1919 are each amended to read as follows:

The division of purchasing shall sell or exchange personal property belonging to the state for which the agency, office, department, or educational institution having custody thereof has no further use, at public or private sale, and cause the moneys realized from the sale of any such property to be paid into the fund from which such property was purchased or, if such fund no longer exists, into the state general fund: PROVIDED, Sales of capital assets may be made by the division of purchasing and a credit established in central stores for future purchases of capital items as provided for in RCW 43.19.190 through 43.19.1939, as now or hereafter amended: PROVIDED FURTHER, That personal property, excess to a state agency, including educational institutions, shall not be sold or disposed of prior to reasonable efforts by the division of purchasing to determine if other state agencies have a requirement for such personal property. Such determination shall follow sufficient notice to all state agencies to allow adequate time for them to make their needs known: PROVIDED, FURTHER, That this section shall not apply to personal property acquired by a state organization under federal grants and contracts if in conflict with special title provisions contained in such grants or contracts.

This section does not apply to property under section 3 of this 1988 act.

NEW SECTION. Sec. 9. A new section is added to chapter 79.90 RCW to read as follows:

After consultation with the director of community development, the department of natural resources may enter into agreements, leases, or other conveyances for archaeological activities on state-owned aquatic lands. Such agreements, leases, or other conveyances may contain such conditions as are required for the department of natural resources to comply with its legal rights and duties. All such agreements, leases, or other conveyances, shall be issued in accordance with the terms of chapters 79.90 through 79.96 RCW.

NEW SECTION, Sec. 10. The department of community development shall publish annually and update as necessary a list of those areas where permits are required to protect historic archaeological sites on aquatic lands.

NEW SECTION, Sec. 11. The department of community development shall have such rule-making authority as is necessary to carry out the provisions of this chapter.

NEW SECTION, Sec. 12. Any proceeds from the state's share of property under this chapter shall be transmitted to the state treasurer for deposit in the general fund to be used only for the purposes of historic preservation and underwater archaeology.

NEW SECTION, Sec. 13. This act shall not affect any ongoing salvage effort in which the state has entered into separate contracts or agreements prior to the effective date of this act.

NEW SECTION, Sec. 14. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 15. Sections 3, 5 through 7, and 10 through 12 of this act are each added to chapter 27.53 RCW.

NEW SECTION, Sec. 16. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "value;" strike the remainder of the title and insert "amending RCW 27.53.030, 27.53.060, and 43.19.1919; adding new sections to chapter 27.53 RCW; adding a new section to chapter 79.90 RCW; creating new sections; and declaring an emergency."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6309 Prime Sponsor, Committee on Children & Family Services: Revising rules for dependency proceedings. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1, Section 4, chapter 188, Laws of 1984 and RCW 13.34.130 are each amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, as now or hereafter amended, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030(2); after consideration of the predisposition report prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition other than removal of the child from his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In selecting a program, the court should choose those services that least interfere with family autonomy, provided that the services are adequate to protect the child.

(b) Order that the child be removed from his or her home and ordered into the custody, control, and care of a relative or the department of social and health services or a licensed child placing agency for placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or in a home not required to be licensed pursuant to chapter 74.15 RCW. Such an order may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home and that:

(i) There is no parent or guardian available to care for such child;

(ii) The child is unwilling to reside in the custody of the child's parent, guardian, or legal custodian;

(iii) The parent, guardian, or legal custodian is not willing to take custody of the child;

(iv) A manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home; or

(v) The extent of the child's disability is such that the parent, guardian, or legal custodian is unable to provide the necessary care for the child and the parent, guardian, or legal custodian has determined that the child would benefit from placement outside of the home.

(2) Whenever a child is ordered removed from the child's home, the agency charged with his or her care shall provide the court with a specific plan as to where the child will be placed, what steps will be taken to return the child home, and what actions the agency will take to maintain parent-child ties. All aspects of the plan shall be consistent with the best interests of the child, including the goal of achieving permanence for the child.

(a) The agency plan shall specify what services the parents will be offered in order to enable them to resume custody ~~((and))~~, what requirements the parents must meet in order to resume custody, and a time limit for each service plan and parental requirement.

(b) The agency shall be required to encourage the maximum parent-child contact possible, including regular visitation and participation by the parents in the care of the child while the child is in placement.

(c) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(d) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department of social and health services has existing contracts to purchase. It shall report to the court if it is unable to provide such services.

(3) The status of all children found to be dependent shall be reviewed by the court at least every six months at a hearing in which it shall be determined whether court supervision should continue. The review shall include findings regarding the agency and parental completion of disposition plan requirements, and if necessary, revised permanency time limits.

(a) A child shall not be returned home at the review hearing unless the court finds that a reason for removal as set forth in this section no longer exists. The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) If the child is not returned home, the court shall establish in writing:

(i) Whether reasonable services have been provided to or offered to the parties to facilitate reunion;

(ii) The extent to which the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;

(iii) Whether the agency is satisfied with the cooperation given to it by the parents;

(iv) Whether additional services are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered; and

(v) When return of the child can be expected.

(c) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.

Sec. 2. Section 6, chapter 160, Laws of 1913 as last amended by section 3, chapter 311, Laws of 1983 and RCW 13.34.070 are each amended to read as follows:

(1) Upon the filing of the petition, the clerk of the court shall issue a summons, one directed to the child, if the child is twelve or more years of age, and another to the parents, guardian, or custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to hear the petition. If the child is developmentally disabled and not living at home, the notice shall be given to the child's custodian as well as to the child's parent. The developmentally disabled child shall not be required to appear unless requested by the court. Where the custodian is summoned, the parent or guardian or both shall also be served with a summons. ~~((The hearing on the petition shall be set for a time no later than forty-five days after the filing of the petition and shall be held at such time, unless for good cause the hearing is continued to a later time at the request of either party.))~~ The hearing on the petition shall be held no later than seventy-five days after the filing of the petition, unless exceptional reasons for a continuance are found. The party requesting the continuance shall have the burden of proving by a preponderance of the evidence that exceptional circumstances do exist. To ensure that the hearing on the petition occurs within the seventy-five day time limit, the court shall schedule and hear the matter on an expedited basis.

(2) A copy of the petition shall be attached to each summons.

(3) The summons shall advise the parties of the right to counsel.

(4) The judge may endorse upon the summons an order directing any parent, guardian, or custodian having the custody or control of the child to bring the child to the hearing.

(5) If it appears from affidavit or sworn statement presented to the judge that there is probable cause for the issuance of a warrant of arrest or that the child needs to be taken into custody pursuant to RCW 13.34.050, the judge may endorse upon the summons an order that an

officer serving the summons shall at once take the child into custody and take him to the place of shelter designated by the court.

(6) If the person summoned as provided in this section is subject to an order of the court pursuant to subsection (4) or (5) of this section, and if the person fails to abide by the order, he may be proceeded against as for contempt of court. The order endorsed upon the summons shall conspicuously display the following legend:

NOTICE:
VIOLATION OF THIS ORDER
IS SUBJECT TO PROCEEDING
FOR CONTEMPT OF COURT
PURSUANT TO RCW 13.34.070.

(7) If a party to be served with a summons can be found within the state, the summons shall be served upon the party personally at least five court days before the fact-finding hearing, or such time as set by the court. If the party is within the state and cannot be personally served, but the party's address is known or can with reasonable diligence be ascertained, the summons may be served upon the party by mailing a copy thereof by certified mail at least ten court days before the hearing, or such time as set by the court. If a party other than the child is without the state but can be found or the address is known, or can with reasonable diligence be ascertained, service of the summons may be made either by delivering a copy thereof to the party personally or by mailing a copy thereof to the party by certified mail at least ten court days before the fact-finding hearing, or such time as set by the court.

(8) Service of summons may be made under the direction of the court by any person eighteen years of age or older who is not a party to the proceedings or by any law enforcement officer, probation counselor, or department of social and health services social worker.

(9) In any proceeding brought under this chapter where the court knows or has reason to know that the child involved is a member of an Indian tribe, notice of the pendency of the proceeding shall also be sent by registered mail, return receipt requested, to the child's tribe. If the identity or location of the tribe cannot be determined, such notice shall be transmitted to the secretary of the interior of the United States.

NEW SECTION, Sec. 3. A new section is added to chapter 13.34 RCW to read as follows:

A dependency may only be maintained for a maximum period of two years, at which time the court shall: (1) Approve a permanent plan of care which can include one of the following: Adoption, guardianship, or placement of the child in the home of the child's parent; (2) require filing of a petition for termination of parental rights; or (3) dismiss the dependency, unless the court finds, based on clear, cogent, and convincing evidence, that it is in the best interest of the child to continue the dependency beyond two years, based on a permanent plan of care. Extensions may only be granted in increments of six months or less unless a juvenile court guardianship is in effect."

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6310 Prime Sponsor, Senator Kiskaddon: Revising certain procedures governing dependency proceedings. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 13, after "court" strike "by any party to the dependency proceedings concerning that child" and insert "by the department or any licensed child placement agency that was a party to the dependency proceeding"

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, H. Sommers, Sutherland and Winsley.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6313 Prime Sponsor, Senator McDonald: Providing for retirement of loans from the resource management cost account to the forest development account. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sycan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representative Belcher.

Passed to Committee on Rules for second reading.

February 25, 1988

ESSB 6316 Prime Sponsor, Committee on Law & Justice: Providing for the seizure of assets in drug cases. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that: Drug offenses and crimes resulting from illegal drug use are destructive to society; the nature of drug trafficking results in many property crimes and crimes of violence; state and local governmental agencies incur immense expenses in the investigation, prosecution, adjudication, incarceration, and treatment of drug-related offenders and the compensation of their victims; drug-related offenses are difficult to eradicate because of the profits derived from the criminal activities, which can be invested in legitimate assets and later used for further criminal activities; and the forfeiture of real assets where a substantial nexus exists between the commercial production or sale of the substances and the real property will provide a significant deterrent to crime by removing the profit incentive of drug trafficking, and will provide a revenue source that will partially defray the large costs incurred by government as a result of these crimes. The legislature recognizes that seizure of real property is a very powerful tool and should not be applied in cases in which a manifest injustice would occur as a result of forfeiture of an innocent spouse's community property interest.

Sec. 2. Section 15, chapter 2, Laws of 1983 as last amended by section 9, chapter 124, Laws of 1986 and RCW 69.50.505 are each amended to read as follows:

(a) The following are subject to seizure and forfeiture and no property right exists in them:

(1) All controlled substances which have been manufactured, distributed, dispensed, ~~((or))~~ acquired, or possessed in violation of this chapter or chapter 69.41 or 69.52 RCW;

(2) All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW;

(3) All property which is used, or intended for use, as a container for property described in paragraphs (1) or (2);

(4) All conveyances, including aircraft, vehicles, or vessels, which are used to transport, or are used, or intended for use, in any manner to facilitate the sale, transfer, or receipt of property described in paragraphs (1) or (2). ~~((but))~~ except that:

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter or chapter 69.41 or 69.52 RCW;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission ~~((established by the owner thereof to have been))~~ committed or omitted without ~~((his))~~ the owner's knowledge or consent;

(iii) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and

(iv) When the owner of a conveyance has been arrested under this chapter or chapter 69.41 or 69.52 RCW, the conveyance in which the person is arrested may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest;

(5) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter or chapter 69.41 or 69.52 RCW;

(6) All drug paraphernalia; ~~((and))~~

(7) All moneys, negotiable instruments, securities, or other tangible or intangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW, all tangible property, intangible property, proceeds, or assets acquired in whole or in part with proceeds traceable to (such) an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter or chapter 69.41 or 69.52 RCW: PROVIDED, That no property may be forfeited under this paragraph, to the extent of the interest of an owner, by reason of any act or omission ~~((which that owner establishes was))~~ committed or omitted without the owner's knowledge or consent; and

(8) All real property, including any right, title, and interest in the whole of any lot or tract of land, and any appurtenances or improvements which are being used with the knowledge of the owner for the manufacturing, compounding, processing, delivery, importing, or exporting of any controlled substance, or which have been acquired in whole or in part with proceeds traceable to an exchange or series of exchanges in violation of this chapter or chapter 69.41 or

69.52 RCW. If such activity is not less than a class C felony and a substantial nexus exists between the commercial production or sale of the controlled substance and the real property. However:

(i) No property may be forfeited pursuant to this subsection, to the extent of the interest of an owner, by reason of any act or omission committed or omitted without the owner's knowledge or consent;

(ii) The bona fide gift of a controlled substance, legend drug, or imitation controlled substance shall not result in the forfeiture of real property;

(iii) The possession of marijuana shall not result in the forfeiture of real property unless the marijuana is possessed for commercial purposes, the amount possessed is five or more plants or one pound or more of marijuana, and a substantial nexus exists between the possession of marijuana and the real property. In such a case, the intent of the offender shall be determined by the preponderance of the evidence, including the offender's prior criminal history, the amount of marijuana possessed by the offender, the sophistication of the activity or equipment used by the offender, and other evidence which demonstrates the offender's intent to engage in commercial activity;

(iv) The unlawful sale of marijuana or a legend drug shall not result in the forfeiture of real property unless the sale was forty grams or more in the case of marijuana or one hundred dollars or more in the case of a legend drug, and a substantial nexus exists between the unlawful sale and the real property; and

(v) A forfeiture of real property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission.

(b) Real or personal property subject to forfeiture under this chapter may be seized by any board inspector or law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Real property seized under this section shall not be transferred or otherwise conveyed until ninety days after seizure or until the hearing on the forfeiture is held, whichever is later. Seizure of personal property without process may be made if:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(3) A board inspector or law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(4) The board inspector or law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(c) In the event of seizure pursuant to subsection (b), proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, including any community property interest, of the seizure and intended forfeiture of the seized property. Notice of seizure of real property or of personal property of a value of ten thousand dollars or more shall be by personal service upon the owner. The notice of seizure in other cases may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(d) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4) ((or)), (a)(7), or (a)(8) of this section within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the item seized shall be deemed forfeited. However, no real property may be forfeited pursuant to this section, to the extent of a person's community property interest in the real property, by reason of any act or omission committed or omitted without the person's knowledge or consent.

(e) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4) ((or)), (a)(7), or (a)(8) of this section within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction if the aggregate value of the article or articles involved is more than five hundred dollars. The court to which the matter is to be removed shall be the district court when such aggregate value is ten thousand dollars or less. A hearing before the seizing agency and any appeal therefrom shall be under Title 34

RCW. In a court hearing between two or more claimants to the article or articles involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorney's fees. The burden of producing evidence shall be upon the ~~((person claiming to be the lawful owner or the person claiming to have the lawful right to possession of items specified in subsection (a)(4) or (a)(7) of this section))~~ law enforcement agency. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession thereof of items specified in subsection (a)(4) ~~((or)), (a)(7), or (a)(8)~~ of this section.

(f) When property is forfeited under this chapter the board or seizing law enforcement agency may:

(1) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the provisions of this chapter;

(2) (i) Sell that which is not required to be destroyed by law and which is not harmful to the public. The proceeds and all moneys forfeited under this title shall be used for payment of all proper expenses of the investigation leading to the seizure, including any money delivered to the subject of the investigation by the law enforcement agency, and of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, actual costs of the prosecuting or city attorney, and court costs. Money remaining after the payment of all expenses shall be distributed as follows:

(A) Fifty percent of the money ((remaining after payment of such expenses)) shall be deposited in the general fund of the state, county, and/or city of the seizing law enforcement agency(;) and shall be used exclusively for the expansion or improvement of law enforcement services. Such moneys shall not supplant preexisting funding sources; and

(B) Fifty percent shall be remitted to the state treasurer for deposit in the public safety and education account established in RCW 43.08.250;

(C) If an investigation involves a seizure of moneys and proceeds having an aggregate value of less than five thousand dollars, the moneys and proceeds may be deposited in total in the general fund of the governmental unit of the seizing law enforcement agency and shall be appropriated exclusively for the expansion of narcotics enforcement services. Such moneys shall not supplant preexisting funding sources.

(i) Money deposited according to this section must be deposited within ninety days of the date of final disposition of either the administrative seizure or the judicial seizure;

(3) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law; or

(4) Forward it to the drug enforcement administration for disposition.

(g) Controlled substances listed in Schedule I, II, III, IV, and V that are possessed, transferred, sold, or offered for sale in violation of this chapter are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in Schedule I, II, III, IV, and V, which are seized or come into the possession of the board, the owners of which are unknown, are contraband and shall be summarily forfeited to the board.

(h) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the board.

(i) The failure, upon demand by a board inspector or law enforcement officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored to produce an appropriate registration or proof that he is the holder thereof constitutes authority for the seizure and forfeiture of the plants.

(j) Upon the entry of an order of forfeiture of real property, the court shall forward a copy of the order to the assessor of the county in which the property is located. Orders for the forfeiture of real property shall be entered by the superior court, subject to court rules. Such an order shall be entered by the seizing agency in the county auditor's records in the county in which the real property is located.

NEW SECTION, Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representative Scott.

Referred to Committee on Ways & Means.

February 25, 1988

ESB 6320 Prime Sponsor, Senator von Reichbauer: Revising insurance form and rate filing requirements. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Anderson, Chandler, Crane, Day, P. King, Nutley, Silver and Winsley.

Voting nay: Representatives Dellwo and Dorn.

Absent: Representatives Betrozoff, Day and Grimm.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6321 Prime Sponsor, Senator Zimmerman: Increasing the threshold for requiring a building permit. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 36.21.070, chapter 4, Laws of 1963 as amended by section 1, chapter 134, Laws of 1987 and RCW 36.21.070 are each amended to read as follows:

Upon receipt of ~~((such))~~ a copy of a building permit, the county assessor shall, within twelve months of the date of issue of such permit, proceed to make a physical appraisal of the building or buildings covered by the permit.

Sec. 2. Section 36.21.080, chapter 4, Laws of 1963 as last amended by section 5, chapter 319, Laws of 1987 and RCW 36.21.080 are each amended to read as follows:

The county assessor is authorized to place any property ~~((under the provisions of RCW 36.21.040 through 36.21.080))~~ that is increased in value due to construction or alteration for which a building permit was issued, or should have been issued, under chapter 19.27, 19.27A, or 19.28 RCW or other laws providing for building permits on the assessment rolls for the purposes of tax levy up to August 31st of each year. The assessed valuation of such property ~~((under the provisions of RCW 36.21.040 through 36.21.080))~~ shall be considered as of July 31st of that year.

NEW SECTION. Sec. 3. A new section is added to chapter 19.27 RCW to read as follows:

A county or city may issue a building permit at no cost and immediately on demand of the applicant's request, if the application certifies that the value of the labor and materials is one thousand dollars or less. Any construction or work done under such a permit must be done in conformance with the applicable codes and is subject to inspection by the issuing agency.

NEW SECTION. Sec. 4. A new section is added to chapter 19.27 RCW to read as follows:

The authority issuing a building permit under this chapter shall immediately transmit a copy of the permit to the county assessor of the county in which the property subject to the permit is located. The building permit shall include the county assessor's parcel number where available.

NEW SECTION. Sec. 5. A new section is added to chapter 19.27A RCW to read as follows:

The authority issuing a building permit under this chapter shall immediately transmit a copy of the permit to the county assessor of the county in which the property subject to the permit is located. The building permit shall include the county assessor's parcel number where available.

NEW SECTION. Sec. 6. A new section is added to chapter 19.28 RCW to read as follows:

The authority issuing an electrical work permit under this chapter shall immediately transmit a copy of the permit to the county assessor of the county in which the property subject to the permit is located. The permit shall include the county assessor's parcel number where available.

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

- (1) Section 36.21.040, chapter 4, Laws of 1963 and RCW 36.21.040;
- (2) Section 36.21.050, chapter 4, Laws of 1963 and RCW 36.21.050; and
- (3) Section 36.21.060, chapter 4, Laws of 1963, section 1, chapter 318, Laws of 1985 and RCW 36.21.060."

On page 1, line 1 of the title, after "permits;" strike the remainder of the title and insert "amending RCW 36.21.070 and 36.21.080; adding new sections to chapter 19.27 RCW; adding a new section to chapter 19.27A RCW; adding a new section to chapter 19.28 RCW; and repealing RCW 36.21.040, 36.21.050, and 36.21.060."

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6332 Prime Sponsor, Committee on Governmental Operations: Providing for unclaimed property in museums and historical societies. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 1, after "property" strike all material through "term" on line 3 and insert "if the property was loaned to the museum or society for an indefinite term and the property has been held by the museum or society for five years or more"

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

February 24, 1988

ESSB 6342 Prime Sponsor, Committee on Energy & Utilities: Requiring breakdown of taxes paid in utility bills. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 7, after "than" strike "five" and insert "twenty"

On page 1, line 16, after "customer." insert "Taxes based upon revenue of the light and power business or gas distribution business to be listed on the customer billing need not include taxes levied by the federal government or taxes levied under chapters 54.28, 80.24, or 82.04 RCW."

Signed by Representatives Nelson, Chair; Armstrong, Barnes, Brooks, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson

Absent: Representatives Todd, Vice Chair; Gallagher and Hankins.

Passed to Committee on Rules for second reading.

February 23, 1988

ESSB 6344 Prime Sponsor, Committee on Agriculture: Revising provisions relating to agriculture. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 43.23 RCW to read as follows:

The agricultural local fund is hereby established in the custody of the state treasurer. The fund shall consist of such money as is directed by law for deposit in the fund, and such other money not subject to appropriation that the department authorizes to be deposited in the fund. Any money deposited in the fund, the use of which has been restricted by law, may only be expended in accordance with those restrictions. The department may make disbursements from the fund. The fund is not subject to legislative appropriation.

Sec. 2. Section 47, chapter 63, Laws of 1969 as last amended by section 176, chapter 202, Laws of 1987 and RCW 15.49.470 are each amended to read as follows:

All moneys collected under the provisions of this chapter shall be paid ~~((into the seed fund in the state treasury which is hereby established))~~ to the director and deposited in an account within the agricultural local fund. Such ~~((fund))~~ deposits shall be used only in the administration and enforcement of this chapter. ~~((All moneys collected under the provisions of chapter 15.49 RCW and remaining in such seed fund account on July 1, 1975, shall likewise be used only in the enforcement of this chapter. PROVIDED, That))~~ Any residual balance remaining in the seed fund on the effective date of this 1988 section shall be transferred to that account within the agricultural local fund. All fees, fines, forfeitures and penalties collected or assessed by a district court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 3. Section 36, chapter 22, Laws of 1967 ex. sess. as amended by section 11, chapter 257, Laws of 1975 1st ex. sess. and RCW 15.54.480 are each amended to read as follows:

All moneys collected under the provisions of this chapter shall be paid ~~((into the fertilizer, agricultural mineral and lime fund in the state treasury which is hereby established))~~ to the director and deposited in an account within the agricultural local fund. Such ~~((fund))~~ deposits shall be used only in the administration and enforcement of this chapter. ~~((All moneys collected under the provisions of chapter 15.54 RCW and remaining in such fertilizer, agricultural mineral and lime account in the state general fund on July 1, 1975, shall likewise be used only in the enforcement of this chapter.))~~ Any residual balance remaining in the fertilizer, agricultural

mineral and lime fund on the effective date of this 1988 section shall be transferred to that account within the agricultural local fund.

Sec. 4. Section 15.52.320, chapter 11, Laws of 1961 as amended by section 2, chapter 57, Laws of 1985 and RCW 15.52.320 are each amended to read as follows:

All money collected as fees for brand registrations hereunder shall be paid to the director and deposited in ((a special)) an account ((in the state treasury known as the feed and fertilizer account and)) within the agricultural local fund. Such deposits shall be used exclusively for the maintenance and enforcement of this chapter, except that not to exceed fifteen percent of said registration fees may, with the consent of the director, be used to purchase equipment and materials to facilitate testing and analyzing required herein. ((All earnings of investments of balances in the feed and fertilizer account shall be credited to the general fund.)) Any residual balance remaining in the feed and fertilizer account on the effective date of this 1988 section shall be transferred to the account within the agricultural local fund.

Sec. 5. Section 19, chapter 31, Laws of 1965 ex. sess. as amended by section 8, chapter 257, Laws of 1975 1st ex. sess. and RCW 15.53.9044 are each amended to read as follows:

All moneys collected under ((the provisions of)) this chapter shall be paid ((into the commercial feed fund in the state treasury which is hereby established)) to the director and deposited in an account within the agricultural local fund. Such ((fund)) deposits shall be used only in the administration and enforcement of this chapter. ((All moneys collected under the provisions of chapter 15.53 RCW and remaining in such commercial feed account in the state general fund on the effective date of this chapter, shall be used in enforcement of this chapter.)) Any residual balance remaining in the commercial feed fund on the effective date of this 1988 section shall be transferred to the account within the agricultural local fund.

Sec. 6. Section 4, chapter 29, Laws of 1961 and RCW 15.30.040 are each amended to read as follows:

The application for an annual license to engage in the business of operating a controlled atmosphere storage warehouse or warehouses shall be accompanied by an annual license fee ((of five dollars)) prescribed by the director by rule.

Sec. 7. Section 3, chapter 113, Laws of 1969 and RCW 15.09.030 are each amended to read as follows:

Each horticultural pest and disease board shall be comprised of five voting members, four of whom shall be appointed by the board of county commissioners and one of whom shall be ((the inspector at large for the horticultural district in which the county is located)) appointed by the director. In addition, the chief county extension agent, or a county extension agent appointed by the chief agent, shall be a nonvoting member of the board.

Of the four members appointed by the board of county commissioners, one of such members shall have at least a practical knowledge of horticultural pests and diseases, and the other members shall be residents of the county, shall own land within the county and shall be engaged in the primary and commercial production of a horticultural product or products. Such appointed members shall serve a term of two years and shall serve without salary.

Sec. 8. Section 1, chapter 39, Laws of 1975 as amended by section 179, chapter 46, Laws of 1983 1st ex. sess. and RCW 69.04.930 are each amended to read as follows:

It shall be unlawful for any person to sell at retail or display for sale at retail any food fish or shellfish as defined in RCW 75.08.011, any meat capable of use as human food as defined in RCW 16.49A.150 as now or hereafter amended, or any meat food product as defined in RCW 16.49A.130 as now or hereafter amended which has been frozen ((subsequent to being offered for sale or distribution to the ultimate consumer)) at any time, (without having the package or container in which the same is sold bear a label clearly discernible to a customer that such product has been frozen and whether or not the same has since been thawed. No such food fish or shellfish, meat or meat food product shall be sold unless in such a package or container bearing said label: PROVIDED, That this section shall not include any of the aforementioned food or food products that have been frozen prior to being smoked, cured, cooked or subjected to the heat of commercial sterilization.

NEW SECTION. Sec. 9. A new section is added to chapter 69.07 RCW to read as follows:

The department may issue sanitary certificates to food processors under this chapter subject to such requirements as it may establish by rule. The fee for issuance shall be twenty dollars per certificate. Fees collected under this section shall be deposited in the agricultural local fund.

Sec. 10. Section 3, chapter 139, Laws of 1959 as last amended by section 2, chapter 305, Laws of 1983 and RCW 20.01.030 are each amended to read as follows:

This chapter does not apply to:

(1) Any cooperative marketing associations or federations incorporated under, or whose articles of incorporation and bylaws are equivalent to, the requirements of chapter 23.86 RCW or chapter 24.32 RCW, except as to that portion of the activities of the association or federation that involve the handling or dealing in the agricultural products of nonmembers of the organization: PROVIDED, That the associations or federations may purchase up to fifteen percent of their gross from nonmembers for the purpose of filling orders: PROVIDED FURTHER, That if the cooperative or association acts as a processor as defined in RCW 20.01.500(2) and markets the

processed agricultural crops on behalf of the grower or its own behalf, the association or federation is subject to the provisions of RCW 20.01.500 through 20.01.560 and the license provision of this chapter excluding bonding provisions: PROVIDED FURTHER, That none of the foregoing exemptions in this subsection apply to any such cooperative or federation dealing in or handling grain in any manner, and not licensed under the provisions of chapter 22.09 RCW;

(2) Any person who sells exclusively his or her own agricultural products as the producer thereof;

(3) Any public livestock market operating under a bond required by law or a bond required by the United States to secure the performance of the public livestock market's obligation. However, any such market operating as a livestock dealer or order buyer, or both, is subject to all provisions of this chapter except for the payment of the license fee required in RCW 20.01.040;

(4) Any retail merchant having a bona fide fixed or permanent place of business in this state, but only for the retail merchant's retail business conducted at such fixed or established place of business;

(5) Any person buying farm products for his or her own use or consumption;

(6) Any warehouseman or grain dealer licensed under the state grain warehouse act, chapter 22.09 RCW, with respect to his (~~operations as a licensee under that act~~) or her handling of any agricultural product as defined under that chapter;

(7) Any nurseryman who is required to be licensed under the horticultural laws of the state with respect to his or her operations as such licensee;

(8) Any person licensed under the now existing dairy laws of the state with respect to his or her operations as such licensee;

(9) Any producer who purchases less than fifteen percent of his or her volume to complete orders;

(10) Any person, association, or corporation regulated under chapter 67.16 RCW and the rules adopted thereunder while performing acts regulated by that chapter and the rules adopted thereunder;

(11) Any boom loader who loads exclusively his or her own hay or straw as the producer thereof.

Sec. 11, Section 16, chapter 305, Laws of 1983 as amended by section 19, chapter 393, Laws of 1987 and RCW 22.09.011 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Department' means the department of agriculture of the state of Washington.

(2) 'Director' means the director of the department or his duly authorized representative.

(3) 'Person' means a natural person, individual, firm, partnership, corporation, company, society, association, cooperative, two or more persons having a joint or common interest, or any unit or agency of local, state, or federal government.

(4) 'Agricultural commodities,' (~~hereinafter referred to as~~) or 'commodities,' means (but is not limited to): (a) All the grains, peas, beans, lentils, corn, sorghums, malt, peanuts, and flax(;;); and (b) other ((similar)) agricultural products similar to those listed in (a) of this subsection which have been designated by the department by rule.

(5) 'Warehouse,' also referred to as a public warehouse, means any elevator, mill, subterminal grain warehouse, terminal warehouse, country warehouse, or other structure or enclosure located in this state that is used or useable for the storage of agricultural products, and in which commodities are received from the public for storage, handling, conditioning, or shipment for compensation. The term does not include any warehouse storing or handling fresh fruits and/or vegetables, any warehouse used exclusively for cold storage, or any warehouse that conditions yearly less than three hundred tons of an agricultural commodity for compensation.

(6) 'Terminal warehouse' means any warehouse designated as a terminal by the department, and located at an inspection point where inspection facilities are maintained by the department and where commodities are ordinarily received and shipped by common carrier.

(7) 'Subterminal warehouse' means any warehouse that performs an intermediate function in which agricultural commodities are customarily received from dealers rather than producers and where the commodities are accumulated before shipment to a terminal warehouse.

(8) 'Station' means two or more warehouses between which commodities are commonly transferred in the ordinary course of business and that are (a) immediately adjacent to each other, or (b) located within the corporate limits of any city or town and subject to the same transportation tariff zone, or (c) at any railroad siding or switching area and subject to the same transportation tariff zone, or (d) at one location in the open country off rail, or (e) in any area that can be reasonably audited by the department as a station under this chapter and that has been established as such by the director by rule adopted under chapter 34.04 RCW, or (f) within twenty miles of each other but separated by the border between Washington and Idaho or Oregon when the books and records for the station are maintained at the warehouse located in Washington.

(9) 'Inspection point' means a city, town, or other place wherein the department maintains inspection and weighing facilities.

(10) 'Warehouseman' means any person owning, operating, or controlling a warehouse in the state of Washington.

(11) 'Depositor' means (a) any person who deposits a commodity with a Washington state licensed warehouseman for storage, handling, conditioning, or shipment, or (b) any person who is the owner or legal holder of a warehouse receipt, outstanding scale weight ticket, or other evidence of the deposit of a commodity with a Washington state licensed warehouseman or (c) any producer whose agricultural commodity has been sold to a grain dealer through the dealer's place of business located in the state of Washington, or any Washington producer whose agricultural commodity has been sold to or is under the control of a grain dealer, whose place of business is located outside the state of Washington.

(12) 'Historical depositor' means any person who in the normal course of business operations has consistently made deposits in the same warehouse of commodities produced on the same land. In addition the purchaser, lessee, and/or inheritor of such land from the original historical depositor with reference to the land shall be considered a historical depositor with regard to the commodities produced on the land.

(13) 'Grain dealer' means any person who, through his place of business located in the state of Washington, solicits, contracts for, or obtains from a producer, title, possession, or control of any agricultural commodity for purposes of resale, or any person who solicits, contracts for, or obtains from a Washington producer, title, possession, or control of any agricultural commodity for purposes of resale.

(14) 'Producer' means any person who is the owner, tenant, or operator of land who has an interest in and is entitled to receive all or any part of the proceeds from the sale of a commodity produced on that land.

(15) 'Warehouse receipt' means a negotiable or nonnegotiable warehouse receipt as provided for in Article 7 of Title 62A RCW.

(16) 'Scale weight ticket' means a load slip or other evidence of deposit, serially numbered, not including warehouse receipts as defined in subsection (15) of this section, given a depositor on request upon initial delivery of the commodity to the warehouse and showing the warehouse's name and state number, type of commodity, weight thereof, name of depositor, and the date delivered.

(17) 'Put through' means agricultural commodities that are deposited in a warehouse for receiving, handling, conditioning, or shipping, and on which the depositor has concluded satisfactory arrangements with the warehouseman for the immediate or impending shipment of the commodity.

(18) 'Conditioning' means, but is not limited to, the drying or cleaning of agricultural commodities.

(19) 'Deferred price contract' means a contract for the sale of commodities that conveys the title and all rights of ownership to the commodities represented by the contract to the buyer, but allows the seller to set the price of the commodities at a later date based on an agreed upon relationship to a future month's price or some other mutually agreeable method of price determination. Deferred price contracts include but are not limited to those contracts commonly referred to as delayed price, price later contracts, or open price contracts.

(20) 'Shortage' means that a warehouseman does not have in his possession sufficient commodities at each of his stations to cover the outstanding warehouse receipts, scale weight tickets, or other evidence of storage liability issued or assumed by him for the station.

(21) 'Failure' means:

(a) An inability to financially satisfy claimants in accordance with this chapter and the time limits provided for in it;

(b) A public declaration of insolvency;

(c) A revocation of license and the leaving of an outstanding indebtedness to a depositor;

(d) A failure to redeliver any commodity to a depositor or to pay depositors for commodities purchased by a licensee in the ordinary course of business and where a bona fide dispute does not exist between the licensee and the depositor;

(e) A failure to make application for license renewal within sixty days after the annual license renewal date; or

(f) A denial of the application for a license renewal.

Sec. 12, Section 3, chapter 452, Laws of 1987 and RCW 15.88.030 are each amended to read as follows:

(1) There is created an agricultural commodity commission to be known and designated as the Washington wine commission. Except as provided in RCW 15.88.100(2), the commission shall be composed of eleven voting members; five voting members shall be growers, five voting members shall be wine producers, and one voting member shall be a wine wholesaler licensed under RCW 66.24.200. Of the grower members, at least one shall be a person who does not have over fifty acres of vinifera grapes in production, at least one shall be a person who has over one hundred acres of vinifera grapes in production, and two may be persons who produce and sell their own wine. Of the wine producer members, at least one shall be a

person producing not more than twenty-five thousand gallons of wine annually, at least one shall be a person producing over one million gallons of wine annually, and at least two shall be persons who produce wine from their own grapes. In addition, at least one member shall be a wine producer located in western Washington and at least two members shall be wine producers located in eastern Washington.

(2) In addition to the voting members identified in subsection (1) of this section, the commission shall have one nonvoting member who is a wine producer in this state whose principal wine or wines are produced from fruit other than vinifera grapes. The director of agriculture, or the director's designee, shall serve as an ex officio, nonvoting member.

(3) Except as provided in RCW 15.88.100(2), seven voting members of the commission constitute a quorum for the transaction of any business of the commission.

(4) Each voting member of the commission shall be a citizen and resident of this state and over the age of twenty-one years. Each voting member, except the member holding position eleven, must be or must have been engaged in that phase of the grower or wine producer industry that he or she is appointed to represent, and must during his or her term of office derive a substantial portion of income therefrom, or have a substantial investment in the growing of vinifera grapes or the production of wine from vinifera grapes as an owner, lessee, partner, or a stockholder owning at least ten percent of the voting stock in a corporation engaged in the growing of vinifera grapes or wine production from vinifera grapes; or the manager or executive officer of such a corporation. These qualifications apply throughout each member's term of office.

Sec. 13. Section 4, chapter 452, Laws of 1987 and RCW 15.88.040 are each amended to read as follows:

The appointive voting positions on the commission shall be designated as follows: The wine producers shall be designated positions one, two, three, four, and five; the growers shall be designated positions six, seven, eight, nine, and ten; and the wine wholesaler shall be position eleven. The nonvoting industry member shall be designated position number twelve. The member designated as filling position one shall be a person producing over one million gallons of wine annually. The member designated as position one shall be the sole representative, directly or indirectly, of the producer eligible to hold position one and in no event shall that producer directly or indirectly control more than fifty percent of the votes of the commission.

Except as provided in RCW 15.88.100(2), the regular terms of office shall be three years from the date of appointment and until their successors are appointed. However, the first terms of the members appointed upon July 1, 1987, shall be as follows: Positions one, six, and eleven shall terminate July 1, 1990; positions two, four, seven, and nine shall terminate July 1, 1989; and positions three, five, eight, and ten shall terminate July 1, 1988. The term of the initial nonvoting industry member shall terminate July 1, 1990.

Sec. 14. Section 10, chapter 452, Laws of 1987 and RCW 15.88.100 are each amended to read as follows:

(1) Except as provided in subsections (2) and (3) of this section, the vote of each of the voting members of the commission shall be weighted as provided by this subsection for the transaction of any of the business of the commission. The total voting strength of the entire voting membership of the commission shall be eleven votes. The vote of position one shall be equal to the lesser of the following: Five and one-half votes; or eleven votes times the percentage of the wine produced in the state that is produced by the person filling position one. The percentage shall be based upon the amount of wine produced in the previous calendar year and shall be rounded to the nearest ten percent. The remaining votes of the membership of the commission shall be divided equally among the remaining members of the commission.

(2) In the event the assessment described in RCW 66.24.215(1)(b) is not effective on July 1, 1989, the positions designated for growers cease to exist. In such an event, the commission shall be composed of six voting members and ~~((one))~~ two nonvoting members. The nonvoting industry member shall be position seven. Four voting members of the commission constitute a quorum for the modified commission. Of the six votes of the entire voting membership of the modified commission, the vote of position one shall be the lesser of the following: Three votes; or six votes times the percentage of the wine produced in the state that is produced by the person filling position one. The percentage shall be based upon the amount of wine produced in the previous calendar year and shall be rounded to the nearest ten percent. The remaining votes of the membership of the commission shall be divided equally among the remaining members of the commission.

(3) In the event that the percentage of wine produced by the producer represented by position one falls below twenty-five percent of the wine produced in this state, the weighted voting mechanism provided for in subsections (1) and (2) of this section shall cease to be effective. In that case, the voting shall be based on one vote per position.

NEW SECTION. Sec. 15. Section 14 of this act shall take effect July 1, 1989.

Sec. 16. Section 8, chapter 139, Laws of 1959 as last amended by section 4, chapter 304, Laws of 1977 ex. sess. and RCW 20.01.080 are each amended to read as follows:

Any person applying for a commission merchant's license shall include in his or her application a schedule of commissions, together with an itemized list of all charges for services to be rendered to a consignor and shall post a copy of such charges on his or her premises in a conspicuous place where it is clearly visible and available to consignors. In addition to the posting of the itemized list of charges, such list shall be distributed to each consignor along with each contract entered into between the consignor and the commission merchant. Such commissions and charges shall not be changed or varied for the license period except by written contract between the consignor or his or her agent and the licensee or thirty days after written notice to the director, and proper posting of such changes, as prescribed by the director, on the licensee's premises. Charges for services rendered and not listed on the schedule of commissions and charges filed with the director, or for increases in charges listed and filed which are directly caused by increases in labor rates or in cost of materials which occur after the signing of the contract by the grower, shall be rendered only on an actual cost to the licensee basis.

Sec. 17. Section 38, chapter 139, Laws of 1959 as last amended by section 33, chapter 296, Laws of 1981 and RCW 20.01.380 are each amended to read as follows:

Every dealer or cash buyer purchasing any agricultural products from the consignor thereof shall promptly make and keep for one year a correct record showing in detail the following:

- (1) The name and address of the consignor.
- (2) The date received.
- (3) The terms of the sale.
- (4) The quality and quantity delivered by the consignor, and where applicable the dockage, tare, grade, size, net weight, or quantity.
- (5) An itemized statement of any charges paid by the dealer or cash buyer for the account of the consignor.
- (6) The name and address of the purchaser: PROVIDED, That the name and address of the purchaser may be deleted from the record furnished to the consignor.
- (7) A copy of the itemized list of charges required under RCW 20.01.080 in effect on the date the terms of sale were agreed upon.

A copy of such record containing the above matters shall be forwarded to the consignor forthwith.

Livestock dealers must also maintain individual animal identification and disposition records as may be required by law, or regulation adopted by the director.

Sec. 18. Section 37, chapter 139, Laws of 1959 as last amended by section 5, chapter 115, Laws of 1979 ex. sess. and RCW 20.01.370 are each amended to read as follows:

Every commission merchant taking control of any agricultural products for sale as such commission merchant, shall promptly make and keep for a period of one year, beginning on the day the sale of the product is complete, a correct record showing in detail the following with reference to the handling, sale, or storage of such agricultural products:

- (1) The name and address of the consignor.
- (2) The date received.
- (3) The quality and quantity delivered by the consignor, and where applicable the dockage, tare, grade, size, net weight, or quantity.
- (4) ~~(Date of such sale for account of consignor.~~
- ~~(5) The terms of the sale.~~
- (6) An accounting of all sales, including dates, terms of sales, quality and quantity of agricultural products sold, and proof of payments received on behalf of the consignor.

(5) The terms of payment to the producer.
~~((7))~~ (6) An itemized statement of the charges to be paid by consignor in connection with the sale.

~~((8))~~ (7) The names and addresses of all purchasers if said commission merchant has any financial interest in the business of said purchasers, or if said purchasers have any financial interest in the business of said commission merchant, directly or indirectly, as holder of the other's corporate stock, as copartner, as lender or borrower of money to or from the other, or otherwise. Such interest shall be noted in said records following the name of any such purchaser.

~~((9))~~ (8) A lot number or other identifying mark for each consignment, which number or mark shall appear on all sales tags and other essential records needed to show what the agricultural products actually sold for.

~~((10))~~ (9) Any claim or claims which have been or may be filed by the commission merchant against any person for overcharges or for damages resulting from the injury or deterioration of such agricultural products by the act, neglect or failure of such person and such records shall be open to the inspection of the director and the consignor of agricultural products for whom such claim or claims are made.

Where a pooling arrangement is agreed to in writing between the consignor and commission merchant, the reporting requirements of subsections (4), (5), (6), ~~((7))~~ and ~~((9))~~ (8) of

this section shall apply to the pool rather than to the individual consignor or consignment and the records of the pool shall be available for inspection by any consignor to that pool.

The commission merchant shall transmit a copy of the record required by this section to the consignor on the same day the final remittance is made to the consignor as required by RCW 20.01.430 as now or hereafter amended.

Sec. 19. Section 46, chapter 139, Laws of 1959 as last amended by section 13, chapter 178, Laws of 1986 and RCW 20.01.460 are each amended to read as follows:

(1) Any person who violates the provisions of this chapter or fails to comply with the rules adopted under this chapter is guilty of a gross misdemeanor, except as provided in subsections (2) and (3) of this section.

(2) Any commission merchant, dealer, or cash buyer, or any person assuming or attempting to act as a commission merchant, dealer, or cash buyer without a license is guilty of a class C felony who:

(a) Imposes false charges for handling or services in connection with agricultural products.

(b) Makes fictitious sales or is guilty of collusion to defraud the consignor.

(c) Intentionally makes false statement or statements as to the grade, conditions, markings, quality, or quantity of goods shipped or packed in any manner.

(d) Fails to comply with the payment requirements set forth under RCW 20.01.010(10), 20.01.390 or 20.01.430.

(3) Any person who violates the provisions of RCW 20.01.040, 20.01.080, 20.01.120, 20.01.125, 20.01.410 or 20.01.610 has committed a civil infraction.

Sec. 20. Section 9, chapter 32, Laws of 1951 as last amended by section 174, chapter 3, Laws of 1983 and RCW 70.79.090 are each amended to read as follows:

The following boilers and unfired pressure vessels shall be exempt from the requirements of RCW 70.79.220 and 70.79.240 through 70.79.330:

(1) Boilers or unfired pressure vessels located on farms and used solely for agricultural purposes;

(2) Unfired pressure vessels that are part of fertilizer applicator rigs designed and used exclusively for fertilization in the conduct of agricultural operations;

(3) Steam boilers used exclusively for heating purposes carrying a pressure of not more than fifteen pounds per square inch gauge and which are located in private residences or in apartment houses of less than six families;

~~((3))~~ (4) Hot water heating boilers carrying a pressure of not more than thirty pounds per square inch and which are located in private residences or in apartment houses of less than six families;

~~((4))~~ (5) Approved pressure vessels (hot water heaters listed by a nationally recognized testing agency), with approved safety devices including a pressure relief valve, with a nominal water containing capacity of one hundred twenty gallons or less having a heat input of two hundred thousand b.t.u.'s per hour or less, used for hot water supply at pressure of one hundred sixty pounds per square inch or less, and at temperatures of two hundred degrees Fahrenheit or less: PROVIDED, HOWEVER, That such pressure vessels are not installed in schools, child care centers, public and private hospitals, nursing and boarding homes, churches, public buildings owned or leased and maintained by the state or any political subdivision thereof, and assembly halls;

~~((5))~~ (6) Unfired pressure vessels containing only water under pressure for domestic supply purposes, including those containing air, the compression of which serves only as a cushion or airlift pumping systems, when located in private residences or in apartment houses of less than six families;

~~((6))~~ (7) Unfired pressure vessels containing liquified petroleum gases."

On page 1, line 1 of the title, after "agriculture;" strike the remainder of the title and insert "amending RCW 15.49.470, 15.54.480, 15.52.320, 15.53.9044, 15.30.040, 15.09.030, 69.04.930, 20.01.030, 22.09.011, 15.88.030, 15.88.040, 15.88.100, 20.01.080, 20.01.380, 20.01.370, 20.01.460, and 70.79.090; adding a new section to chapter 43.23 RCW; adding a new section to chapter 69.07 RCW; prescribing penalties; and providing an effective date."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Bristow and Doty.

Referred to Committee on Ways & Means.

February 26, 1988

SB 6349 Prime Sponsor, Senator Smith: Requiring licenses for professional salmon fishing guides. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14, after "freshwater" insert "lakes."

On page 1, line 15, after "than" insert "Lake Washington or"

On page 2, line 4, after "freshwater" insert "lakes."
 On page 2, line 5, after "than" insert "Lake Washington or"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Amondson, Belcher, Haugen and Smith.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6350 Prime Sponsor, Committee on Law & Justice: Establishing a civil penalty for killing or injuring a guide or service dog. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representative Hargrove.

Passed to Committee on Rules for second reading.

February 24, 1988

SB 6354 Prime Sponsor, Senator Lee: Changing the definition of wages for industrial insurance purposes. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 8, insert the following:

"NEW SECTION, Sec. 2. A new section is added to chapter 49.46 RCW to read as follows:

An employer who pays a wage less than the minimum wage violates this chapter, notwithstanding that when the hourly wage is combined with tips and gratuities received by the employee from customers, the employee receives income that equals or exceeds the minimum wage rate."

Renumber the remaining section consecutively.

On page 1, line 2 of the title, after "51.08.178;" strike the remainder of the title and insert "adding a new section to chapter 49.46 RCW; and providing an effective date."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Voting nay: Representative R. King.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6366 Prime Sponsor, Senator Pullen: Creating the state law enforcement medal of honor. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 1.40 RCW to read as follows:

The Washington state law enforcement award of honor is created, to be awarded by the governor on behalf of the state."

On page 1, line 2 of the title, after "honor;" strike all material down to and including "sections" on line 3 and insert "adding a new section"

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery and Walk.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6372 Prime Sponsor, Senator Pullen: Correcting obsolete statutory references involving natural resources. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 33, after line 27, strike all material down through page 36, line 8 and insert the following:

"Sec. 67. Section 1, chapter 130, Laws of 1939 as amended by section 1, chapter 123, Laws of 1941 and RCW 79.60.010 are each amended to read as follows:

The ~~((state forest board))~~ department of natural resources with regard to state forest board lands ~~((and the commissioner of public lands with regard to))~~ and state granted lands ~~((are))~~ is hereby authorized to enter into cooperative agreements with the United States of America, Indian tribes, and private owners of timber land providing for coordinated forest management, including time, rate and method of cutting timber and method of silvicultural practice on a sustained yield unit. ((Wherever applicable in this chapter, it shall be understood that the state forest board shall have complete authority over state forest board lands and the commissioner of public lands complete authority over state granted land.))

Sec. 68. Section 2, chapter 130, Laws of 1939 and RCW 79.60.020 are each amended to read as follows:

The ~~((state forest board and the commissioner of public lands are))~~ department of natural resources is hereby authorized and directed to determine, define and declare informally the establishment of a sustained yield unit, comprising the land area to be covered by any such cooperative agreement and include therein such other lands as may be later acquired by the ~~((state forest board))~~ department and included under the cooperative agreement.

Sec. 69. Section 3, chapter 130, Laws of 1939 and RCW 79.60.030 are each amended to read as follows:

The state shall agree that the cutting from combined national forest and state lands will be limited to the sustained yield capacity of these lands in the management unit as determined by the contracting parties and approved by the ~~((state forest board and the))~~ commissioner of public lands for state granted lands and the board of natural resources for state forest board lands. Cooperation with the private contracting party or parties shall be contingent on limitation of production to a specified amount as determined by the contracting parties and approved by the ~~((state forest board and the))~~ commissioner of public lands for state granted lands and the board of natural resources for state forest board lands and shall comply with the other conditions and requirements of such cooperative agreement.

Sec. 70. Section 2, chapter 123, Laws of 1941 and RCW 79.60.040 are each amended to read as follows:

The private contracting party or parties shall enjoy the right of easement over state forest board lands and state granted lands included under said cooperative agreement for railway, road and other uses necessary to the carrying out of the agreement. This easement shall be only for the life of the cooperative agreement and shall be granted without charge with the provision that payment shall be made for all merchantable timber cut, removed or damaged in the use of such easement, payment to be based on the contract stumpage price for timber of like value and species and to be made within thirty days from date of cutting, removal and/or damage of such timber and appraisal thereof by the ~~((commissioner of public lands and the state forest board))~~ department of natural resources.

Sec. 71. Section 4, chapter 130, Laws of 1939 and RCW 79.60.050 are each amended to read as follows:

During the period when any such cooperative agreement is in effect, the timber on the state lands which the ~~((state forest board and the commissioner of public lands))~~ department of natural resources determines shall be included in the sustained yield unit may, from time to time, be sold at not less than its appraised value as approved by the ~~((state forest board and the))~~ commissioner of public lands for state granted lands and the board of natural resources for state forest board lands, due consideration being given to existing forest conditions on all lands included in the cooperative management unit and such sales may be made in the discretion of the ~~((state forest board and the commissioner of public lands))~~ department and the contracting party or parties in the cooperative sustained yield agreement. These sale agreements shall contain such provisions as are necessary to effectually permit the ~~((state forest board and the commissioner of public lands))~~ department to carry out the purpose of this section and in other ways afford adequate protection to the public interests involved.

Sec. 72. Section 5, chapter 130, Laws of 1939 and RCW 79.60.060 are each amended to read as follows:

The sale of timber upon state forest board land and state granted land within such sustained yield unit or units shall be made for not less than the appraised value thereof as heretofore provided for the sale of timber on state lands: PROVIDED, That, if in the judgment of the ~~((state forest board or the commissioner of public lands))~~ department, it is to the best interests of the state to do so, said timber or any such sustained yield unit or units may be sold on a stumpage or scale basis for a price per thousand not less than the appraised value thereof. The ~~((state forest board and the commissioner of public lands))~~ department shall reserve the right to reject any and all bids if the intent of this chapter will not be carried out. Permanency of local communities and industries, prospects of fulfillment of contract requirements, and financial position of the bidder shall all be factors included in this decision."

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery and Walk.

Absent: Representatives Baugher and Taylor.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6374 Prime Sponsor, Senator Pullen: Correcting references to the state boxing commission. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Smith and Walker.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6375 Prime Sponsor, Senator Pullen: Revising references to the department of wildlife. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Belcher and Hargrove.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6376 Prime Sponsor, Committee on Transportation: Extending one element of the motor vehicle excise tax. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 24, after "vehicle," insert "Provided, however, that the additional excise tax imposed in this subsection shall become permanent if a permanent revenue source equal in value to the additional excise tax imposed by this subsection is not enacted by July 1, 1989."

On page 2, line 13, after "include" strike ", but not limited to."

On page 2, line 24, after "committee," strike all material through "committee." on line 26 and insert "The directors of the office of financial management and the department of licensing and the secretary of the department of transportation shall each appoint one employee of their respective departments to serve on the joint committee. The committee shall sunset on November 30, 1988."

Signed by Representatives Walk, Chair; Baugher, Vice Chair; Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Jacobsen, Jones, Meyers, Prince, Schmidt, Smith, D. Sommers, Sutherland, Vekich, J. Williams and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Heavey, Kremen and Patrick.

Voting nay: Representatives Betrozoff, Cooper, Heavey, Kremen and Patrick.

Absent: Representatives Allen, Cantwell, Todd, J. Williams, K. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 25, 1988

E2SSB 6380 Prime Sponsor, Committee on Ways & Means: Providing for a water use efficiency study. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 1, Laws of 1977 ex. sess. as last amended by section 1, chapter 343, Laws of 1987 and RCW 43.83B.300 are each amended to read as follows:

The legislature finds that it is necessary to provide the department of ecology with emergency powers to authorize withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, and construction of facilities in relation thereto, in order to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during 1977 and during 1987.

The legislature further finds that: There is a continuing agricultural water supply shortage in many areas of the state and that, in relation to the lessening of that unsatisfactory condition, there is an urgent need to both improve water supply facilities and replace other such facilities; and improved efficiency of water use could provide an important new supply of water in many parts of the state with which to meet future water needs and that improved efficiency of water use should receive greater emphasis in the management of the state's water resources.

In order to provide needed capital for the planning, acquisition, construction, and improvement of water supply facilities to withdraw and distribute water to alleviate unsatisfactory water supply conditions arising from droughts occurring from time to time in the state of Washington, and for the water research center at Washington State University to carry out a comprehensive water use efficiency study for the state of Washington, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of eighteen million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this section and RCW 43.83B.360 through 43.83B.375 shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

NEW SECTION, Sec. 2. The water research center at Washington State University shall carry out a comprehensive study of water use efficiency in this state. The center, in consultation with other interested agencies, organizations, and the public, shall investigate and evaluate opportunities and means for achieving water use efficiency improvements. The evaluation shall include but not be limited to the following:

- (1) Review and analysis of water use efficiency initiatives in other states;
- (2) Review of the water use efficiency recommendations of the western governors association;
- (3) Identification of existing institutional and economic disincentives to efficient water use;
- (4) Identification of existing and potential incentives that could bring about improved efficiency of use;
- (5) Identification of alternatives for improving efficiency of use;
- (6) Estimation of potential water savings and public and private costs from implementing alternatives;
- (7) Identification of a recommended approach for improving water use efficiency; and
- (8) Development of recommendations for any needed changes in laws, rules, policies, procedures, and programs to facilitate improved water use efficiency.

NEW SECTION, Sec. 3. (1) A water use efficiency policy advisory committee is hereby created to assist the water research center in completing the investigations in section 2 of this act.

(2) One representative from each of the following categories shall be a voting member of the advisory committee:

- (a) The office of the governor;
 - (b) Indian tribes;
 - (c) Environmental organizations;
 - (d) Municipalities in heavily populated areas;
 - (e) Municipalities in rural agricultural areas;
 - (f) A state-wide water resources association created under chapter 87.76 RCW;
 - (g) Water utilities;
 - (h) Manufacturing industry;
 - (i) Producers of irrigated agricultural products; and
 - (j) Owners and operators of cattle farms.
- (3) Eight members of the legislature shall be voting members of the advisory committee:
- (a) Four members of the House of Representatives, appointed by the Speaker, two from each major political party of which one member from each major political party shall be a member of the agriculture and rural development committee; and
 - (b) Four members of the Senate, appointed by the President of the Senate, two from each major political party of which one member from each major political party shall be a member of the agriculture committee.
- (4) Representatives of the appropriate state and federal agencies shall serve as nonvoting members of the advisory committee.

The governor shall appoint the members of the advisory committee listed in subsections (2) and (4) of this section. Any nominations for appointments to fill positions on the advisory committee which may be submitted to the governor for the governor's consideration shall be submitted not later than ten business days after the effective date of this section. Wherever possible, the various interest groups within a category listed in subsection (2) of this section shall attempt to identify one nominee in common for the category.

- (5) The advisory committee shall expire December 31, 1988.
- (6) The center shall consult on a regular and frequent basis with interested organizations and individuals. The center shall hold public meetings to inform the public about the study, and to receive public comments on a draft report of its study findings, its recommendations, and those of the advisory committee. Before conducting these meetings on such a draft report

or recommendations, the center shall present them at a meeting of the house of representatives and senate agriculture committees, meeting jointly or separately, to receive the comments of committee members. The center shall also present the results of the public meetings on such a draft report or recommendations to the house of representatives and senate agriculture committees as well as the center's proposed response to the comments received at those public meetings before preparing its final report and recommendations.

The center shall document public comments, the advisory committee's recommendations, and those of the center, if they differ, in a final water use efficiency report. The final report shall also include an estimate of staffing and funding needed to carry out the recommended approach. The center shall provide the final report to the house of representatives and senate agriculture committees no later than December 30, 1988.

NEW SECTION. Sec. 4. No aspect of the study authorized by sections 1 through 3 of this act may authorize any interference whatsoever with existing water rights. The study shall in all respects be subject to the provisions of RCW 43.83B.325 to the same extent as any provision of RCW 43.83B.300 through 43.83B.345.

Sec. 5. Section 704, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Emergency water project revolving account (88-2-004)

State Emerg Water Proj Rev	Reappropriation ((4,666,666)) <u>3,860,000</u>	Appropriation 225,000
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs ((4,225,666)) <u>4,085,000</u>

NEW SECTION. Sec. 6. The sum of one hundred forty thousand dollars, or as much thereof as may be necessary, is appropriated to Washington State University for the biennium ending June 30, 1989, from the emergency water project revolving account for use by the water research center for conducting the water use efficiency study authorized by section 2 of this act. These funds may be used by the water research center to hire personnel and/or contract for necessary services including but not limited to services from persons with expertise in the areas of agricultural economics, agricultural engineering, and municipal water use technology. The use of these funds is not limited to such hiring or contracting.

NEW SECTION. Sec. 7. Sections 2 through 4 of this act shall expire June 30, 1989.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "study;" strike the remainder of the title and insert "amending RCW 43.83B.300; amending section 704, chapter 6, Laws of 1987 1st ex. sess. (uncodified); creating new sections; making an appropriation; providing an expiration date; and declaring an emergency."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Bristow, Chandler and R. King.

Passed to Committee on Rules for second reading.

February 24, 1988

SB 6396

Prime Sponsor, Senator West: Ending the use of apprentices' assumed wage rates for computing disability compensation payments. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 110, Laws of 1973 as amended by section 31, chapter 185, Laws of 1987 and RCW 51.12.130 are each amended to read as follows:

(1) All persons registered as apprentices or trainees with the state apprenticeship council and participating in supplemental and related instruction classes conducted by a school district, a community college, a vocational school, or a local joint apprenticeship committee, shall be considered as workers of the state apprenticeship council and subject to the provisions of Title 51 RCW, for the time spent in actual attendance at such supplemental and related instruction classes.

(2) The assumed wage rate for all apprentices or trainees during the hours they are participating in supplemental and related instruction classes, shall be three dollars per hour. This

amount shall be used for purposes of computations of premiums(~~(-and)~~). For purposes of ((computations of)) computing disability compensation payments, the actual wage rate during employment shall be used.

(3) Only those apprentices or trainees who are registered with the state apprenticeship council prior to their injury or death and who incur such injury or death while participating in supplemental and related instruction classes shall be entitled to benefits under the provisions of Title 51 RCW.

(4) The filing of claims for benefits under the authority of this section shall be the exclusive remedy of apprentices or trainees and their beneficiaries for injuries or death compensable under the provisions of Title 51 RCW against the state, its political subdivisions, the school district, community college, or vocational school and their members, officers or employees or any employer regardless of negligence.

(5) This section shall not apply to any apprentice or trainee who has earned wages for the time spent in participating in supplemental and related instruction classes."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 26, 1988

SB 6397 Prime Sponsor, Senator Barr: Revising provisions relating to forest fires. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:
Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 76.04 RCW to read as follows:

Upon arriving at the scene of a forest fire, the first priority of the employees or agents of the department shall be to attempt to extinguish the fire, and attempts to conduct a survey of contiguous property to ascertain the necessity to remove individuals or property from the area of the fire shall be secondary to that responsibility. This section shall not be construed as preventing assistance to individuals in immediate danger from the fire.

NEW SECTION. Sec. 2. A new section is added to chapter 76.04 RCW to read as follows:

(1) The legislature finds and declares that forest lands within the state are increasingly being used for residential purposes; that the risk to life and property is increasing from forest fires which may destroy developed property; that the department's primary mission is to protect forest land and suppress forest fires; that a primary mission of the rural fire districts and municipal fire departments is to protect improved property and suppress structural fires; that adjustment of the geographic areas of responsibility for the respective fire control agencies has not kept pace with the increasing use of forest lands for residential purposes; and that the department should work with the state's other fire control agencies to define geographic areas of responsibility that are more consistent with their respective primary missions.

(2) To accomplish the purposes of subsection (1) of this section, the department shall establish a procedure to clarify its geographic areas of responsibility. The areas of department protection shall be called forest protection zones. The forest protection zones shall include all forest land which the department is obligated to protect but shall not include forest land within rural fire districts or municipal fire districts which affected local fire control agencies agree, by mutual consent with the department, is not appropriate for department protection. Forest land not included within a forest protection zone shall not be assessed under RCW 76.04.610 or 76.04.630.

(3) After the department and any affected local fire protection agencies have agreed on the boundary of a forest protection zone, the department shall establish the boundary by rule under chapter 34.04 RCW.

(4) Except by agreement of the affected parties, the establishment of forest protection zones shall not alter any mutual aid agreement.

Sec. 3. Section 35, chapter 100, Laws of 1986 and RCW 76.04.610 for each amended to read as follows:

(1) If any owner of forest land within a forest protection zone, or any owner of forest land where no zone is established, neglects or fails to provide adequate fire protection as required by RCW 76.04.600, the department shall provide such protection, notwithstanding the provisions of RCW 76.04.630, at a cost to the owner of not to exceed twenty-one cents an acre per year on lands west of the summit of the Cascade mountains and seventeen cents an acre per year on lands east of the summit of the Cascade mountains: PROVIDED, That ((+)) (a) there shall be no assessment on ((each)) any parcel of privately owned lands of less than two acres or on ((each)) any parcel of tax-exempt lands of less than ten acres; ((-)) (b) for lands not exempt under ((+)) (a) of this proviso, the cost for any ownership parcel containing less than thirty acres shall not be less than five dollars and ten cents east of the Cascade mountains and six dollars and thirty cents west of the Cascade mountains; and ((-)) (c) an owner of two or more

parcels per county, each containing less than thirty acres, may obtain a refund of the assessments paid on all such parcels over one by applying therefor within the year the assessment was due to the department ~~((of natural resources))~~, in such form as the department may require ~~((upon showing to the satisfaction of the department))~~. Verification that all assessments and property taxes on the property have been paid ~~((but))~~ shall be provided to the department by the owner. If the total acreage of the parcels exceeds thirty acres, the per-acre rate shall apply and the refund shall be computed accordingly. Application for the refund may be made by mail.

(2) For the purpose of this chapter, the supervisor may divide the forest lands of the state, or any part thereof, into districts, for fire protection and assessment purposes, may classify lands according to the character of timber prevailing, and the fire hazard existing, and place unprotected lands under the administration of the proper district. Any amounts paid or contracted to be paid by the supervisor of the department of natural resources for protection of these lands from any funds at the supervisor's disposal shall be a lien upon the property protected, and unless reimbursed by the owner within ten days after October 1st of the year in which they were incurred, on which date the supervisor of the department of natural resources shall be prepared to make statement thereof upon request to any forest owner whose own protection has not been previously approved by the supervisor as adequate, shall be reported by the supervisor of the department of natural resources to the assessor of the county in which the property is situated who shall extend the amounts upon the tax rolls covering the property, or the county assessor shall upon authorization from the supervisor of the department of natural resources levy the forest ~~((fire))~~ protection assessment against the amounts of unimproved land as shown in each ownership on the county assessor's records and the assessor may then segregate on his or her records to provide that the improved land and improvements thereon carry the millage levy designed to support the rural fire protection districts as provided for in RCW 52.16.170.

(3) The amounts assessed shall be collected at the time, in the same manner, by the same procedure, and with the same penalties attached that general state and county taxes on the same property are collected, except that errors in assessments may be corrected at any time by the ~~((supervisor of the))~~ department ~~((of natural resources))~~ certifying them to the treasurer of the county in which the land involved is situated. Assessments shall be known and designated as assessments of the year in which the amounts became reimbursable. Upon the collection of such assessments the county treasurer shall transmit them to the ~~((supervisor of the))~~ department ~~((of natural resources to))~~. Collections shall be applied against expenses incurred in carrying out the provisions of this section, including necessary and reasonable administrative costs incurred by the department in the enforcement of these provisions. The department may also expend any sums collected from owners of forest lands or received from any other source for necessary administrative costs in connection with the enforcement of RCW 76.04.660.

(4) When land against which forest ~~((fire))~~ protection assessments are outstanding is acquired for delinquent taxes and sold at public auction, the state shall have a prior lien on the proceeds of sale over and above the amount necessary to satisfy the county's delinquent tax judgment ~~((and))~~. The county treasurer, in case the proceeds of sale exceed the amount of the delinquent tax judgment, shall forthwith remit to the ~~((supervisor of the))~~ department ~~((of natural resources))~~ the amount of the outstanding forest ~~((fire))~~ protection assessments.

(5) All nonfederal public bodies owning or administering forest land(s) included in a forest protection zone shall pay the forest ~~((fire))~~ protection assessments provided in this section and the special forest fire suppression account assessments under RCW 76.04.630. The forest ~~((fire))~~ protection assessments and special forest fire suppression account assessments shall be payable by nonfederal public bodies from any available funds within thirty days following receipt of the written notice from the department which is given after October 1st of the year in which the protection was provided. Unpaid assessments shall not be a lien against the nonfederal publicly owned land but shall constitute a debt by the nonfederal public body to the department and shall be subject to interest charges ~~((in the same amount as other unpaid forest fire protection assessments))~~ at the legal rate.

(6) A public body, having failed to properly pay the forest ~~((fire))~~ protection assessments required of it by this section, which fails to suppress a fire on or originating from forest lands owned or administered by it, shall be liable for the costs of suppression incurred by the department or its agent and shall not be entitled to reimbursement of any costs incurred by the public body in the suppression activities.

(7) The supervisor of the department of natural resources shall furnish the surety company bond under RCW 43.30.170(6), conditioned for the faithful performance of his duties and for a faithful accounting for all sums received and expended thereunder, which bond shall be approved by the attorney general.

(8) The ~~((supervisor of the))~~ department ~~((of natural resources))~~ may adopt rules to implement this section, including, but not limited to, rules on ~~((the))~~ levying and collecting ~~((of))~~ forest ~~((fire))~~ protection assessments.

Sec. 4. Section 45, chapter 100, Laws of 1986 and RCW 76.04.750 are each amended to read as follows:

Any fire on or threatening any forest land burning uncontrolled and without proper action being taken to prevent its spread, notwithstanding the origin of the fire, is a public nuisance by reason of its menace to life and property. Any person engaged in any activity on such lands, having knowledge of the fire, notwithstanding the origin or subsequent spread thereof on his or her own or other forest lands, and the landowner, shall make every reasonable effort to suppress the fire. If the person has not suppressed the fire and the fire is on or threatening forest land within a forest protection zone, the department shall summarily suppress the fire. If the owner, lessee, other possessor of such land, or an agent or contractor of the owner, lessee, or possessor, having knowledge of the fire, has not made a reasonable effort to suppress the fire, the cost thereof may be recovered from the owner, lessee, or other possessor of the land and the cost of the work shall also constitute a lien upon the real property or chattels under the person's ownership. The lien may be filed by the department in the office of the county auditor and foreclosed in the same manner provided by law for the foreclosure of mechanics' liens. The prosecuting attorney shall bring the action to recover the cost or foreclose the lien, upon the request of the department. In the absence of negligence, no costs, other than those provided in RCW 76.04.475, shall be recovered from any landowner for lands subject to the forest ((fire)) protection assessment with respect to the land on which the fire burns.

When a fire occurs in a land clearing, right of way clearing, or landowner operation it shall be fought to the full limit of the available employees and equipment, and the fire fighting shall be continued with the necessary crews and equipment in such numbers as are, in the opinion of the department, sufficient to suppress the fire. The fire shall not be left without a fire fighting crew or fire patrol until authority has been granted in writing by the department.

Sec. 5. Section 36.70.330, chapter 4, Laws of 1963 as last amended by section 3, chapter 126, Laws of 1985 and RCW 36.70.330 are each amended to read as follows:

The comprehensive plan shall consist of a map or maps, and descriptive text covering objectives, principles and standards used to develop it, and shall include each of the following elements:

(1) (a) A land use element which designates the proposed general distribution and general location and extent of the uses of land for agriculture, housing, commerce, industry, recreation, education, public buildings and lands, and other categories of public and private use of land, including a statement of the standards of population density and building intensity recommended for the various areas in the jurisdiction and estimates of future population growth in the area covered by the comprehensive plan, all correlated with the land use element of the comprehensive plan.

(b) The land use element shall also provide for protection of the quality and quantity of ground water used for public water supplies and shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute Puget Sound or waters entering Puget Sound.

(c) In any comprehensive plan adopted or amended after the effective date of this 1988 act, the land use element shall also consider the degree of fire hazard in high fire-risk forested areas in providing for the location and extent of allowable residential uses and for necessary road and water system standards for residential uses:

(2) A circulation element consisting of the general location, alignment and extent of major thoroughfares, major transportation routes, trunk utility lines, and major terminal facilities, all of which shall be correlated with the land use element of the comprehensive plan:

(3) Any supporting maps, diagrams, charts, descriptive material and reports necessary to explain and supplement the above elements."

On page 1, line 1 of the title, after "fires," strike the remainder of the title and insert "amending RCW 76.04.610, 76.04.750, and 36.70.330; and adding new sections to chapter 76.04 RCW."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Beck, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Spanel and S. Wilson.

Voting nay: Representatives Belcher and Schmidt.

Absent: Representatives Basich and Smith.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6402

Prime Sponsor, Committee on Law and Justice: Revising venue requirements in civil actions in district court. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Appelwick, Belcher, Brough, P. King and Locke.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6404 Prime Sponsor, Committee on Governmental Operations: Authorizing loans for emergency public works projects. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Jones, Nealey, Nelson, Nutley and Rayburn.

Absent: Representatives Hine, Nelson and Zellinsky.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6408 Prime Sponsor, Senator Benitz: Revising provisions on the state energy code. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:
Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 144, Laws of 1985 and RCW 19.27A.030 are each amended to read as follows:

(1) The revised state energy code shall supersede all local government residential energy codes except as provided in subsections (2) and (3) of this section: PROVIDED, That cities, towns, and counties may adopt more energy efficient codes for residential construction if the builder or owner of new residential construction is reimbursed by an authorized federal agency program or authorized local utility, or both, for those additional costs to the consumer of conservation components that are attributable to the more energy efficient codes. This subsection shall not apply after January 1, ~~((1989))~~ 1990. In establishing this date it is not the legislature's intent to discourage any city, town, or county from adopting a more energy efficient code so long as the consumer is adequately reimbursed.

(2) The revised state energy code shall not preempt energy codes, adopted by a city, town, or county of the state prior to ~~((April 24, 1985))~~ January 15, 1988, or first class cities with a population over three hundred thousand which operate electrical utilities, that are designed to achieve reduction in energy consumption relative to the revised state energy code.

(3) The revised state energy code shall not preempt a less energy efficient energy code adopted by a county, city, or town if it can be shown that the revised state energy code is not cost-effective for that county, city, or town.

Sec. 2. Section 4, chapter 144, Laws of 1985 and RCW 19.27A.040 are each amended to read as follows:

(1) The University of Washington college of architecture and department of mechanical engineering shall conduct in situ testing of the annual thermal transmittance of individual construction components and conservation measures proposed for new residential construction by the northwest power planning council.

(2) There shall be a committee to oversee the study. The committee shall include the director of the state energy office as chair; two members recommended by the home building industry chosen by the governor; and two members nationally renowned as experts in building energy performance chosen by the governor.

(3) The study shall include an analysis of the economic feasibility of adopting thermal performance standards for new residential construction as proposed by the northwest power planning council. The study of economic feasibility shall include but not necessarily be limited to factors which shall not require an amortization of the individual components exceeding a life cycle of seven years and a discount rate (interest) computed at the current conventional market rate of home mortgages at par.

(4) The director of the state energy office shall ((make recommendations, based on the results of the study and the residential standards demonstration program, to the legislature and the state building code advisory council regarding the cost effectiveness of the revised state energy code developed pursuant to RCW 19.27.075 no later than January 15, 1988)) establish a scientific peer review panel to assess the validity of the results of the study, the results of the residential standards demonstration program and other relevant data sources, and any proposed recommendations based on those results. The peer review panel shall include representatives of the national laboratories, the national association of homebuilders research foundation, the electric power research institute, the gas research institute and the international conference of building officials. The director of the state energy office shall make recommendations based on the study, the residential standards demonstration program and other relevant data sources, and the conclusions of the scientific peer review panel to the legislature and

the state building code council regarding the cost-effectiveness of the revised state energy code developed pursuant to RCW 19.27A.020 no later than January 15, 1989.

(5) If federal funds are not available, the study shall be funded by a surcharge on building permit fees for new building construction imposed by all local governments of the state. The department of community development, after consultation with the state energy office, shall develop and implement a method of collecting the surcharge. The surcharge shall be ten dollars on all multifamily residential building permits, fifteen dollars on all single-family residential building permits, and fifteen dollars on all other building permits. The surcharge shall terminate on June 30, 1989, or at such time as the state general fund is reimbursed for the cost of the study.*

Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Hankins, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland and S. Wilson.

Voting nay: Representative Unsoeld.

Passed to Committee on Rules for second reading.

February 25, 1988

ESSB 6410 Prime Sponsor, Committee on Law & Justice: Denying driving privileges to teenagers convicted of alcohol or drug offenses. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 7, line 23, strike all of section 10

Renumber the remaining sections consecutively

On page 1, line 1 of the title, after "46.04.480" strike "," and insert "and" and on line 2 strike ", and 46.20.391"

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Brough, Hargrove, P. King, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Voting nay: Representative Belcher.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6411 Prime Sponsor, Committee on Economic Development & Labor: Providing for replacement of lost temporary total disability payments. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 3, chapter 20, Laws of 1982 1st ex. sess. and RCW 51.32.190 are each amended to read as follows:

(1) If the self-insurer denies a claim for compensation, written notice of such denial, clearly informing the claimant of the reasons therefor and that the director will rule on the matter shall be mailed or given to the claimant and the director within thirty days after the self-insurer has notice of the claim.

(2) Until such time as the department has entered an order in a disputed case acceptance of compensation by the claimant shall not be considered a binding determination of his or her rights under this title. Likewise the payment of compensation shall not be considered a binding determination of the obligations of the self-insurer as to future compensation payments.

(3) Upon making the first payment of income benefits, and upon stopping or changing of such benefits except where a determination of the permanent disability has been made as elsewhere provided in this title, the self-insurer shall immediately notify the director in accordance with a form to be prescribed by the director that the payment of income benefits has begun or has been stopped or changed. Where temporary disability compensation is payable, the first payment thereof shall be made within fourteen days after notice of claim and shall continue at regular semimonthly or biweekly intervals. If, after seven days from the date of mailing of any payment, it has not been received by the claimant, the claimant may notify the self-insurer of the lost payment. The notification shall consist of a signed and notarized affidavit of lost payment that shall include a statement acknowledging the penalties for fraud. After receipt of the affidavit, the self-insurer shall deliver or mail a duplicate payment to the claimant within seven days. The duplicate payment shall include a statement on the reverse side describing the penalties for fraud and requiring the claimant to be aware of these provisions before endorsing the payment. Any payment received for which a duplicate payment was issued shall be returned by the claimant to the self-insurer in accordance with rules adopted by the department.

(4) If, after the payment of compensation without an award, the self-insurer elects to controvert the right to compensation, the payment of compensation shall not be considered a binding determination of the obligations of the self-insurer as to future compensation payments. The acceptance of compensation by the worker or his or her beneficiaries shall not be considered a binding determination of their rights under this title.

(5) The director (a) may, upon his or her own initiative at any time in a case in which payments are being made without an award, and (b) shall, upon receipt of information from any person claiming to be entitled to compensation, from the self-insurer, or otherwise that the right to compensation is controverted, or that payment of compensation has been opposed, stopped or changed, whether or not claim has been filed, promptly make such inquiry as circumstances require, cause such medical examinations to be made, hold such hearings, require the submission of further information, make such orders, decisions or awards, and take such further action as he or she considers will properly determine the matter and protect the rights of all parties.

(6) The director, upon his or her own initiative, may make such inquiry as circumstances require or is necessary to protect the rights of all the parties and he or she may enact rules and regulations providing for procedures to ensure fair and prompt handling by self-insurers of the claims of workers and beneficiaries.

Sec. 2. Section 26, chapter 43, Laws of 1972 ex. sess. as amended by section 55, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.210 are each amended to read as follows:

(1) Claims of injured workers of employers who have secured the payment of compensation by insuring with the department shall be promptly acted upon by the department. Where temporary disability compensation is payable, the first payment thereof shall be mailed within fourteen days after receipt of the claim at the department's offices in Olympia and shall continue at regular semimonthly intervals. If, after seven days from the date of mailing of any payment, it has not been received by the claimant, the claimant may notify the department of the lost payment. The notification shall consist of a signed and notarized affidavit of lost payment that shall include a statement acknowledging the penalties for fraud. After receipt of the affidavit, the department shall deliver or mail a duplicate payment to the claimant within seven days. The duplicate payment shall include a statement on the reverse side describing the penalties for fraud and requiring the claimant to be aware of these provisions before endorsing the payment. Any payment received for which a duplicate payment was issued shall be returned by the claimant to the department in accordance with rules adopted by the department.

(2) The payment of benefits under this section or any other benefits under this title, prior to the entry of an order by the department in accordance with RCW 51.52.050 as now or hereafter amended, shall be not considered a binding determination of the obligations of the department under this title. The acceptance of compensation by the worker or his or her beneficiaries prior to such order shall likewise not be considered a binding determination of their rights under this title."

On page 1, line 2 of the title, after "RCW" insert "51.32.190 and"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6418 Prime Sponsor, Senator Halsan: Requiring a proposal for a senior development program for local government managers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Dorn, Ferguson, Hine, Jones, Nelson, Nutley, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Beck, Bumgarner, Butterfield and Nealey.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6419 Prime Sponsor, Committee on Governmental Operations: Revising provisions relating to contracts by port districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 348, Laws of 1955 as last amended by section 1, chapter 92, Laws of 1982 and RCW 53.08.120 are each amended to read as follows:

All material required by a port district may be procured in the open market or by contract and all work ordered may be done by contract or day labor. All such contracts for work, the estimated cost of which exceeds ~~((forty))~~ one hundred thousand dollars, shall be let at public bidding upon notice published in a newspaper in the district at least ten days before the letting, calling for sealed bids upon the work, plans and specifications for which shall then be on file in the office of the commission for public inspection. The same notice may call for bids on such work or material based upon plans and specifications submitted by the bidder.

Each port district shall maintain a small works roster which shall be comprised of all contractors who have requested to be on the roster and are, where required by law, properly licensed or registered to perform such work in the state of Washington.

Whenever work is done by contract, the estimated cost of which is ~~((forty))~~ one hundred thousand dollars or less, the managing official of the port district ~~((shall))~~ may invite proposals from all appropriate contractors on the small works roster: PROVIDED, That not less than five separate appropriate contractors shall be invited to submit proposals on any individual contract: PROVIDED FURTHER, That whenever possible, the managing official shall invite at least one proposal from a minority contractor who shall otherwise qualify under this section. Such invitation shall include an estimate of the scope and nature of the work to be performed, and materials and equipment to be furnished.

When awarding such a contract for work, ~~((the estimated cost of which is forty thousand dollars or less))~~ when utilizing proposals from the small works roster, the managing official shall give weight to the contractor submitting the lowest and best proposal, and whenever it would not violate the public interest, such contracts shall be distributed equally among contractors, including minority contractors, on the small works roster."

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "and amending RCW 53.08.120."

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley and Zellinsky.

Absent: Representatives Dorn and Rayburn.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6435 Prime Sponsor, Committee on Economic Development & Labor: Changing provisions relating to disclosure by contractors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 419, Laws of 1987 and RCW 18.27.114 are each amended to read as follows:

(1) Until July 1, 1989, any contractor agreeing to perform any contracting project ((subject to this chapter on real property)); (a) For the repair, alteration, or construction of four or fewer residential units or accessory structures on such residential property when the bid or contract price totals one thousand dollars or more; or (b) for the repair, alteration, or construction of a commercial building when the bid or contract price totals one thousand dollars or more but less than sixty thousand dollars, must provide the customer with the following disclosure statement prior to starting work on the project:

NOTICE TO CUSTOMER

This contractor is registered with the state of Washington, registration no., as a general/specialty contractor and has posted with the state a bond or cash deposit of \$6,000/\$4,000 for the purpose of satisfying claims against the contractor for negligent or improper work or breach of contract in the conduct of the contractor's business. This bond or cash deposit may not be sufficient to cover a claim which might arise from the work done under your contract. If any supplier of materials used in your construction project or any employee of the contractor or subcontractor is not paid by the contractor or subcontractor on your job, your property may be liened to force payment. If you wish additional protection, you may request the contractor to provide you with original 'lien release' documents from each supplier or subcontractor on your project. The contractor is required to provide you with further information about lien release documents if you request it. General information is also available from the department of labor and industries.'

(2) On and after July 1, 1989, any contractor agreeing to perform any contracting project: (a) For the repair, alteration, or construction of four or fewer residential units or accessory structures on such residential property when the bid or contract price totals one thousand dollars or more; or (b) for the repair, alteration, or construction of a commercial building when the bid or contract price totals one thousand dollars or more but less than sixty thousand dollars,

must provide the customer with the following disclosure statement prior to starting work on the project:

NOTICE TO CUSTOMER

This contractor is registered with the state of Washington, registration no. as a general/specialty contractor and has posted with the state a bond or cash deposit of \$6,000/\$4,000 for the purpose of satisfying claims against the contractor for negligent or improper work or breach of contract in the conduct of the contractor's business. The expiration date of this contractor's registration is This bond or cash deposit may not be sufficient to cover a claim which might arise from the work done under your contract. If any supplier of materials used in your construction project or any employee of the contractor or subcontractor is not paid by the contractor or subcontractor on your job, your property may be liened to force payment. If you wish additional protection, you may request the contractor to provide you with original 'lien release' documents from each supplier or subcontractor on your project. The contractor is required to provide you with further information about lien release documents if you request it. General information is also available from the department of labor and industries.'

(3) On and after July 1, 1989, a contractor subject to this section shall notify any consumer to whom notice is required under subsection (2) of this section if the contractor's registration has expired or is revoked or suspended by the department prior to completion or other termination of the contract with the consumer.

(4) No contractor subject to this section may bring or maintain any ((action in any court of this state for the collection of compensation for the performance of any work or for breach of)) lien claim under chapter 60.04 RCW based on any contract to which this section applies without alleging and proving that the contractor has provided the customer with a copy of the disclosure statement as required in subsection (1) or (2) of this section.

((4)) (5) This section does not apply to contracts authorized under chapter ((39-08)) 39.04 RCW((-contracts for construction of more than four residential units;)) or to contractors contracting with other contractors.

((4)) (6) Failure to comply with this section shall constitute an infraction under the provisions of this chapter.

((5)) (7) The department shall produce model disclosure statements, and public service announcements detailing the information needed to assist contractors and contractors' customers to comply under this section. As necessary, the department shall periodically update these education materials.

NEW SECTION. Sec. 2. Nothing in RCW 18.27.114 shall be construed to prohibit a contractor from voluntarily complying with the notification requirements of that section which take effect July 1, 1989, prior to that date.'

On page 1, line 1 of the title, after "contractors," strike the remainder of the title and insert "amending RCW 18.27.114; and creating a new section."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6439

Prime Sponsor, Committee on Law & Justice: Studying the consolidation of district and municipal courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The judicial council shall appoint a task force to study the effects on the administration of justice of consolidating the district and municipal courts into a single-level court of limited jurisdiction. The study shall include, but not be limited to, the following issues relating the consolidation of district and municipal courts:

(a) The extent the duplication of limited jurisdiction court services, such as jury management, probation, and case management services, can be reduced or eliminated;

(b) The level of consistency achievable through the application of uniform limited jurisdiction court rules and statutes;

(c) The responsibility for court facilities and equipment;

(d) District court locations and public accessibility to the courts;

(e) A determination of the number of judges and support staff needed for consolidation;

(f) An examination of the need for multicounty districts to achieve full-time courts;

(g) The state assumption or partial assumption of district court judicial salaries and the financial impact of consolidation on the state, counties, and municipalities;

(h) The authority for appointment of judges;

(i) The distribution of revenue resulting from violations of ordinances;

- (j) The role of city traffic violation bureaus;
 - (k) The impact on ancillary agencies, such as law enforcement, prosecution, and defense;
- and

- (1) An examination of concurrent jurisdiction between district and superior courts.
- (2) The task force appointed under subsection (1) of this section shall consist of the following members:

(a) Two members of the Washington state magistrates association, one of whom is a district court judge and one of whom is a municipal court judge;

(b) Two members appointed by the Washington association of counties;

(c) Two members appointed by the association of Washington cities;

(d) One member appointed by the Washington association of prosecuting attorneys;

(e) One member appointed by the Washington association of municipal attorneys;

(f) Two members appointed by the Washington association of sheriffs and police chiefs, one of whom is a sheriff and one of whom is a city police chief; and

(g) One member appointed by the administrator for the courts.

(3) The judicial council shall report its findings and recommendations, including proposed legislation, to the law and justice committee of the senate and the judiciary committee of the house of representatives by September 30, 1989."

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Wang and Wineberry.

Voting nay: Representative P. King.

Absent: Representative Scott.

Passed to Committee on Rules for second reading.

February 24, 1988

ESSB 6441 Prime Sponsor, Committee on Children & Family Services: Providing for training in positive discipline for day care providers and foster parents. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds and declares that all children being cared for in day care centers and foster family homes in Washington have the right to be treated with dignity and love. Children living in an atmosphere where love and positive parenting skills are emphasized will develop self esteem, good interpersonal skills, and self control and will ultimately become capable citizens who will benefit society.

It is the intention of the legislature to establish training programs for day care providers and foster parents on positive discipline methods. Separate programs shall be made available for foster parents of children of differing ages so that the special needs of individual age groups are addressed.

NEW SECTION, Sec. 2. A new section is added to chapter 74.15 RCW to read as follows:

The department of social and health services shall develop and provide day care providers and foster parents an educational program within available funds, on positive discipline and training in recognizing and reporting child abuse. The program shall emphasize ways to teach children to have self respect and dignity and to treat other people in a like manner. Implementation of the program shall begin July 1, 1988.

NEW SECTION, Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "providers;" strike the remainder of the title and insert "adding a new section to chapter 74.15 RCW; creating a new section; and declaring an emergency."

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Sutherland and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Voting nay: Representatives Padden and H. Sommers

Referred to Committee on Ways & Means.

February 25, 1988

ESSB 6446 Prime Sponsor, Committee on Environment & Natural Resources: Encouraging state purchasing of recovered materials. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:
On page 3, after line 28, strike all of section 4 and renumber the remaining section.

Signed by Representatives Rust, Chair; Valle, Vice Chair; Brække, Ferguson, May, Pruitt, Schoon, D. Sommers, Unsöld and Walker.

Absent: Representatives Valle, Vice Chair; Allen and Lux.

Passed to Committee on Rules for second reading.

February 26, 1988

ESB 6447 Prime Sponsor, Senator Owen: Strengthening the custodial interference law. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9, strike "either" and insert "a"

On page 1, line 14, strike "either" and insert "a"

On page 1, line 12, after "person" insert "for a period of four hours or more"

On page 1, line 20, strike section 2

Renumber the remaining section

On page 1, line 1 of the title after "interference;" insert "and" and after "9A.40.070" strike everything through "penalties" on line 2

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Brough, Hargrove, P. King, Locke, Moyer, Padden, Patrick, Schmidt, Scott and Wineberry.

Voting nay: Representative Belcher.

Absent: Representatives Appelwick, Lewis, Meyers and Wang.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6452 Prime Sponsor, Committee on Education: Providing for the study of American sign language to meet foreign language graduation requirements. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 14, after "in" strike "American"

On page 3, line 8, after "of" strike "American"

On page 3, line 10, after "(s.i.g.n.)" insert ", and the Washington state association of the deaf"

On page 3, line 10, after "of" strike "American"

On page 3, line 28, after "in" strike "American"

Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Todd, Valle and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Holland and Schoon.

Voting nay: Representatives Holland, Schoon and Taylor.

Absent: Representative Ebersole.

Passed to Committee on Rules for second reading.

February 26, 1988

ESB 6460 Prime Sponsor, Senator Smith: Prohibiting the use of tobacco on school property. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to Title 28A RCW to read as follows:

Each school district board of directors shall adopt a written policy prohibiting tobacco use by students and staff on school property: PROVIDED, That no policy prohibiting tobacco use shall be required for alternative schools, institutional education programs, juvenile detention centers, and for school districts which elect to establish a policy in compliance with chapter 70.160 RCW, the Washington clean indoor air act."

Signed by Representatives Spanel, Vice Chair; Betzoff, Butterfield, Cooper, Fuhrman, Holland, Holm, P. King, Rasmussen, Rust, Schoon, Todd, Valle and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Peery, Chair; Cole, Rayburn and Taylor.

Voting nay: Representatives Appelwick, Cole, Ebersole, Pruitt, Rayburn and Taylor.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6462 Prime Sponsor, Committee on Law & Justice: Making technical corrections on procedures for sentencing adult felons. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, Lewis, Locke, Moyer, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6470 Prime Sponsor, Committee on Health Care & Corrections: Providing a voluntary substance abuse program for health care licensees. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Cantwell, Lewis, Lux, D. Sommers and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives Bumgarner and Vekich.

Referred to Committee on Ways & Means.

February 25, 1988

SB 6476 Prime Sponsor, Senator McCaslin: Revising provisions for abandoned property held by local governments. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 19, chapter 179, Laws of 1983 and RCW 63.29.190 are each amended to read as follows:

(1) Except as otherwise provided in subsections (2) and (3) of this section, a person who is required to file a report under RCW 63.29.170, within six months after the final date for filing the report as required by RCW 63.29.170, shall pay or deliver to the department all abandoned property required to be reported. Counties, cities, towns, and junior taxing districts which hold funds representing warrants canceled pursuant to RCW 36.22.100 and 39.56.040, as now or hereafter amended, checks which are uncashed, unredeemed bonds and coupons, excess proceeds from property tax and irrigation district foreclosures and property tax overpayments, may retain such funds until the owner notifies them and establishes his or her ownership.

(2) If the owner establishes the right to receive the abandoned property to the satisfaction of the holder before the property has been delivered or it appears that for some other reason the presumption of abandonment is erroneous, the holder need not pay or deliver the property to the department, and the property will no longer be presumed abandoned. In that case, the holder shall file with the department a verified written explanation of the proof of claim or of the error in the presumption of abandonment.

(3) Property reported under RCW 63.29.170 for which the holder is not required to report the name of the apparent owner must be delivered to the department at the time of filing the report.

(4) The holder of an interest under RCW 63.29.100 shall deliver a duplicate certificate or other evidence of ownership if the holder does not issue certificates of ownership to the department. Upon delivery of a duplicate certificate to the department, the holder and any transfer agent, registrar, or other person acting for or on behalf of a holder in executing or delivering the duplicate certificate is relieved of all liability of every kind in accordance with RCW 63.29.200 to every person, including any person acquiring the original certificate or the duplicate of the certificate issued to the department, for any losses or damages resulting to any person by the issuance and delivery to the department of the duplicate certificate.

NEW SECTION. Sec. 2. Any funds covered by section 1 of this act that were received by the department prior to the effective date of this act shall be retained by the department. Any

funds not remitted to the department prior to the effective date of this act may be retained as provided for in section 1 of this act.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "government;" strike the remainder of the title and insert "amending RCW 63.29.190; creating a new section; and declaring an emergency."

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Beck, Bumgarner, Butterfield, Dorn, Ferguson, Hine, Jones, Nealey, Nelson, Nutley, Rayburn and Zellinsky.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6480 Prime Sponsor, Senator DeJarnatt: Establishing the crime of obstructing the taking of fish or wildlife. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. A new section is added to chapter 77.16 RCW to read as follows:

(1) A person commits the crime of obstructing the taking of fish or wildlife if the person:

(a) Harasses, drives, or disturbs fish or wildlife with the intent of disrupting lawful pursuit or taking thereof; or

(b) Harasses, interferes with, or intimidates an individual engaged in the lawful taking of fish or wildlife or lawful predator control.

(2) Violation of this section is a gross misdemeanor under RCW 77.21.010.

(3) It is a defense to any prosecution under subsection (1) of this section, if the person charged:

(a) Interferes with any person engaged in hunting outside legally established hunting seasons;

(b) Is preventing or attempting to prevent the injury or killing of a protected wildlife species, as defined by this title;

(c) Is preventing or attempting to prevent unauthorized trespass on private property; or

(d) Is defending oneself or another person from bodily harm or property damage by a person attempting to prevent hunting in a legally established hunting season.

NEW SECTION. Sec. 2. A new section is added to chapter 77.16 RCW to read as follows:

Any person who is damaged by any act prohibited in section 1 of this act may bring a civil action to enjoin further violations, and recover damages sustained, including a reasonable attorney's fee. The trial court may increase the award of damages to an amount not to exceed three times the damages sustained. A party seeking civil damages under this section may recover upon proof of a violation of the provisions of section 1 of this act by a preponderance of the evidence. The state of Washington may bring a civil action to enjoin violations of section 1 of this act.

Sec. 3. Section 77.16.240, chapter 36, Laws of 1955 as last amended by section 2, chapter 372, Laws of 1987, by section 19, chapter 380, Laws of 1987, and by section 69, chapter 506, Laws of 1987 and RCW 77.21.010 are each reenacted and amended to read as follows:

(1) A person violating RCW 77.16.040, 77.16.050, 77.16.060, 77.16.080, 77.16.210, 77.16.220, 77.16.310, 77.16.320, or 77.32.211, or committing a violation of RCW 77.16.020 or 77.16.120 involving 77.16.210, 77.16.220, 77.16.310, 77.16.320, section 1 of this 1988 act, or 77.32.211, or committing a violation of RCW 77.16.020 or 77.16.120 involving big game or an endangered species is guilty of a gross misdemeanor and shall be punished by a fine of not less than two hundred fifty dollars and not more than one thousand dollars or by imprisonment in the county jail for not less than thirty days and not more than one year or by both the fine and imprisonment. Each subsequent violation within a five-year period of RCW 77.16.040, 77.16.050, or 77.16.060, or of RCW 77.16.020 or 77.16.120 involving big game or an endangered species, as defined by the commission under the authority of RCW 77.04.090, shall be prosecuted and punished as a class C felony as defined in RCW 9A.20.020. In connection with each such felony prosecution, the director shall provide the court with an inventory of all articles or devices seized under this title in connection with the violation. Inventoried articles or devices shall be disposed of pursuant to RCW 77.21.040.

(2) A person violating or failing to comply with this title or rules adopted pursuant to this title for which no penalty is otherwise provided is guilty of a misdemeanor and shall be punished for each offense by a fine of five hundred dollars or by imprisonment for not more than ninety days in the county jail or by both the fine and imprisonment. The commission may provide, when not inconsistent with applicable statutes, that violation of a specific rule is an infraction under chapter 7.84 RCW.

(3) A person placing traps on private property without permission of the owner, lessee, or tenant where the land is improved and apparently used, or where the land is fenced or enclosed in a manner designed to exclude intruders or to indicate a property boundary line, or where notice is given by posting in a conspicuous manner, is guilty of the misdemeanor of trespass as defined and established in RCW 9A.52.010 and 9A.52.080 and shall be punished for each offense by a fine of not less than two hundred fifty dollars.

(4) Persons convicted of a violation shall pay the costs of prosecution and the penalty assessment in addition to the fine or imprisonment.

(5) The unlawful killing, taking, or possession of each wildlife member constitutes a separate offense.

(6) District courts have jurisdiction concurrent with the superior courts of misdemeanors and gross misdemeanors committed in violation of this title or rules adopted pursuant to this title and may impose the punishment provided for these offenses. Superior courts have jurisdiction over felonies committed in violation of this title.

Sec. 4. Section 6, chapter 288, Laws of 1985 and RCW 9A.46.060 are each amended to read as follows:

As used in this chapter, 'harassment' may include but is not limited to any of the following crimes:

- (1) Harassment (RCW 9A.46.020);
- (2) Malicious harassment (RCW 9A.36.080);
- (3) Telephone harassment (RCW 9.61.230);
- (4) Assault in the first degree (~~((RCW 9A.36.010))~~) (RCW 9A.36.011);
- (5) Assault in the second degree (~~((RCW 9A.36.020))~~) (RCW 9A.36.021);
- (6) Simple assault (~~((RCW 9A.36.040))~~) (RCW 9A.36.041);
- (7) Reckless endangerment (RCW 9A.36.050);
- (8) Extortion in the first degree (RCW 9A.56.120);
- (9) Extortion in the second degree (RCW 9A.56.130);
- (10) Coercion (RCW 9A.36.070);
- (11) Burglary in the first degree (RCW 9A.52.020);
- (12) Burglary in the second degree (RCW 9A.52.030);
- (13) Criminal trespass in the first degree (RCW 9A.52.070);
- (14) Criminal trespass in the second degree (RCW 9A.52.080);
- (15) Malicious mischief in the first degree (RCW 9A.48.070);
- (16) Malicious mischief in the second degree (RCW 9A.48.080);
- (17) Malicious mischief in the third degree (RCW 9A.48.090);
- (18) Kidnapping in the first degree (RCW 9A.40.020);
- (19) Kidnapping in the second degree (RCW 9A.40.030);
- (20) Unlawful imprisonment (RCW 9A.40.040);
- (21) Rape in the first degree (RCW 9A.44.040);
- (22) Rape in the second degree (RCW 9A.44.050);
- (23) Rape in the third degree (RCW 9A.44.060);
- (24) Indecent liberties (RCW 9A.44.100);
- (25) Statutory rape in the first degree (RCW 9A.44.070);
- (26) Statutory rape in the second degree (RCW 9A.44.080); ~~((and))~~
- (27) Statutory rape in the third degree (RCW 9A.44.090); and
- (28) Obstructing the taking of fish or wildlife (section 1 of this 1988 act).

NEW SECTION, Sec. 5. This act shall take effect July 1, 1988.

On page 1, beginning on line 1 of the title, after "wildlife;" strike the remainder of the title and insert "amending RCW 9A.46.060; reenacting and amending RCW 77.21.010; adding new sections to chapter 77.16 RCW; providing an effective date; and prescribing penalties."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Schmidt, Smith, Spanel and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Sayan.

Absent: Representative Belcher.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6486

Prime Sponsor, Committee on Environment & Natural Resources: Creating the Washington state firearm range committee. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. The legislature recognizes that interest has been steadily increasing in archery and archery safety; law enforcement training and qualifications; target practice

and safety; skeet, trap, and shotgun sports including dog training; and black powder shooting sports and related historical heritage activities. Current facilities for sporting training and practice, which are often leased, are threatened with being closed due to the pressures of urban growth. Acquisition and development of an accessible state facility of international Olympic quality will promote international competition, target practice and safety training, and Olympic-type training events. Facilities throughout the state will promote tourism and provide added recreational opportunities and greater hunting safety for the citizens of this state.

NEW SECTION. Sec. 2. (1) The Washington state firearm range committee is created.

(2) The committee shall be composed of nine members appointed by the governor. The members shall be appointed as follows:

(a) One from a local government law enforcement agency;

(b) One from a state-wide law enforcement agency;

(c) One from a state-wide group that emphasizes or has a subdivision which emphasizes hunting and hunting safety;

(d) One from a state-wide group or division of a state-wide group that emphasizes target practice and target practice safety including but not limited to iron silhouette competition, small bore competition, and big bore competition;

(e) One representative of a skeet, trap, shotgun, or dog training sports group;

(f) One representative of a group involved with black powder shooting sports and related historical heritage events;

(g) One representative from an archery and archery safety group;

(h) One representative of the general public; and

(i) The director of the department of wildlife or the director's designee.

(3) There shall be four nonvoting ex officio members, one from each caucus of the senate and the house of representatives, approved by the lieutenant governor or the speaker of the house of representatives, as appropriate.

(4) The members of the committee shall select one of its members as chair. The committee shall meet at the call of the chair.

(5) Committee members shall not receive compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 3. The Washington state firearm range committee shall have the following powers and duties:

(1) Assess local, state, federal, and tribal law enforcement needs in cooperation with the association of sheriffs and police chiefs and the criminal justice training commission;

(2) Assess sporting needs for each user type including number of user days and financial contributions to the facilities and to the state's economy;

(3) Survey the existing public and private firearm facilities to assess excess demands;

(4) Review similar facilities in other states or countries including the Olympic firearm training center in Colorado Springs;

(5) Develop a proposed public and private use and cost ratio and a program for phased development and cost sharing for planning, construction, and operation;

(6) In cooperation with the department of natural resources and other state and local agencies, identify state lands that may be used for those facilities;

(7) Fully investigate private and state liability issues and prepare proposals for liability limitations, insurance needs, and costs;

(8) Analyze the appropriate state role in the facility planning, development, and use, including possible public and private contracting options; and

(9) Investigate and prepare recommendations on private and public funding sources including private donations and grants and county, city, and state funding.

NEW SECTION. Sec. 4. The committee shall make recommendations on the type of facility that would be appropriate for the various sites. The type of range may include but not be limited to pistol, rifle, shotgun, archery, or any combination thereof including a comprehensive multiple use facility.

NEW SECTION. Sec. 5. The wildlife department, the department of natural resources, the department of trade and economic development, the parks and recreation commission, the house of representatives, and the senate shall provide support staff for the committee.

NEW SECTION. Sec. 6. The committee may apply for and use private and public grant moneys to carry out its responsibilities under this act.

NEW SECTION. Sec. 7. The committee shall prepare a report and submit it to the legislature by January 1, 1990. The committee shall terminate February 1, 1990.

NEW SECTION. Sec. 8. The committee shall study the possibility of establishing a surcharge on hunting licenses and tags and shall include recommendations in the report required by section 7 of this act.

NEW SECTION. Sec. 9. A new section is added to chapter 77.32 RCW to read as follows:

The firearm range account is hereby created in the state wildlife fund. Moneys in the account shall be subject to legislative appropriation and shall be used for land, construction, development, and operation of firearm ranges and sporting training and practice facilities.

Sec. 10. Section 7, chapter 172, Laws of 1935 as last amended by section 3, chapter 428, Laws of 1985 and RCW 9.41.070 are each amended to read as follows:

(1) The judge of a court of record, the chief of police of a municipality, or the sheriff of a county, shall within thirty days after the filing of an application of any person issue a license to such person to carry a pistol concealed on his person within this state for four years from date of issue, for the purposes of protection or while engaged in business, sport or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. Such citizen's constitutional right to bear arms shall not be denied to him, unless he:

- (a) Is ineligible to own a pistol under the provisions of RCW 9.41.040; or
- (b) Is under twenty-one years of age; or
- (c) Is subject to a court order or injunction regarding firearms pursuant to RCW 10.99.040, 10.99.045, or 26.09.060; or
- (d) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime of violence; or
- (e) Has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor.

The license shall be revoked immediately upon conviction of a crime which makes such a person ineligible to own a pistol or upon the third conviction for a violation of this chapter within five calendar years. The license shall be in triplicate, in form to be prescribed by the department of licensing, and shall bear the name, address, and description, fingerprints and signature of the licensee, and the licensee's driver's license number or state identification card number if used for identification in applying for the license. The license application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state permit is not a defense to a federal prosecution.

The license application shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent by registered mail to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing said license.

(2) The fee for the original issuance of a four-year license shall be twenty-three dollars: PROVIDED, That no other additional charges by any branch or unit of government shall be borne by the applicant for the issuance of the license: PROVIDED FURTHER, That the fee shall be distributed as follows:

- (a) Four dollars shall be paid to the state general fund;
- (b) Four dollars shall be paid to the agency taking the fingerprints of the person licensed;
- ((~~and~~))
- (c) Twelve dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and
- (d) Three dollars to the firearm range account in the wildlife fund.

(3) The fee for the renewal of such license shall be ~~((twelve))~~ fifteen dollars: PROVIDED, That no other additional charges by any branch or unit of government shall be borne by the applicant for the renewal of the license: PROVIDED FURTHER, That the fee shall be distributed as follows:

- (a) Four dollars shall be paid to the state general fund; ((~~and~~))
- (b) Eight dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and
- (c) Three dollars to the firearm range account in the wildlife fund.

(4) A licensee may renew a license if the licensee applies for renewal within ninety days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty of ten dollars in addition to the renewal fee specified in subsection (3) of this section. The fee shall be distributed as follows:

- (a) Three dollars shall be deposited in the state game fund and used exclusively for the printing and distribution of a pamphlet on the legal limits of the use of firearms, firearms safety, and the preemptive nature of state law. The pamphlet shall be given to each applicant for a license; and
- (b) Seven dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

(5) Notwithstanding the requirements of subsections (1) through (4) of this section, the chief of police of the municipality or the sheriff of the county of the applicant's residence may issue a

temporary emergency license for good cause pending review under subsection (1) of this section.

(6) A political subdivision of the state shall not modify the requirements of this section or chapter, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section. A civil suit may be brought to enjoin a wrongful refusal to issue a license or a wrongful modification of the requirements of this section or chapter. The civil suit may be brought in the county in which the application was made or in Thurston county at the discretion of the petitioner. Any person who prevails against a public agency in any action in the courts for a violation of this chapter shall be awarded costs, including reasonable attorneys' fees, incurred in connection with such legal action."

On page 1, line 2 of the title, after "facility;" strike the remainder of the title and insert "amending RCW 9.41.070; adding a new section to chapter 77.32 RCW; and creating new sections."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Bumgarner, Butterfield, Dorn, Fuhrman, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Beck, Belcher and Cole.

Voting nay: Representatives Basich, Beck, Belcher, Cole and Hargrove.

Absent: Representative Smith.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6492 Prime Sponsor, Senator McCaslin: Changing provisions relating to requirements for factory-assembled structures. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 18, strike the remainder of the bill and insert the following:

"NEW SECTION, Sec. 3. A new section is added to chapter 43.22 RCW to read as follows:

The factory assembled structures and recreational vehicle account is hereby established in the custody of the state treasurer. The department shall deposit in the account all money received from inspection and insignia fees for mobile homes, commercial coaches, recreational vehicles, and factory built housing and commercial structures. Disbursements from the account shall be on authorization of the director of labor and industries or the director's designee.

NEW SECTION, Sec. 4. A new section is added to chapter 43.22 RCW to read as follows:

The money in the factory assembled structures and recreational vehicle account shall be used only for costs incurred by the department in the administration and enforcement of RCW 43.22.340 through 43.22.490, except that up to twenty-five percent of the money in the account may be used for mobile home industry training or education and funding for the office of mobile home affairs created in Substitute House Bill No. 1673."

On page 1, line 3 of the title, after "43.22.480;" insert "adding new sections to chapter 43.22 RCW;"

Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry.

Referred to Committee on Ways & Means.

February 26, 1988

SB 6501 Prime Sponsor, Senator Bailey: Authorizing pooled insurance agreements for school and educational service districts. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives P. King and Todd.

Referred to Committee on Ways & Means.

February 24, 1988

SSB 6503 Prime Sponsor, Committee on Education: Prohibiting persons convicted of sex crimes or other crimes affecting children from working in the public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 12, after "for" strike all the material down to and including "conduct," on line 14 and insert "immorality, violation of written contract, intemperance,"

On page 1, beginning on line 18, strike "possible motor vehicle violations" and insert "~~((possible))~~ motor vehicle violations under chapter 46.61 RCW"

On page 2, line 3, strike "possible motor vehicle violations" and insert "motor vehicle violations under chapter 46.61 RCW"

On page 2, line 29, strike "possible motor vehicle violations" and insert "motor vehicle violations under chapter 46.61 RCW"

On page 3, beginning on line 5, strike "possible motor vehicle violations" and insert "motor vehicle violations under chapter 46.61 RCW"

Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representatives Holland and P. King.

Passed to Committee on Rules for second reading.

February 25, 1988

2SSB 6513 Prime Sponsor, Committee on Ways & Means: Providing for water supply emergencies. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 295, Laws of 1975 1st ex. sess. as last amended by section 4, chapter 343, Laws of 1987 and RCW 43.83B.210 are each amended to read as follows:

The department of ecology is authorized to make loans or grants or combinations thereof: (1) From funds under RCW 43.83B.010 through 43.83B.110 to eligible public bodies as defined in RCW 43.83B.050 for rehabilitation or betterment of agricultural water supply facilities, and/or construction of agricultural water supply facilities required to develop new irrigated lands; or((:)) (2) from emergency agricultural water supply funds under RCW 43.83B.300 when required ((because of emergency drought conditions;)) to provide water ((to previously irrigated lands)) to alleviate emergency drought conditions to assure the survival of irrigated crops and the state's fisheries. The department of ecology may make such loans or grants or combinations thereof as matching funds in any case where federal, local, or other funds have been made available on a matching basis. A loan or combination loan and grant shall not exceed fifty percent of the approved eligible project costs for any single proposed project: PROVIDED, That for purposes authorized by RCW 43.83B.300, 43.83B.310, and 43.83B.385 the department of ecology may make a loan up to ninety percent of the total eligible project cost or combination loan and grant up to one hundred percent of the total single project cost and the grant portion for any single project shall not exceed ~~((fifteen))~~ twenty percent of the total ~~((single))~~ project cost except that, for activities forecast to have fifty percent or less of normal seasonal water supplies, the grant portion for any single project or entity shall not exceed forty percent of the total project cost. No single entity shall receive more than ten percent of the total funds available for drought relief. These funds shall not be used for nonagricultural drought relief purposes unless there are no other capital budget funds available for these purposes. The total expenditures for nonagricultural drought relief purposes shall not exceed five percent of the total funds available for drought relief purposes on the effective date of this 1988 act. Any grant or grant portion of a combination loan and grant from funds under RCW 43.83B.010 through 43.83B.110 for any single proposed project shall not exceed fifteen percent of the eligible project costs: PROVIDED, That the fifteen percent limitation established herein shall not be applicable to project commitments which the director or deputy director of the state department of ecology made to the bureau of reclamation of the United States department of interior for providing state funding at thirty-five percent of project costs during the period between August 1, 1974, and June 30, 1975.

The department of social and health services is authorized to make grants of up to forty percent of the cost of construction of any eligible project necessitated by the 1977 drought conditions. Such grants may be made only to public bodies as defined in RCW 43.83B.050 for municipal and industrial water supply and distribution facilities.

Sec. 2. Section 1, chapter 1, Laws of 1977 ex. sess. as last amended by section 1, chapter 343, Laws of 1987 and RCW 43.83B.300 are each amended to read as follows:

The legislature finds that it is necessary to provide the department of ecology with emergency powers to authorize withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, and construction of facilities in relation thereto, in order to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during 1977 and during 1987 through 1989.

The legislature further finds that there is a continuing ((agricultural)) water supply shortage in many areas of the state and that ((-in relation to the lessening of that unsatisfactory condition; there is an urgent need to both improve water supply facilities and replace other such facilities)) there is an urgent need to assure the survival of irrigated crops and of the state's fisheries.

In order to provide needed ((capital)) moneys for the planning, acquisition, construction, and improvement of water supply facilities ((to withdraw and distribute water)) and for other appropriate measures to assure the survival of irrigated crops and/or the state's fisheries to alleviate ((unsatisfactory)) emergency water supply conditions arising from droughts occurring from time to time in the state of Washington, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of eighteen million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this section and RCW 43.83B.360 through 43.83B.375 shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

Sec. 3. Section 3, chapter 1, Laws of 1977 ex. sess. as amended by section 2, chapter 343, Laws of 1987 and RCW 43.83B.310 are each amended to read as follows:

In addition to the powers previously vested in the department of ecology to permit the withdrawal of public surface and ground waters by chapters 90.03 and 90.44 RCW, the department of ecology is authorized to permit withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, for any period ending not later than ((October 31, 1987)) April 30, 1989, for any beneficial use. The department may issue such emergency permits if, after investigation and after providing appropriate federal, state, and local governmental bodies an opportunity to comment, the following are found:

(1) The waters proposed for withdrawal are to be used in relation to beneficial use involving a previously established activity or purpose; and

(2) The previously established activity or purpose was furnished water through rights applicable to the use of a public water body which are not exercisable due to the lack of water arising from natural drought conditions; and

(3) The proposed withdrawal will not reduce flows or levels below essential minimums necessary (a) to assure the maintenance of fisheries requirements, and (b) to protect federal and state interests including, among others, power generation, navigation, and existing water rights.

All permits issued hereunder shall contain provisions which allow for termination of authorized withdrawals, in whole or in part, whenever withdrawals will conflict with flows and levels as provided in subsection (3) of this section.

Sec. 4. Section 8, chapter 343, Laws of 1987 and RCW 43.83B.342 are each amended to read as follows:

The department of ecology is authorized to expend funds from the emergency water supply appropriations for necessary drought-related equipment and to employ a maximum of ((two and one-half)) four full-time equivalent staff positions until ((October 31, 1987)) April 30, 1989, for the purpose of planning and administering drought relief activities, including the development of a state drought contingency plan for responding to future drought conditions.

Sec. 5. Section 9, chapter 343, Laws of 1987 and RCW 43.83B.344 are each amended to read as follows:

For a limited period of time ending ((October 31, 1987)) April 30, 1989, a water right may be temporarily changed in purpose or place of use or point of diversion consistent with existing state policy allowing transfer or lease of waters between willing parties as provided for in RCW 90.03.380, 90.03.390, and 90.44.100 without complying with any requirements of (1) notice of newspaper publication or (2) the state environmental policy act, chapter 43.21C RCW, when such changes are necessary to respond to emergency water supply conditions as determined by the department of ecology. The temporary changing of a water right as authorized under this section shall not be admissible as evidence in either the supporting or the contesting of the validity of water claims in State of Washington, Department of Ecology v. Acquavella, or any similar proceeding where the existence of a water right is at issue.

NEW SECTION, Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representatives Bristow and R. King.

Passed to Committee on Rules for second reading.

February 26, 1988

SB 6515 Prime Sponsor, Senator Benitz: Granting civil immunity to members of hazardous materials planning committees. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 14, after "plans" insert "unless the act or omission constitutes gross negligence or wilful misconduct"

Signed by Representatives Rust, Chair; Valle, Vice Chair, Brekke, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, Brekke and Ferguson.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6523 Prime Sponsor, Senator Kiskaddon: Permitting naturopaths to continue manual manipulation. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 447, Laws of 1987 and RCW 18.36A.040 are each amended to read as follows:

Naturopathic medicine or naturopathy is the practice by naturopaths of the art and science of the diagnosis, prevention, and treatment of disorders of the body by stimulation or support, or both, of the natural processes of the human body. A naturopath is responsible and accountable to the consumer for the quality of naturopathic care rendered.

The practice of naturopathy includes manual manipulation (mechanotherapy) (~~until June 30, 1988~~), the prescription, administration, dispensing, and use, except for the treatment of malignancies or neoplastic disease, of nutrition and food science, physical modalities, homeopathy, certain medicines of mineral, animal, and botanical origin, hygiene and immunization, common diagnostic procedures, and suggestion; however, nothing in this chapter shall prohibit consultation and treatment of a patient in concert with a practitioner licensed under chapter 18.57 or 18.71 RCW. No person licensed under this chapter may employ the term 'chiropractic' to describe any services provided by a naturopath under this chapter.

The state health coordinating council shall study and make recommendations on the qualifications of naturopaths in practicing manual manipulation (mechanotherapy), including the minimum educational standards comparable to the educational requirements of other health professions, and verification of qualifications by examination of applicants for naturopathic licensure. The report shall be presented to the legislature by January 1, 1989.

(The legislature shall review the practice of manual manipulation (mechanotherapy) by naturopaths before December 15, 1987, to determine whether the practice should be continued or modified.)"

Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers, Sprengle and Vekich.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6530 Prime Sponsor, Committee on Law & Justice: Revising procedures for explosives licensing. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 5, chapter 111, Laws of 1931 as last amended by section 7, chapter 88, Laws of 1972 ex. sess. and RCW 70.74.030 are each amended to read as follows:

All explosive manufacturing buildings and magazines in which explosives or blasting agents except small arms ammunition and smokeless powder are had, kept, or stored, must be located at distances from inhabited buildings, railroads, highways, and public utility transmission systems in conformity with the ~~((following quantity and distance tables, and these tables shall be the basis on which applications for license for storage shall be made and license for storage issued, as provided in RCW 70.74.110 and 70.74.120. All distances prescribed in the following quantity and distance tables are unbaricaded, and, if there is an efficient artificial barricade or a natural barricade between the explosives manufacturing building or magazine and another explosives manufacturing building or magazine, building, railroad, highway, or public utility transmission system, the distance prescribed in the following quantity and distance tables may be reduced by one-half. Blasting and electric blasting caps in strength~~

through No. 8 must be rated as one and one-half pounds of explosives per one thousand caps. Blasting and electric blasting caps of strength higher than No. 8 must be computed on the combined weight of explosives.

The quantity and distance table governing the manufacture, keeping and storage of explosives to be as follows:

QUANTITY AND DISTANCE TABLE

EXPLOSIVES		Column 2	Column 3	Column 4
Pounds Over	Pounds Not Over	Distance from Nearest Inhabited Building	Distance from Nearest Railroad	Distance from Nearest Highway and Public Utility Transmission System
		Feet	Feet	Feet
2	5	140	60	60
5	10	180	70	70
10	20	220	90	90
20	30	250	100	100
30	40	280	110	110
40	50	300	120	120
50	75	340	140	140
75	100	380	150	150
100	125	400	160	160
125	150	430	170	170
150	200	470	190	190
200	250	510	210	210
250	300	540	220	220
300	400	590	240	240
400	500	640	260	260
500	600	680	270	270
600	700	710	290	290
700	800	750	300	300
800	900	780	310	310
900	1,000	800	320	320
1,000	1,200	850	340	330
1,200	1,400	900	360	340
1,400	1,600	940	380	350
1,600	1,800	980	390	360
1,800	2,000	1,010	410	370
2,000	2,500	1,090	440	380
2,500	3,000	1,160	470	390
3,000	4,000	1,270	510	420
4,000	5,000	1,370	550	450
5,000	6,000	1,460	590	470
6,000	7,000	1,540	620	490
7,000	8,000	1,600	640	500
8,000	9,000	1,670	670	510
9,000	10,000	1,730	690	520
10,000	12,000	1,750	740	540
12,000	14,000	1,770	780	550
14,000	16,000	1,800	810	560
16,000	18,000	1,880	840	570
18,000	20,000	1,950	870	580
20,000	25,000	2,110	940	630
25,000	30,000	2,260	1,000	680
30,000	35,000	2,410	1,050	720
35,000	40,000	2,550	1,100	760
40,000	45,000	2,680	1,140	800
45,000	50,000	2,800	1,180	840
50,000	55,000	2,920	1,220	880
55,000	60,000	3,030	1,260	910
60,000	65,000	3,130	1,290	940
65,000	70,000	3,220	1,320	970
70,000	75,000	3,310	1,350	1,000

75.000	80.000	3,390	1,380	1.020
80.000	85.000	3,460	1,410	1.040
85.000	90.000	3,520	1,440	1.060
90.000	95.000	3,580	1,460	1.080
95.000	100.000	3,630	1,490	1.090
100.000	110.000	3,670	1,540	1.100
110.000	120.000	3,710	1,580	1.110
120.000	130.000	3,750	1,620	1.120
130.000	140.000	3,780	1,670	1.130
140.000	150.000	3,800	1,700	1.140
150.000	160.000	3,870	1,740	1.160
160.000	170.000	3,930	1,780	1.180
170.000	180.000	3,980	1,810	1.200
180.000	190.000	4,020	1,840	1.210
190.000	200.000	4,060	1,870	1.220
200.000	210.000	4,110	1,910	1.240
210.000	230.000	4,200	1,960	1.270
230.000	250.000	4,310	2,020	1,300
250.000	275.000	4,430	2,080	1,340
275.000	300.000	4,550	2,150	1,380))

quantity and distance tables adopted by the department of labor and industries by rule. The department of labor and industries shall adopt the quantity and distance tables promulgated by the federal bureau of alcohol, tobacco, and firearms unless the department determines the tables to be inappropriate. The tables shall be the basis on which applications for storage license are made and storage licenses issued as provided in RCW 70.74.110 and 70.74.120.

Sec. 2. Section 11, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.061 are each amended to read as follows:

Magazines containing blasting caps and electric blasting caps shall be separated from other magazines containing like contents, or from magazines containing explosives by distances (based on the following:

(1) Blasting caps in strengths through No. 8 should be rated at one and one-half pounds of explosive per one thousand caps;

(2) For strengths higher than No. 8, use the total combined weight of explosives;

(3) Magazines in which explosives are kept and stored shall be detached from other structures and separated from other magazines in conformity with the quantity and distance table set forth below:

QUANTITY AND DISTANCE TABLE FOR SEPARATION BETWEEN MAGAZINES CONTAINING EXPLOSIVES

Pounds Over	Pounds Not Over	Separation Distance in Feet Between Magazines	
		Not Barricaded	Barricaded
2	5	12	6
5	10	16	8
10	20	20	10
20	30	22	11
30	40	24	12
40	50	26	14
50	75	30	15
75	100	32	16
100	125	36	18
125	150	38	19
150	200	42	21
200	250	46	23
250	300	48	24
300	400	54	27
400	500	58	29
500	600	62	31
600	700	64	32
700	800	66	33
800	900	70	35
900	1,000	72	36
1,000	1,200	78	39
1,200	1,400	82	41
1,400	1,600	86	43
1,600	1,800	88	44
1,800	2,000	90	45

2,000	2,500	98	49
2,500	3,000	104	52
3,000	4,000	116	58
4,000	5,000	122	61
5,000	6,000	130	65
6,000	7,000	136	68
7,000	8,000	144	72
8,000	9,000	150	75
9,000	10,000	156	78
10,000	12,000	164	82
12,000	14,000	174	87
14,000	16,000	180	90
16,000	18,000	188	94
18,000	20,000	196	98
20,000	25,000	210	105
25,000	30,000	224	112
30,000	35,000	238	119
35,000	40,000	248	124
40,000	45,000	258	129
45,000	50,000	270	135
50,000	55,000	280	140
55,000	60,000	290	145
60,000	65,000	300	150
65,000	70,000	310	155
70,000	75,000	320	160
75,000	80,000	330	165
80,000	85,000	340	170
85,000	90,000	350	175
90,000	95,000	360	180
95,000	100,000	370	185
100,000	110,000	380	195
110,000	120,000	410	205
120,000	130,000	430	215
130,000	140,000	450	225
140,000	150,000	470	235
150,000	160,000	490	245
160,000	170,000	510	255
170,000	180,000	530	265
180,000	190,000	550	275
190,000	200,000	570	285
200,000	210,000	590	295
210,000	230,000	630	315
230,000	250,000	670	335
250,000	275,000	720	360
275,000	300,000	770	385))

set in the quantity and distance tables adopted by the department of labor and industries by rule. The department of labor and industries shall adopt the quantity and distance tables promulgated by the federal bureau of alcohol, tobacco, and firearms unless the department determines the tables to be inappropriate. The tables shall be the basis on which applications for storage license are made and storage licenses issued as provided in RCW 70.74.110 and 70.74.120.

NEW SECTION. Sec. 3. A new section is added to chapter 70.74 RCW to read as follows:

(1) The director of labor and industries shall require, as a condition precedent to the original issuance or renewal of any explosive license, fingerprinting and criminal history record information checks of every applicant. In the case of a corporation, fingerprinting and criminal history record information checks shall be required for the management officials directly responsible for the operations where explosives are used if such persons have not previously had their fingerprints recorded with the department of labor and industries. In the case of a partnership, fingerprinting and criminal history record information checks shall be required of all general partners. Such fingerprints as are required by the department of labor and industries shall be submitted on forms provided by the department to the identification section of the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior convictions of the individuals fingerprinted. The Washington state patrol shall provide to the director of labor and industries such criminal record information as the director may request. The applicant shall give full cooperation to the department of labor and industries and shall assist the department of labor and industries in all aspects of the fingerprinting and criminal history record information check. The applicant may be required to pay a fee not to exceed twenty dollars to the agency that performs the fingerprinting and criminal history process.

(2) The director of labor and industries shall not issue a license to manufacture, purchase, store, use, or deal with explosives to:

(a) Any person under twenty-one years of age;

(b) Any person whose license is suspended or whose license has been revoked, except as provided in section 4 of this act;

(c) Any person who has been convicted in this state or elsewhere of a violent offense as defined in RCW 9.94A.030, perjury, false swearing, or bomb threats or a crime involving a schedule I or II controlled substance, or any other drug or alcohol related offense, unless such other drug or alcohol related offense does not reflect a drug or alcohol dependency. However, the director of labor and industries may issue a license if the person suffering a drug or alcohol related dependency is participating in or has completed an alcohol or drug recovery program acceptable to the department of labor and industries and has established control of their alcohol or drug dependency. The director of labor and industries shall require the applicant to provide proof of such participation and control; or

(d) Any person who has previously been adjudged to be mentally ill or insane, or to be incompetent due to any mental disability or disease and who has not at the time of application been restored to competency.

(3) The director of labor and industries may establish reasonable licensing fees for the manufacture, dealing, purchase, use, and storage of explosives.

NEW SECTION, Sec. 4. A new section is added to chapter 70.74 RCW to read as follows:

(1) The department of labor and industries shall revoke and not renew the license of any person holding a manufacturer, dealer, purchaser, user, or storage license upon conviction of any of the following offenses, which conviction has become final:

(a) A violent offense as defined in RCW 9.94A.030;

(b) A crime involving perjury or false swearing, including the making of a false affidavit or statement under oath to the department of labor and industries in an application or report made pursuant to this title;

(c) A crime involving bomb threats;

(d) A crime involving a schedule I or II controlled substance, or any other drug or alcohol related offense, unless such other drug or alcohol related offense does not reflect a drug or alcohol dependency. However, the department of labor and industries may condition renewal of the license to any convicted person suffering a drug or alcohol dependency who is participating in an alcoholism or drug recovery program acceptable to the department of labor and industries and has established control of their alcohol or drug dependency. The department of labor and industries shall require the licensee to provide proof of such participation and control;

(e) A crime relating to possession, use, transfer, or sale of explosives under this chapter or any other chapter of the Revised Code of Washington.

(2) The department of labor and industries shall revoke the license of any person adjudged to be mentally ill or insane, or to be incompetent due to any mental disability or disease. The director shall not renew the license until the person has been restored to competency.

(3) The department of labor and industries is authorized to suspend, for a period of time not to exceed six months, the license of any person who has violated this chapter or the rules promulgated pursuant to this chapter.

(4) The department of labor and industries may revoke the license of any person who has repeatedly violated this chapter or the rules promulgated pursuant to this chapter, or who has twice had his or her license suspended under this chapter.

(5) Upon receipt of notification by the department of labor and industries of revocation or suspension, a licensee must surrender immediately to the department any or all such licenses revoked or suspended.

Sec. 5. Section 11, chapter 111, Laws of 1931 as last amended by section 13, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.110 are each amended to read as follows:

All persons engaged in the manufacture of explosives, or any process involving explosives, or where explosives are used as a component part in the manufacture of any article or device, on the date when this 1969 amendatory act takes effect, shall within sixty days thereafter, and all persons engaging in the manufacture of explosives, or any process involving explosives, or where explosives are used as a component part in the manufacture of any article or device after this act takes effect shall, before so engaging, make an application in writing, subscribed to by such person or his agent, to the department of labor and industries, the application stating:

(1) Location of place of manufacture or processing;

(2) Kind of explosives manufactured, processed or used;

(3) The distance that such explosives manufacturing building is located or intended to be located from the other factory buildings, magazines, inhabited buildings, railroads and highways and public utility transmission systems;

(4) The name and address of the applicant;

(5) The reason for desiring to manufacture explosives;

(6) The applicant's citizenship, if the applicant is an individual;

(7) If the applicant is a partnership, the names and addresses of the partners, and their citizenship;

(8) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof, and their citizenship; and

(9) Such other pertinent information as the director of labor and industries shall require to effectuate the purpose of this chapter.

There shall be kept in the main office on the premises of each explosives manufacturing plant a plan of said plant showing the location of all explosives manufacturing buildings and the distance they are located from other factory buildings where persons are employed and from magazines, and these plans shall at all times be open to inspection by duly authorized inspectors of the department of labor and industries. The superintendent of each plant shall upon demand of said inspector furnish the following information:

(a) The maximum amount and kind of explosive material which is or will be present in each building at one time.

(b) The nature and kind of work carried on in each building and whether or not said buildings are surrounded by natural or artificial barricades.

The department of labor and industries shall as soon as ~~(may be)~~ possible after receiving such application cause an inspection to be made of the explosives manufacturing plant, and if found to be in accordance with RCW 70.74.030 and 70.74.050 and RCW 70.74.061, such department shall issue a license to the person applying thereof showing compliance with the provisions of this chapter ~~(-unless)~~ if the ~~(department shall find)~~ applicant demonstrates that either the applicant or the officers, agents or employees of the applicant are ~~(not)~~ sufficiently experienced in the manufacture of explosives ~~(-have been convicted of a crime involving moral turpitude, or are disloyal to the United States)~~ and the applicant meets the qualifications for a license under section 3 of this 1988 act. Such license shall continue in full force and effect until ~~(surrendered or canceled, because of failure to comply with any of the conditions necessary for the granting of a license)~~ expired, suspended, or revoked by the department pursuant to this chapter.

Sec. 6. Section 12, chapter 111, Laws of 1931 as last amended by section 14, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.120 are each amended to read as follows:

All persons engaged in keeping or storing and all persons having in their possession explosives on the date when this 1969 amendatory act takes effect shall within sixty days thereafter, and all persons engaging in keeping or storing explosives or coming into possession thereof after this act takes effect, shall before engaging in the keeping or storing of explosives or taking possession thereof, make an application in writing subscribed to by such person or his agent, to the department of labor and industries stating:

(1) The location of the magazine, if any, if then existing, or in case of a new magazine, the proposed location of such magazine;

(2) The kind of explosives that are kept or stored or possessed or intended to be kept or stored or possessed and the maximum quantity that is intended to be kept or stored or possessed thereat;

(3) The distance that such magazine is located or intended to be located from other magazines, inhabited buildings, explosives manufacturing buildings, railroads, highways and public utility transmission systems;

(4) The name and address of the applicant;

(5) The reason for desiring to store or possess explosives;

(6) The citizenship of the applicant if the applicant is an individual;

(7) If the applicant is a partnership, the names and addresses of the partners and their citizenship;

(8) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship;

(9) And such other pertinent information as the director of the department of labor and industries shall require to effectuate the purpose of this chapter.

The department of labor and industries shall, as soon as may be after receiving such application, cause an inspection to be made of the magazine, if then constructed, and, in the case of a new magazine, as soon as may be after same is found to be constructed in accordance with the specification provided in RCW 70.74.025, such department shall determine the amount of explosives that may be kept and stored in such magazine by reference to the quantity and distance tables ~~(set forth in RCW 70.74.030, 70.74.050 and 70.74.061;)~~ specified in or adopted under this chapter and shall issue a license to the person applying thereof ~~(-unless the department shall find that such applicant is not sufficiently experienced in the handling of explosives, lacks suitable facilities therefor, has been convicted of a crime involving moral turpitude, or is disloyal to the United States)~~ if the applicant demonstrates that either the applicant or the officers, agents, or employees of the applicant are sufficiently experienced in the handling of explosives and possess suitable storage facilities therefor, and that the applicant meets the qualifications for a license under section 3 of this 1988 act. Said license shall set forth the maximum quantity of explosives that may be had, kept or stored by said person. Such license shall be valid until canceled for one or more of the causes hereinafter provided.

Whenever by reason of change in the physical conditions surrounding said magazine at the time of the issuance of the license therefor, such as:

- (a) The erection of buildings nearer said magazine;
- (b) The construction of railroads nearer said magazine;
- (c) The opening for public travel of highways nearer said magazine; or
- (d) The construction of public utilities transmission systems near said magazine;

then the amounts of explosives which may be lawfully had, kept or stored in said magazine must be reduced to conform to such changed conditions in accordance with the quantity and distance table notwithstanding the license, and the department of labor and industries shall modify or cancel such license in accordance with the changed conditions. ~~((Said license may also be canceled if the department of labor and industries shall find that the applicant is keeping explosives for an unlawful purpose or is disloyal to the United States.))~~ Whenever any person to whom a license has been issued, keeps or stores in the magazine or has in his possession, any quantity of explosives in excess of the maximum amount set forth in said license, or whenever any person fails for thirty days to pay the annual license fee hereinafter provided after the same becomes due, the department is authorized to cancel such license. Whenever a license is canceled by the department for any cause herein specified, the department shall notify the person to whom such license is issued of the fact of such cancellation and shall in said notice direct the removal of all explosives stored in said magazine within ten days from the giving of said notice, or, if the cause of cancellation be the failure to pay the annual license fee, or the fact that explosives are kept for an unlawful purpose, ~~((or the applicant is disloyal to the United States.))~~ the department of labor and industries shall order such person to dispossess himself of said explosives within ten days from the giving of said notice. Failure to remove the explosives stored in said magazine or to dispossess oneself of the explosives as herein provided within the time specified in said notice shall constitute a violation of this chapter.

Sec. 7. Section 3, chapter 101, Laws of 1941 as amended by section 16, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.130 are each amended to read as follows:

Every person desiring to engage in the business of dealing in explosives shall apply to the department of labor and industries for a license therefor. Said application shall state, among other things:

- (1) The name and address of applicant;
- (2) The reason for desiring to engage in the business of dealing in explosives;
- (3) Citizenship, if an individual applicant;
- (4) If a partnership, the names and addresses of the partners and their citizenship;
- (5) If an association or corporation, the names and addresses of the officers and directors thereof and their citizenship; and
- (6) Such other pertinent information as the director of labor and industries shall require to effectuate the purpose of this chapter.

The department of labor and industries shall issue the license ~~((applied for unless the department finds that either the applicant or any of the officers, agents or employees of the applicant are not sufficiently experienced in the business of dealing in explosives, lack suitable facilities therefor, have been convicted of a crime involving moral turpitude, or are disloyal to the United States. Said license may be canceled for any cause that would prevent the initial issuance thereof))~~ if the applicant demonstrates that either the applicant or the principal officers, agents, or employees of the applicant are experienced in the business of dealing in explosives, possess suitable facilities therefor, have not been convicted of any crime that would warrant revocation or nonrenewal of a license under this chapter, and have never had an explosives-related license revoked under this chapter or under similar provisions of any other state.

Sec. 8. Section 18, chapter 137, Laws of 1969 ex. sess. as last amended by section 7, chapter 302, Laws of 1971 ex. sess. and RCW 70.74.135 are each amended to read as follows:

All persons desiring to purchase explosives except handloader components shall apply to the department of labor and industries for a license. Said application shall state, among other things:

- (1) The location where explosives are to be used;
- (2) The kind and amount of explosives to be used;
- (3) The name and address of the applicant;
- (4) The reason for desiring to use explosives;
- (5) The citizenship of the applicant if the applicant is an individual;
- (6) If the applicant is a partnership, the names and addresses of the partners and their citizenship;
- (7) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship; and
- (8) Such other pertinent information as the director of the department of labor and industries shall require to effectuate the purpose of this chapter.

The department of labor and industries shall issue the license ~~((applied for unless))~~ if the ((department finds)) applicant demonstrates that either the applicant or ~~((any of))~~ the officers,

agents or employees of the applicant are ~~((not))~~ sufficiently experienced in the use of explosives ~~((lack suitable facilities therefor, have been convicted of a felony involving force or violence, or are disloyal to the United States. Said license may be canceled for any cause that would prevent the initial issuance thereof; or for any violation of this chapter))~~ to authorize a purchase license. However, no purchaser's license may be issued to any person who cannot document proof of possession or right to use approved and licensed storage facilities unless the person signs a statement certifying that explosives will not be stored.

NEW SECTION. Sec. 9. A new section is added to chapter 70.74 RCW to read as follows:

With the exception of storage licenses for permanent facilities, every license issued under the authority of this chapter shall expire after one year from the date issued unless suspended or revoked. The director of labor and industries may extend the duration of storage licenses for permanent facilities to two years provided the location, distances, and use of the facilities remain unchanged. The fee for the two-year storage license shall be twice the annual fee.

NEW SECTION. Sec. 10. A new section is added to chapter 70.74 RCW to read as follows:

(1) It is unlawful for any person to manufacture, purchase, sell, use, or store any explosive without having a validly issued license from the department of labor and industries, which license has not been revoked or suspended. Violation of this section is a gross misdemeanor.

(2) Upon notice from the department of labor and industries or any law enforcement agency having jurisdiction, a person manufacturing, purchasing, selling, using, or storing any explosive without a license shall immediately surrender any and all such explosives to the department or to the respective law enforcement agency.

(3) At any time that the director of labor and industries requests the surrender of explosives from any person pursuant to subsection (2) of this section, the director may in addition request the attorney general to make application to the superior court of the county in which the unlawful practice exists for a temporary restraining order or such other relief as appears to be appropriate under the circumstances.

NEW SECTION. Sec. 11. A new section is added to chapter 70.74 RCW to read as follows:

Unless specifically provided otherwise by statute, this chapter and the rules adopted thereunder shall be implemented and enforced, including penalties, violations, citations, appeals, and other administrative procedures, pursuant to the Washington industrial safety and health act, chapter 49.17 RCW.

Sec. 12. Section 2, chapter 88, Laws of 1972 ex. sess. and RCW 70.74.137 are each amended to read as follows:

Every person applying for a purchaser's license, or renewal thereof, shall pay an annual license fee of ~~((two))~~ five dollars. The director of labor and industries may adjust the amount of the license fee to reflect the administrative costs of the department. The fee shall not exceed fifteen dollars.

Said license fee shall accompany the application~~((;))~~ and shall be transmitted by the department ~~((turned over))~~ to the state treasurer: PROVIDED, That if the applicant is denied a purchaser's license the license fee shall be returned to said applicant by registered mail.

Sec. 13. Section 13, chapter 111, Laws of 1931 as amended by section 15, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.140 are each amended to read as follows:

Every person engaging in the business of keeping or storing of explosives~~((;))~~ shall pay an annual license fee for each magazine maintained, to be graduated by the department of labor and industries according to the quantity kept or stored therein, of ~~((not less than one dollar nor more than fifty))~~ ten dollars. The director of labor and industries may adjust the amount of the license fee to reflect the administrative costs of the department. The fee shall not exceed one hundred dollars.

Said license fee shall accompany the application~~((;))~~ and shall be transmitted by the department ~~((turned over))~~ to the state treasurer.

Sec. 14. Section 1, chapter 88, Laws of 1972 ex. sess. and RCW 70.74.142 are each amended to read as follows:

Every person applying for a user's license, or renewal thereof, under this chapter shall pay an annual license fee of ~~((three))~~ five dollars. The director of labor and industries may adjust the amount of the license fee to reflect the administrative costs of the department. The fee shall not exceed fifteen dollars.

Said license fee shall accompany the application, and be turned over by the department to the state treasurer: PROVIDED, That if the applicant is denied a user's license the license fee shall be returned to said applicant by registered mail.

NEW SECTION. Sec. 15. A new section is added to chapter 70.74 RCW to read as follows:

Every person engaged in the business of manufacturing explosives shall pay an annual license fee of twenty-five dollars. The director of labor and industries may adjust the amount of the license fee to reflect the administrative costs of the department. The fee shall not exceed fifty dollars.

Businesses licensed to manufacture explosives are not required to have a dealers license, but must comply with all of the dealer requirements of this chapter when they sell explosives.

The license fee shall accompany the application and shall be transmitted by the department to the state treasurer.

NEW SECTION. Sec. 16. A new section is added to chapter 70.74 RCW to read as follows:

Every person engaged in the business of selling explosives shall pay an annual license fee of twenty-five dollars. The director of labor and industries may adjust the amount of the license fee to reflect the administrative costs of the department. The fee shall not exceed fifty dollars.

Businesses licensed to sell explosives must comply with all of the dealer requirements of this chapter.

The license fee shall accompany the application and shall be transmitted by the department to the state treasurer.

NEW SECTION, Sec. 17. The following acts or parts of acts are each repealed:

(1) Section 17, chapter 111, Laws of 1931, section 7, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.220; and

(2) Section 252, chapter 249, Laws of 1909, section 25, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.290."

On page 1, beginning on line 1 of the title, after "licensing;" strike the remainder of the title and insert "amending RCW 70.74.030, 70.74.061, 70.74.110, 70.74.130, 70.74.135, 70.74.137, 70.74.140, and 70.74.142; adding new sections to chapter 70.74 RCW; and repealing RCW 70.74.220 and 70.74.290."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 24, 1988

ESB 6531 Prime Sponsor, Senator Niemi: Making appropriations to department of social and health services for payment rate increases for day care services and a day care subsidy program. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION, Sec. 1.** The legislature recognizes that the state employment sector needs an adequate child care system. An adequate child care system will enable recipients of aid to families with dependent children to gain economic independence.

The legislature is aware that the low subsidy rate for day care providers hampers the availability and quality of child care. The legislature intends to consider varied rates for child care depending on the child's age and the area of the state.

NEW SECTION, Sec. 2. The department shall establish a new rate structure for the regular day care and reservation day care programs. In developing the new rate structure, consideration shall be given to the following:

(1) Reimbursing providers on a child-slot basis;

(2) Providing child care for high school completion without regard to income;

(3) Establishing maximum income eligibility for employment day care at seventy percent of the state median income adjusted for family size; and

(4) Establishing rates which vary by child age and area of the state."

In line 1 of the title, after "care;" strike the remainder of the title and insert "and creating new sections."

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Referred to Committee on Ways & Means.

February 24, 1988

ESSB 6534 Prime Sponsor, Committee on Education: Authorizing school employees to perform catheterization. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betrozoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Valle and Walker.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 24, 1988

ESSB 6538 Prime Sponsor, Committee on Economic Development & Labor: Establishing a computerized labor market information system. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 15, strike all of section 4 and insert the following:

"NEW SECTION." Sec. 4. This act shall take effect July 1, 1988."

On page 1, line 2 of the title, after "sections;" strike the remainder of the title and insert "and providing an effective date."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6546 Prime Sponsor, Committee on Energy & Utilities: Specifying restriction on use of low-level radioactive waste surveillance fees. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

On page 2, after line 10, insert:

"NEW SECTION." Sec. 2. This act does not take effect unless the agency is appropriated at least five hundred thousand dollars in the 1988 supplemental budget."

Signed by Representatives Nelson, Chair; Armstrong, Barnes, Brooks, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Absent: Representatives Todd, Vice Chair; Gallagher and Hankins.

Referred to Committee on Ways & Means.

February 25, 1988

SB 6562 Prime Sponsor, Senator Bailey: Changing the custodian of the revolving fund for the agricultural research facility at the Rainier school farm at Washington State University. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Brooks, Chandler, Grant, Holm, R. King, McLean, Moyer, Nealey and Rasmussen.

Absent: Representative Doty.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6565 Prime Sponsor, Committee on Governmental Operations: Prohibiting interfering with public safety radio communications. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6569 Prime Sponsor, Committee on Economic Development & Labor: Providing consumers with information on construction liens. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION." Sec. 1. The department of labor and industries shall prepare a master document that provides informational material about construction lien laws and available safeguards against real property lien claims. The material shall include methods of protection against lien claims, including obtaining lien release documents, performance bonds, joint payee checks, the opportunity to require contractor disclosure of all potential lien claimants as a condition of payment, and lender supervision under RCW 60.04.200 and 60.04.210. The material shall also include sources of further information, including the department of labor and industries and the office of the attorney general.

NEW SECTION." Sec. 2. (1) Every real property lender shall provide a copy of the informational material described in section 1 of this act to all persons obtaining loans, the proceeds of which are to be used for residential construction or residential repair or remodeling.

(2) Every contractor shall provide a copy of the informational material described in section 1 of this act to customers required to receive contractor disclosure notice under RCW 18.27.114.

(3) No cause of action may lie against the state, a real property lender, or a contractor arising from the provisions of sections 1 and 2 of this act.

(4) For the purpose of this section, 'real property lender' means a bank, savings bank, savings and loan association, credit union, mortgage company, or other corporation, association, partnership, or individual that makes loans secured by real property in this state.

NEW SECTION, Sec. 3. Sections 1 and 2 of this act are each added to chapter 60.04 RCW.

NEW SECTION, Sec. 4. This act shall take effect January 1, 1989."

On page 1, line 1 of the title, after "Information;" strike the remainder of the title and insert "adding new sections to chapter 60.04 RCW; and providing an effective date."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Smith and Walker.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6574 Prime Sponsor, Senator Metcalf: Limiting liability of the parks and recreation commission regarding winter recreation activities. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 28, after "commission," insert "Nothing in this section shall prevent the liability of the commission for injuries sustained by a user by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted. A road covered with snow and groomed for the purposes of winter recreation consistent with this chapter and chapter 46.10 RCW shall not be presumed to be a known dangerous artificial latent condition for the purposes of this chapter."

Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Appelwick, Belcher, Brough, P. King and Locke.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6575 Prime Sponsor, Committee on Environment & Natural Resources: Clarifying liability of the parks and recreation commission for ski lift inspection. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Lewis, Meyers, Moyer, Schmidt, Scott, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden and Patrick.

Voting nay: Representatives Hargrove, Padden and Patrick.

Absent: Representatives Brough, P. King and Locke.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6578 Prime Sponsor, Senator Lee: Permitting certain sales of nonliquor food products by licensed wine and beer wholesalers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Smith and Walker.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

February 24, 1988

ESB 6600 Prime Sponsor, Senator Pullen: Revising provisions relating to child abuse reporting by public employees. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6603 Prime Sponsor, Committee on Environment & Natural Resources: Revising air quality opacity limitations. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 46, chapter 238, Laws of 1967 as last amended by section 39, chapter 109, Laws of 1987 and by section 13, chapter 405, Laws of 1987 and RCW 70.94.331 are each reenacted and amended to read as follows:

- (1) The department shall have all the powers as provided in RCW 70.94.141.
- (2) The department, in addition to any other powers vested in it by law after consideration at a public hearing held in accordance with chapter 42.30 RCW and chapter 34.04 RCW shall:
 - (a) Adopt rules and regulations establishing air quality objectives and air quality standards;
 - (b) Adopt emission standards which shall constitute minimum emission standards throughout the state. An authority may enact more stringent emission standards, except for emission performance standards for new wood stoves and opacity levels for residential solid fuel burning devices which shall be state-wide, but in no event may less stringent standards be enacted by an authority without the prior approval of the department after public hearing and due notice to interested parties;
 - (c) Adopt by rule and regulation air quality standards and emission standards for the control or prohibition of emissions to the outdoor atmosphere of radionuclides, dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substances, or any combination thereof. Such requirements may be based upon a system of classification by types of emissions or types of sources of emissions, or combinations thereof, which it determines most feasible for the purposes of this chapter. However, an industry, or the air pollution control authority having jurisdiction, can choose, subject to the submittal of appropriate data that the industry has quantified, to have any limit on the opacity of emissions from a source whose emission standard is stated in terms of a weight of particulate per unit volume of air (e.g., grains per dry standard cubic foot) be based on the applicable particulate emission standard for that source, such that any violation of the opacity limit accurately indicates a violation of the applicable particulate emission standard. A reasonable fee may be assessed to the industry to which the alternate opacity standard would apply. The fee shall cover only those costs to the air pollution control authority which are directly related to the determination on the acceptability of the alternate opacity standard, including testing, oversight and review of data.
- (3) The air quality standards and emission standards may be for the state as a whole or may vary from area to area, except that emission performance standards for new wood stoves and opacity levels for residential solid fuel burning devices shall be state-wide, as may be appropriate to facilitate the accomplishment of the objectives of this chapter and to take necessary or desirable account of varying local conditions of population concentration, the existence of actual or reasonable foreseeable air pollution, topographic and meteorologic conditions and other pertinent variables.
- (4) The department is directed to cooperate with the appropriate agencies of the United States or other states or any interstate agencies or international agencies with respect to the control of air pollution and air contamination, or for the formulation for the submission to the legislature of interstate air pollution control compacts or agreements.
- (5) The department is directed to conduct or cause to be conducted a continuous surveillance program to monitor the quality of the ambient atmosphere as to concentrations and movements of air contaminants.
- (6) The department shall enforce the air quality standards and emission standards throughout the state except where a local authority is enforcing the state regulations or its own regulations which are more stringent than those of the state.
- (7) The department shall encourage local units of government to handle air pollution problems within their respective jurisdictions; and, on a cooperative basis provide technical and consultative assistance therefor.
- (8) The department shall have the power to require the addition to or deletion of a county from an existing authority in order to carry out the purposes of this chapter: PROVIDED, HOWEVER, That no such addition or deletion shall be made without the concurrence of any existing authority involved. Such action shall only be taken after a public hearing held pursuant to the provisions of chapter 34.04 RCW."

Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen and Ferguson.

Passed to Committee on Rules for second reading.

February 25, 1988

SB 6608 Prime Sponsor, Senator Hayner: Increasing penalties for theft of livestock. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Baugher, Bristow, Brooks, Chandler, Doty, Grant, Holm, R. King, McLean, Moyer, Nealey, and Rasmussen.

Absent: Representatives Bristow and R. King.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6614 Prime Sponsor, Committee on Economic Development & Labor: Permitting vessel dealers to file security in lieu of bond for registration purposes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cooper, Day, Doty, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Meyers, Patrick, Prince, Schmidt, Smith, D. Sommers, Todd, Vekich, J. Williams, and S. Wilson.

Absent: Representatives Allen, Cantwell, Todd, J. Williams, K. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 25, 1988

SSB 6631 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring that employers offer an alternative to a dental care assistance plan that limits providers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Zellinsky, Vice Chair; Anderson, Betzoff, Chandler, Crane, Dellwo, Day, Dorn, Ferguson, P. King, Nutley, Silver and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Lux, Chair.

Absent: Representative Grimm.

Referred to Committee on Ways & Means.

February 26, 1988

SB 6638 Prime Sponsor, Senator Niemi: Providing conditional scholarships for nursing students. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that significant changes occurring simultaneously in the health care delivery system and the demography of the national population are resulting in a shortage of qualified nursing personnel which has the potential of dramatically reducing the quality of health care in the state of Washington, particularly in long-term care and critical emergent care. One of the more important contributors to this shortage is the fall in enrollment of students wishing to pursue nursing as a career. In today's complex health care environment, a more integrated approach to the delivery of nursing care may provide comprehensive answers to the problem. The legislature finds that encouraging qualified individuals to enter the nursing profession is of paramount importance to the state in reducing this shortage. The legislature urges the health professions, industry, and philanthropic community organizations to join with state government in assuring the success of this program.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Conditional scholarship' means a loan that is forgiven in whole or in part if the recipient renders nursing service as a nurse serving in a nurse shortage area, as defined by the state health coordinating council.

(2) 'Institution of higher education' or 'institution' means a community college, vocational-technical school, or university in the state of Washington which is accredited by an accrediting association recognized as such by rule of the higher education coordinating board.

(3) 'Board' means the higher education coordinating board.

(4) 'Eligible student' means a student who has been accepted into a program leading to eligibility for licensure as a licensed practical nurse, or to a program leading to an associate, baccalaureate, or higher degree in nursing or continues satisfactory progress within the program; and has a declared intention to serve in a nurse shortage area upon completion of the educational program.

(5) 'Nurse shortage area' means those areas where nurses are in short supply as a result of geographic maldistribution; or speciality areas of nursing, such as geriatrics or critical care, where vacancies exist in serious numbers that jeopardize patient care and pose a threat to the public health and safety. The state health coordinating council shall determine nurse shortage areas in the state guided by federal standards of 'health manpower shortage areas.'

(6) 'Forgiven' or 'to forgive' or 'forgiveness' means to render nursing service in a nurse shortage area in the state of Washington in lieu of monetary repayment.

(7) 'Satisfied' means paid-in-full.

(8) 'Participant' means an eligible student who has received a conditional scholarship under this chapter.

NEW SECTION. Sec. 3. The nurses conditional scholarship program is established. The program shall be administered by the higher education coordinating board in consultation with the state board for community college education. In administering the program, the board shall have the following powers and duties:

(1) Select students to receive conditional scholarships to attend institutions of higher education, with the assistance of a screening committee;

(2) Adopt rules and guidelines to implement this chapter;

(3) Publicize the program;

(4) Collect and manage repayments from students who do not meet their services obligations under this chapter;

(5) Solicit and accept grants and donations from public and private sources for the program; and

(6) Develop criteria for a contract for service in lieu of the five-year service in a nurse shortage area where appropriate, that may be a combination of service and payment.

NEW SECTION. Sec. 4. The higher education coordinating board shall establish a planning committee to develop criteria for the screening and selection of recipients of the conditional scholarships. These criteria also may include, for approximately half of the recipients, requirements that those recipients meet the definition of 'needy student' under RCW 28B.10.802.

NEW SECTION. Sec. 5. The board may award conditional scholarships to eligible students from the funds appropriated to the board for this purpose, or from any private donations, or any other funds given to the board for this program. The amount of the conditional scholarship awarded an individual shall not exceed three thousand dollars per academic year. Students are eligible to receive conditional scholarships for a maximum of five years while continually enrolled in an approved program.

NEW SECTION. Sec. 6. (1) Participants in the conditional scholarship program incur an obligation to repay the conditional scholarship, with interest, unless they serve for five years in nurse shortage areas of the state of Washington. Nurse shortage areas may include geographical areas as a result of maldistribution, or speciality areas of nursing such as gerontology, critical care, or coronary care.

(2) The terms of the repayment, including deferral of the interest, shall be consistent with the terms of the federal guaranteed loan program.

(3) The period for repayment shall be five years, with payments accruing quarterly commencing nine months from the date the participant completes or discontinues the course of study.

(4) The entire principal and interest of each payment shall be forgiven for each payment period in which the participant serves in a nurse shortage area, as determined by the state health coordinating council, until the entire repayment obligation is satisfied or the borrower ceases to so serve. Should the participant cease to serve in this state before the participant's repayment obligation is completed, payments on the unsatisfied portion of the principal and interest shall begin the next payment period and continue until the remainder of the participant's repayment obligation is satisfied.

(5) The board is responsible for collection of repayments made under this section and shall exercise due diligence in such collection, maintaining all necessary records to ensure that maximum repayments are made. Collection and servicing of repayments under this section shall be pursued using the full extent of the law, including wage garnishment if necessary, and shall be performed by entities approved for such servicing by the Washington student loan

guaranty association or its successor agency. The board is responsible to forgive all or parts of such repayments under the criteria established in this section and shall maintain all necessary records of forgiven payments.

(6) Receipts from the payment of principal or interest or any other subsidies to which the board as administrator is entitled, which are paid by or on behalf of participants under this section, shall be deposited with the higher education coordinating board and shall be used to cover the costs of granting the conditional scholarships, maintaining necessary records, and making collections under subsection (5) of this section. The board shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to grant conditional scholarships to eligible students.

NEW SECTION, Sec. 7. After consulting with the higher education coordinating board, the governor may transfer the administration of this program to another agency with an appropriate educational mission.

NEW SECTION, Sec. 8. Sections 1 through 7 of this act shall constitute a new chapter in Title 28B RCW.

NEW SECTION, Sec. 9. No conditional scholarships may be granted after June 30, 1994."

On page 1, line 1 of the title, after "nurses;" strike the remainder of the title and insert "adding a new chapter to Title 28B RCW; and creating a new section."

Signed by Representatives Braddock, Chair; Day, Vice Chair; Bristow, Brooks, Bumgarner, Cantwell, Lewis, Lux, D. Sommers and Sprengle.

Absent: Representative Vekich.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6641 Prime Sponsor, Senator Craswell: Providing for armed forces shipboard population adjustment. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 2, after line 26, strike everything down to and including "35A.14.700." on page 3, line 6 and insert:

"Armed forces shipboard population, on-base naval group quarter population, and military dependents living in housing under United States navy jurisdiction, shall be determined quarterly by the office of financial management on the first days of January, April, July, and October. These counts shall be used to increase or decrease the armed forces component of the resident population determinations in the cities of Bremerton and Everett for the purposes of allocating state revenues according to this section. Counts on the first day of the quarterly periods commencing with January, April, July, and October shall be used to adjust the total population for the following quarter, in the same manner adjustments are made for population changes due to annexation as specified in RCW 35.13.260 and 35A.14.700.

Population determinations made under this section shall include only those persons who meet resident population criteria as defined by the federal bureau of the census."

Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery and Walk.

Absent: Representatives Baugher and Taylor.

Passed to Committee on Rules for second reading.

February 26, 1988

ESB 6647 Prime Sponsor, Senator Metcalf: Requiring a plan to increase salmon production one hundred percent by the year 2000. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9, strike "either" and insert "α"

On page 1, line 14, strike "either" and insert "α"

On page 1, line 12 after "person" insert "for a period of four hours or more"

On page 1, line 20 strike section 2

Renumber remaining section

On page 1, line 1 of the title after "interference;" insert "and" and after "9A.40.070" strike everything through "penalties" on line 2

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

Absent: Representatives Dorn and Smith.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6668 Prime Sponsor, Senator Nelson: Revising special fuel bonding requirements. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 3, after line 36, insert "If the department must pursue collection of delinquent taxes, interest, and/or penalties payable under this section either through a collection agency or the judicial process, they may recover the actual costs incurred, including reasonable attorney fees."

Signed by Representatives Walk, Chair; Baugher, Vice Chair; Betzoff, Cantwell, Cooper, Day, Fisher, Fox, Gallagher, Hankins, Haugen, Heavey, Jacobsen, Jones, Kremen, Patrick, Prince, Smith, D. Sommers, Sutherland, Todd, Vekich, J. Williams and S. Wilson.

Absent: Representatives Allen, Cantwell, Doty, Meyers, J. Williams, K. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 24, 1988

SSB 6670 Prime Sponsor, Committee on Economic Development & Labor: Revising provisions on public works projects involving certain trench excavations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 11, after "estimates" strike "and bidding documents as separate items." and insert ". The contract provisions shall include the required trench safety systems and any other construction costs incidental to the trench safety systems as a separate bid item. The costs of trench safety systems shall not be considered as incidental to any other contract item and any attempt to include the trench safety systems as an incidental cost is prohibited."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6671 Prime Sponsor, Senator Lee: Specifying funds that may be retained for administration of the housing trust fund. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 15, after "exceed" insert "thirty-seven thousand five hundred dollars in the fiscal year ending June 30, 1988, and seventy-five thousand dollars in the fiscal year ending June 30, 1989, and not to exceed"

On page 1, line 16, after "fund" strike "; PROVIDED, That in fiscal years 1988 and 1989 only, the department may retain up to seventy-five thousand dollars or five percent of the annual revenues to the fund, whichever is greater." and insert "thereafter."

Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry.

Referred to Committee on Ways & Means.

February 24, 1988

ESSB 6672 Prime Sponsor, Committee on Economic Development & Labor: Requiring the development of comprehensive international trade strategies. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Amondson, Beck, Cantwell, Doty, Fox, Grant, Holm, McLean, Moyer, Rasmussen and Schoon.

Absent: Representatives Wineberry, Vice Chair; Braddock, Doty, Hargrove, Heavey, Kremen, B. Williams and J. Williams.

Passed to Committee on Rules for second reading.

February 26, 1988

SB 6675

Prime Sponsor, Senator Kiskaddon: Modifying provisions relating to the family independence program. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 74.21 RCW to read as follows:

The family independence program implementation plan submitted to the legislature pursuant to RCW 74.21.140 and 74.21.200 is approved. The governor or the governor's designee is authorized to sign and complete all necessary agreements with the federal government, provided that nothing in the agreements is inconsistent with chapter 74.21 RCW.

Sec. 2. Section 2, chapter 434, Laws of 1987 and RCW 74.21.020 are each amended to read as follows:

The legislature hereby establishes as state policy the goal of economic independence for employable adults receiving public assistance, through employment, training, and education. The legislature finds that children living in families with incomes below the needs standard have reduced opportunities for physical and intellectual development. A family's economic future is frequently not improved by the current program.

Therefore, in order to break the cycle of poverty and dependence, a family independence program is established. Participating families are to receive benefits under this program at no less than they would otherwise have been entitled to receive.

The legislature finds that the state has a vital interest in ensuring that citizens who are in economic need are provided appropriate financial assistance. It is the intent of the legislature to maintain the existing partnership between state and federal government and that this program remain part of the federal welfare entitlement program. The legislature seeks federal authority for a five-year demonstration project and recognizes that waivers and congressional action may be required to achieve our purpose. The legislature does not seek a block grant approach to welfare.

The legislature recognizes that any program intended to assist new and current public assistance recipients will be more likely to succeed when the state, private sector, and recipients work together.

The legislature also recognizes the value of building on successful programs that utilize the development of networking and mentoring strategies to assist public assistance recipients to gain self-sufficiency. The legislature further encourages public-private cooperation in the areas of job readiness training, education, job training, and work opportunities, including community-based organizations as service providers in these areas through contractual relationships.

The legislature finds that the goal of economic independence requires increased efforts to assist parents in exercising their children's right to economic support from absent parents.

The legislature recognizes the substantial participation in the workforce of women with preschool children, and the difficulty in reentering employment after long absences.

The legislature further recognizes that public assistance recipients can play a major role in setting their own goals.

The objectives of this chapter are to assure that: The maximum number of recipients of public assistance become independent and self-sufficient through employment, training, and education; caseloads be correspondingly reduced on a long-term basis; financial incentives be available to recipients participating in job readiness, education, training, and work programs; the number of children growing up in poverty be substantially reduced; and unemployable recipients be afforded a basic level of financial and medical assistance consistent with the state's financial capabilities.

Sec. 3. Section 6, chapter 434, Laws of 1987 and RCW 74.21.060 are each amended to read as follows:

(1) The executive committee shall establish a family opportunity advisory council in each of the department's regions to make recommendations on the social services, procedures, and income maintenance operations used in the family independence program. The councils shall also assist in providing mentors, mutual self-help, and information on alternatives to welfare dependency. The councils shall include: (a) individuals currently receiving assistance; (b) individuals who have received public assistance in the past but have subsequently achieved economic independence; and (c) persons who are board members or employees of nonprofit organizations providing services of the types offered to family independence program recipients, including those with experience in developing self-esteem and individual motivation. A regional advisory council may establish panels representing specific geographic areas within the region.

(2) Each advisory council shall nominate three persons from which the executive committee shall elect one person from each region to be a member of the advisory committee authorized by RCW 74.21.050. Appointments shall be for a term of two years. Terms may be renewed for one additional two-year term. Three regional appointments shall initially be for a

term of one year. The regional representatives shall constitute the consumer and enrollee representatives required by 74.21.050.

(3) Recipients and former recipients may be paid a per diem rate established by the executive committee. Members may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Recipients and former recipients may also be reimbursed for dependent care expenses required to permit their participation in the family opportunity advisory councils, the executive committee, and the family independence program advisory committee.

(4) The department may, within available funds, provide grants to each family opportunity council to assist and support their activities and to assist in the recruitment and training of volunteer mentors.

Sec. 4. Section 14, chapter 434, Laws of 1987 and RCW 74.21.140 are each amended to read as follows:

(1) By January 1, 1988, the executive committee shall submit to the legislature:

(a) A child-care plan, which may include creative solutions to assist enrollees in making child-care arrangements;

(b) In consultation with the superintendent of public instruction, a plan for assisting high school students who are parents or pregnant to remain in school or complete their high school education;

(c) A plan for motivating those who are discouraged to seek self-sufficiency through work, education, or training;

(d) An employment plan for enrollees; and

(e) A plan for phased-in implementation of the family independence program.

(2) By January 1, 1988, the legislative budget committee, after consultation with the executive committee, shall submit to the legislature:

(a) An evaluation plan satisfactory to the federal government, including a plan for analysis, within available funds, of:

(i) The costs and effectiveness of the family independence program;

(ii) The extent to which education and training opportunities have led to employment and economic independence;

(iii) The extent to which support services have been provided for such education and training opportunities;

(iv) The impact of support services, training opportunities, and employment on the well-being of the children and families of enrollees;

~~(v) ((The impact of the family independence program on the labor market opportunities available to nonenrollees:~~

~~(v*)))~~ The impact of the family independence program on the early childhood education assistance program;

~~((v*)))~~ (vi) A comparison of the family independence program enrollees with a sample of aid to families with dependent children recipients entering assistance between July 1, 1987, through June 30, 1988, to determine the characteristics of the caseloads of the family independence program and the aid to families with dependent children program, including demographic characteristics, employment, training, and educational histories, spells on assistance, and reasons for entry onto and exit from assistance;

~~((v*)))~~ (vii) Such administrative and operational factors as may be requested by the executive committee;

~~((v*)))~~ (viii) A longitudinal study over time of a sample of public assistance recipients or persons at risk of becoming eligible for assistance, to determine the causes of public dependency and the impact of changes in the economy or of public programs on dependency, work, or other relevant behaviors of the sample population.

(3) The legislative budget committee shall cause the evaluation plan to be implemented ~~((subject to legislative approval))~~ as approved by the legislative budget committee in a manner that will insure the independence of the evaluation through appropriate arrangements, which may include contracts, with objective evaluators. The evaluation plan and all evaluation products shall receive the review and comment of evaluation advisory groups to be convened by the Washington institute of public policy and which include representatives of the executive committee, appropriate legislative committee staffs, persons from the state's higher education institutions, staff members of the department and the employment security department, recipients, and former recipients. The reviews shall consider relevance to state policy and budget concerns, methodological procedure, implementation, and results.

(4) The first report of this evaluation shall be submitted to the legislature no later than ~~((November 16, 1988))~~ December 1, 1982, and annually thereafter, with a final report due no later than November 15, 1993.

Sec. 5. Section 25, chapter 434, Laws of 1987 and RCW 74.21.904 are each amended to read as follows:

This chapter shall expire on June 30, ~~((1989))~~ 1993, unless extended by law.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Scott, Vice Chair; Leonard, Moyer, Padden, H. Sommers, Sutherland and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Brekke, Chair; and Anderson.

Passed to Committee on Rules for second reading.

February 26, 1988

SSB 6693 Prime Sponsor, Committee on Education: Providing for the allocation of moneys to the University of Washington on behalf of students attending an early entrance or transitional program. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Spanel, Vice Chair; Appelwick, Betzoff, Butterfield, Cole, Cooper, Ebersole, Fuhrman, Holland, Holm, P. King, Pruitt, Rasmussen, Rayburn, Rust, Schoon, Taylor, Todd, Vaile and Walker.

Absent: Representatives P. King, Schoon and Todd.

Referred to Committee on Ways & Means.

February 23, 1988

ESB 6705 Prime Sponsor, Senator Craswell: Protecting children in the home. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 66, Laws of 1987, section 1, chapter 154, Laws of 1987, section 2, chapter 277, Laws of 1987, section 20, chapter 280, Laws of 1987 and RCW 10.31.100 are each reenacted and amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (8) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270 shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 10.99.040(2), 10.99.050, 26.09.060, 26.44.063, chapter 26.26 RCW, or chapter 26.50 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from a residence or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) The person is eighteen years or older and within the preceding four hours has assaulted that person's spouse, former spouse, or a person eighteen years or older with whom the person resides or has formerly resided and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that spouses, former spouses, or other persons who reside together or formerly resided together have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence between the persons involved.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 88.02.095 shall have the authority to arrest the person.

(6) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

((f)) (7) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

((f)) (8) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

((f)) (9) Except as specifically provided in subsections (2), (3), (4), and (6) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

((f)) (10) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100(2) or ((f)) (8) if the police officer acts in good faith and without malice.

Sec. 2. Section 4, chapter 188, Laws of 1984 and RCW 13.34.130 are each amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, as now or hereafter amended, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030(2); after consideration of the predisposition report prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition other than removal of the child from his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In selecting a program, the court should choose those services that least interfere with family autonomy, provided that the services are adequate to protect the child.

(b) Order that the child be removed from his or her home and ordered into the custody, control, and care of a relative or the department of social and health services or a licensed child placing agency for placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or in a home not required to be licensed pursuant to chapter 74.15 RCW. Such an order may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home and that:

(i) There is no parent or guardian available to care for such child;

(ii) The child is unwilling to reside in the custody of the child's parent, guardian, or legal custodian;

(iii) The parent, guardian, or legal custodian is not willing to take custody of the child;

(iv) A manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home and an order under RCW 26.44.063 would not protect the child from danger; or

(v) The extent of the child's disability is such that the parent, guardian, or legal custodian is unable to provide the necessary care for the child and the parent, guardian, or legal custodian has determined that the child would benefit from placement outside of the home.

(2) Whenever a child is ordered removed from the child's home, the agency charged with his or her care shall provide the court with a specific plan as to where the child will be placed, what steps will be taken to return the child home, and what actions the agency will take to maintain parent-child ties.

(a) The agency plan shall specify what services the parents will be offered in order to enable them to resume custody and what requirements the parents must meet in order to resume custody.

(b) The agency shall be required to encourage the maximum parent-child contact possible, including regular visitation and participation by the parents in the care of the child while the child is in placement.

(c) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(d) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department of social and health services has existing contracts to purchase. It shall report to the court if it is unable to provide such services.

(3) The status of all children found to be dependent shall be reviewed by the court at least every six months at a hearing in which it shall be determined whether court supervision should continue.

(a) A child shall not be returned home at the review hearing unless the court finds that a reason for removal as set forth in this section no longer exists. The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) If the child is not returned home, the court shall establish in writing:

(i) Whether reasonable services have been provided to or offered to the parties to facilitate reunion;

(ii) The extent to which the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;

(iii) Whether the agency is satisfied with the cooperation given to it by the parents;

(iv) Whether additional services are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered; and

(v) When return of the child can be expected.

(c) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.

Sec. 3. Section 1, chapter 35, Laws of 1985 and RCW 26.44.063 are each amended to read as follows:

(1) It is the intent of the legislature to minimize trauma to a child involved in an allegation of sexual or physical abuse. The legislature declares that removing the child from the home often has the effect of further traumatizing the child. It is, therefore, the legislature's intent that the alleged offender, rather than the child, shall be removed from the home and that this should be done at the earliest possible point of intervention in accordance with RCW 10.31.100, 13.34.130, this section, and section 4 of this 1988 act.

(2) In any judicial proceeding in which it is alleged that a child has been subjected to sexual or physical abuse, if the court finds reasonable grounds to believe that an incident of sexual or physical abuse has occurred, the court may, on its own motion, or the motion of the guardian ad litem or other parties, issue a temporary restraining order or preliminary injunction restraining or enjoining the person accused of committing the abuse from:

(a) Molesting or disturbing the peace of the alleged victim;

(b) Entering the family home of the alleged victim except as specifically authorized by the court; or

(c) Having any contact with the alleged victim, except as specifically authorized by the court.

~~((2))~~ (3) In issuing a temporary restraining order or preliminary injunction, the court may impose any additional restrictions that the court in its discretion determines are necessary to protect the child from further abuse or emotional trauma pending final resolution of the abuse allegations.

~~((3))~~ (4) The court shall issue a temporary restraining order prohibiting a person from entering the family home if the court finds that the order would eliminate the need for an out-of-home placement to protect the child's right to nurturance, health, and safety and is sufficient to protect the child from further sexual or physical abuse or coercion.

(5) The court may issue a temporary restraining order without requiring notice to the party to be restrained or other parties only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

~~((4))~~ (6) A temporary restraining order or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding; and

(b) May be revoked or modified.

~~((5))~~ (7) The person having physical custody of the child shall have an affirmative duty to assist in the enforcement of the restraining order including but not limited to a duty to notify the

court as soon as practicable of any violation of the order, a duty to request the assistance of law enforcement officers to enforce the order, and a duty to notify the department of social and health services of any violation of the order as soon as practicable if the department is a party to the action. Failure by the custodial party to discharge these affirmative duties shall be subject to contempt proceedings.

(8) Willful violation of a court order entered under this section is a misdemeanor. A written order shall contain the court's directive and shall bear the legend: 'Violation of this order is a criminal offense under chapter 26.44 RCW and will subject a violator to arrest.'

NEW SECTION. Sec. 4. A new section is added to chapter 26.44 RCW to read as follows:

When a peace officer responds to a call alleging that a child has been subjected to sexual or physical abuse and has probable cause to believe that a crime has been committed or responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, the peace officer has the authority to arrest the person without a warrant pursuant to RCW 10.31.100."

On page 1, line 1 of the title, after "children;" strike the remainder of the title and insert "amending RCW 13.34.130 and 26.44.063; reenacting and amending RCW 10.31.100; adding a new section to chapter 26.44 RCW; and prescribing penalties."

Signed by Representatives Brekke, Chair; Scott, Vice Chair; Anderson, Leonard, Moyer, H. Sommers, Sutherland and Winsley.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 23, 1988

SB 6717 Prime Sponsor, Senator Lee: Revising provisions on the housing trust fund. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 19, chapter 222, Laws of 1951 as last amended by section 1, chapter 513, Laws of 1987 and RCW 18.85.310 are each amended to read as follows:

(1) Every licensed real estate broker shall keep adequate records of all real estate transactions handled by or through him. The records shall include, but are not limited to, a copy of the earnest money receipt, and an itemization of the broker's receipts and disbursements with each transaction. These records and all other records hereinafter specified shall be open to inspection by the director or his authorized representatives.

(2) Every real estate broker shall also deliver or cause to be delivered to all parties signing the same, at the time of signing, conformed copies of all earnest money receipts, listing agreements and all other like or similar instruments signed by the parties, including the closing statement.

(3) Every real estate broker shall also keep separate real estate fund accounts in a recognized Washington state depository authorized to receive funds in which shall be kept separate and apart and physically segregated from licensee broker's own funds, all funds or moneys of clients which are being held by such licensee broker pending the closing of a real estate sale or transaction, or which have been collected for said client and are being held for disbursement for or to said client and such funds shall be deposited not later than the first banking day following receipt thereof.

(4) Separate accounts comprised of clients' funds required to be maintained under this section, with the exception of property management trust accounts, shall be interest-bearing accounts from which withdrawals or transfers can be made without delay, subject only to the notice period which the depository institution is required to reserve by law or regulation.

(5) Every real estate broker shall maintain a pooled interest-bearing escrow account for deposit of client funds, with the exception of property management trust accounts, which are nominal ((or short-term)). As used in this section, a 'nominal ((or short-term))' deposit is a deposit ((which, if placed in a separate account, would not produce positive net interest income after payment of bank fees, or other institution fees, and other administrative expenses)) of not more than five thousand dollars.

The interest accruing on this account, net of any reasonable ((~~transaction costs~~)) and appropriate financial institution service charges or fees, shall be paid to the state treasurer for deposit in the Washington housing trust fund created in RCW 43.185.030. Appropriate service charges or fees are those charges made by financial institutions on other demand deposit or 'now' accounts. An agent may, but shall not be required to, notify the client of the intended use of such funds.

(6) All client funds not required to be deposited in the account specified in subsection (5) of this section shall be deposited in:

(a) A separate interest-bearing trust account for the particular client or client's matter on which the interest will be paid to the client; or

~~(b) ((A pooled interest-bearing trust account with subaccounting that will provide for computation of interest earned by each client's funds and the payment thereof to the client))~~
The pooled interest-bearing trust account specified in subsection (5) of this section if the parties to the transaction agree.

The department of licensing shall promulgate regulations which will serve as guidelines in the choice of an account specified in subsection (5) of this section or an account specified in this subsection.

(7) For an account created under subsection (5) of this section, an agent shall direct the depository institution to:

(a) Remit interest or dividends, net of any reasonable and appropriate service charges or fees, on the average monthly balance in the account, or as otherwise computed in accordance with an institution's standard accounting practice, at least quarterly, to the state treasurer for deposit in the housing trust fund created by RCW 43.185.030 and the real estate commission account created by RCW 18.85.220 as directed by RCW 18.85.315; and

(b) Transmit to the director of community development a statement showing the name of the person or entity for whom the remittance is spent, the rate of interest applied, and the amount of service charges deducted, if any, and the account balance(s) of the period in which the report is made, with a copy of such statement to be transmitted to the depositing person or firm.

(8) The director shall forward a copy of the reports required by subsection (7) of this section to the department of licensing to aid in the enforcement of the requirements of this section consistent with the normal enforcement and auditing practices of the department of licensing.

(9) This section does not relieve any real estate broker from any obligation with respect to the safekeeping of clients' funds.

(10) Any violation by a real estate broker of any of the provisions of this section, or RCW 18.85.230, shall be grounds for revocation of the licenses issued to the broker.

Sec. 2. Section 10, chapter 513, Laws of 1987 and RCW 18.85.510 are each amended to read as follows:

The broker's trust account board shall review grant and loan applications placed before it by the director for final approval pursuant to RCW 43.185.--- (RCW 18.85.505 as recodified by section 3 of this 1988 act).

The decisions of the board shall be subject to the provisions of RCW 43.185.050, 43.185.060, and 43.185.070 with regard to eligible activities, eligible recipients, and criteria for evaluation.

The broker's trust account board shall serve in an advisory capacity to the real estate commission with regard to licensee education programs established pursuant to RCW 18.85.040 and 18.85.220.

NEW SECTION. Sec. 3. RCW 18.85.505 and 18.85.510 are each recodified in chapter 43.185 RCW.

Sec. 4. Section 2, chapter 167, Laws of 1981 as amended by section 1, chapter 176, Laws of 1982 and RCW 82.45.100 are each amended to read as follows:

(1) The tax imposed under this chapter is due and payable immediately at the time of sale, and if not paid within thirty days thereafter shall bear interest at the rate of one percent per month from the time of sale until the date of payment.

(2) In addition to the interest described in subsection (1) of this section, if the payment of any tax is not received by the county treasurer within thirty days of the date due, there shall be assessed a penalty of five percent of the amount of the tax; if the tax is not received within sixty days of the date due, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within ninety days of the date due, there shall be assessed a total penalty of twenty percent of the amount of the tax. The payment of the penalty described in this subsection shall be collectible from the seller only, and RCW 82.45.070 does not apply to the penalties described in this subsection.

(3) If upon examination of any affidavits or from other information obtained by the department or its agents it appears that all or a portion of the tax is unpaid, the department shall assess against the taxpayer the additional amount found to be due plus interest and penalties as provided in subsections (1) and (2) of this section. If the department finds that all or any part of the deficiency resulted from an intent to evade the tax payable under this chapter, ((α)) an additional penalty of fifty percent of the additional tax found to be due shall be added.

((β)) (4) No assessment or refund may be made by the department more than four years after the date of sale except upon a showing of fraud or of misrepresentation of a material fact by the taxpayer or a failure by the taxpayer to record documentation of a sale or otherwise report the sale to the county treasurer.

(5) Penalties collected pursuant to subsection (2) of this section shall be deposited in the housing trust fund as described in chapter 43.185 RCW.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "fund," strike the remainder of the title and insert "amending RCW 18.85.310, 18.85.510, and 82.45.100; recodifying RCW 18.85.505 and 18.85.510; and declaring an emergency."

Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Armstrong, Barnes, Padden, Sanders, Todd, J. Williams and Wineberry.

Referred to Committee on Ways & Means.

February 25, 1988

ESB 6720 Prime Sponsor, Senator Metcalf: Providing for the management of waste tires. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 7, chapter 345, Laws of 1985 and RCW 70.95.530 are each amended to read as follows:

Moneys in the account may be appropriated to the department of ecology:

(1) To provide for funding to state and local governments for the removal of discarded vehicle tires from unauthorized tire dump sites; ~~((and))~~

(2) To accomplish the other purposes of RCW 70.95.020(5); and

(3) To fund the study authorized in section 2 of this 1988 act.

In spending funds in the account under this section, the department of ecology shall identify communities with the most severe problems with waste tires and provide funds first to those communities to remove accumulations of waste tires.

NEW SECTION. Sec. 2. (1) The department shall, in consultation with representatives of cities, counties, tire dealers, tire processors, the owners or operators of tire disposal sites, the department of transportation, and the public, develop a report on the following:

(a) The adequacy of current waste tire programs and recommendations for changes;

(b) The geographical distribution and number of existing tire dumps and collection sites;

(c) Financial responsibility requirements needed to cover tire collectors and processors;

(d) The optimum number and location of collection sites to facilitate the processing of waste tires;

(e) Alternative methods, including the costs, of collecting waste tires that are in small tire dumps and from persons or businesses that generate waste tires;

(f) The options for recycling waste tires including the current uses of recycled waste tires and the feasibility of developing future uses;

(g) Methods to establish reliable sources of waste tires for users of waste tires;

(h) The types of facilities in this state that can use waste tires as a fuel source, the cost of equipment needed to modify existing types of facilities, the cost of test burns, the feasibility of operating each type of facility using waste tires as a fuel source, and the locations of those facilities; and

(1) The establishment of a state-wide waste tire collection system.

(2) The report shall be submitted to the appropriate standing committees of the legislature by December 1, 1988.

(3) This section shall expire January 1, 1989.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 4 through 6 of this act.

(1) 'Storage' or 'storing' means the placing of more than eight hundred waste tires in a manner that does not constitute final disposal of the waste tires.

(2) 'Transportation' or 'transporting' means picking up or transporting waste tires for the purpose of storage or final disposal.

(3) 'Waste tires' means tires that are no longer suitable for their original intended purpose because of wear, damage, or defect.

NEW SECTION. Sec. 4. Any person engaged in the business of transporting or storing waste tires shall be licensed by the department. To obtain a license, each applicant must:

(1) Provide assurances that the applicant is in compliance with this chapter and the rules regarding waste tire storage and transportation; and

(2) Post a bond in the sum of ten thousand dollars in favor of the state of Washington. In lieu of the bond, the applicant may submit financial assurances acceptable to the department.

NEW SECTION. Sec. 5. Any person who transports or stores waste tires without a license in violation of section 4 of this act shall be guilty of a gross misdemeanor and upon conviction shall be punished under RCW 9A.20.020(2).

NEW SECTION. Sec. 6. No business may enter into a contract for:

(1) Transportation of waste tires with an unlicensed waste tire transporter; or

(2) Waste tire storage with an unlicensed owner or operator of a waste tire storage site.

NEW SECTION. Sec. 7. Sections 3 through 6 of this act are each added to chapter 70.95 RCW."

On page 1, line 1 of the title, after "tires;" strike the remainder of the title and insert "amending RCW 70.95.530; adding new sections to chapter 70.95 RCW; creating a new section; and prescribing penalties."

Signed by Representatives Rust, Chair; Valle, Vice Chair; Ferguson, Jesernig, May, Pruitt, Schoon, D. Sommers, Unsoeld and Walker.

Absent: Representatives Valle, Vice Chair; Allen, Brekke, Jesernig, Lux and Sprenkle.

Passed to Committee on Rules for second reading.

February 26, 1988

E2SSB 6724 Prime Sponsor, Committee on Ways & Means: Revising provisions on water resources. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 1, Laws of 1977 ex. sess. as last amended by section 1, chapter 343, Laws of 1987 and RCW 43.83B.300 are each amended to read as follows:

The legislature finds that the fundamentals of water resource policy in this state must be determined and established by the legislature to ensure that the water resources of the state are protected and fully utilized for the greatest benefit to the people of the state of Washington.

The legislature further finds that it is necessary to provide the department of ecology with emergency powers to authorize withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, and construction of facilities in relation thereto, in order to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during 1977 and during 1987.

The legislature further finds that there is a continuing agricultural water supply shortage in many areas of the state and that, in relation to the lessening of that unsatisfactory condition, there is an urgent need to both improve water supply facilities and replace other such facilities.

In order to study the fundamentals of water resource policy of the state and to provide needed capital for the planning, acquisition, construction, and improvement of water supply facilities to withdraw and distribute water to alleviate unsatisfactory water supply conditions arising from droughts occurring from time to time in the state of Washington, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of eighteen million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this section and RCW 43.83B.360 through 43.83B.375 shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

Sec. 2. Section 1, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.010 are each amended to read as follows:

The legislature finds that proper utilization of the water resources of this state is necessary to the promotion of public health and the economic well-being of the state and the preservation of its natural resources and aesthetic values. The legislature further finds that the availability of waters of the state is being evaluated by interests who desire to remove portions thereof from the state in a manner inconsistent with the public interest of the people of the state. It is the purpose of this chapter to set forth fundamentals of water resource policy for the state as established by the legislature to insure that waters of the state are protected and fully utilized for the greatest benefit to the people of the state of Washington and, in relation thereto, to provide direction to the department of ecology and other state agencies and officials, in carrying out water and related resources programs. It is the purpose of this chapter to provide a process for the fundamental water resource policies, as established by the legislature, to be implemented by the department of ecology and other state agencies and officials.

NEW SECTION. Sec. 3. A new section is added to chapter 90.54 RCW to read as follows:

(1) The director of ecology shall contract with an independent mediation, conciliation, or fact-finding service for the purpose of facilitating mediations among all user groups and parties interested in Washington's water resource policy. The parties to the mediations shall represent, but not be limited to:

(a) Members from the state legislature, consisting of one member from each caucus of the house of representatives and the senate;

(b) The departments of ecology, agriculture, social and health services, fisheries, wildlife, and natural resources;

(c) Municipal users of water;

(d) Agricultural interests;

(e) The governor's office;

(f) Environmental interests;

(g) Interests of industrial users of water;

- (h) Indian tribes;
- (i) Interests of public water utilities;
- (j) Interests of recreational uses other than fishing;
- (k) Public and private hydropower generating utilities;
- (l) Interests of sport and commercial fishing; and
- (m) Interests of the forest products industry.

Parties to the mediations shall be determined by the director except for representatives from the governor's office, the state agencies, who shall be appointed by the agency director, and representatives of the legislature, who shall be appointed by the speaker of the house of representatives and the president of the senate. Representatives of any interested group not referenced in subsection (1) of this section that wishes to participate in the mediation process shall ask to be included prior to the commencement of the process. Any interest group that wishes to participate in the mediation after mediation commences may be included with the approval of the director, after the director seeks and receives advice from the mediators. The department shall make a reasonable attempt to have all parties with an interest in Washington's water resource policy included in the mediation process.

(2) The members of the committee shall not be compensated but nonlegislative and non-public officials or representatives shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(3) The purpose of the mediations shall be to address the fundamentals of water resource policy for the state of Washington. The mediation process shall evaluate and recommend the procedures for allocating the water resources of the state considering the present and future demands on the use of those water resources. The mediation may further evaluate and recommend the public need to prioritize the use of the water resources of the state considering the existing rights to the water resources.

The mediation shall consider the reports and recommendations of state and federal studies pertaining to allocation, augmentation, conservation, and efficient use of the water resources of this state. By considering these studies, the parties to the mediation shall not duplicate the work already completed in such studies.

(4) The parties who participate in the mediation process are urged to reach a mutual agreement on or before December 1, 1988. The agreement may include recommendations for revisions to existing laws to set forth the water policies of the state and may also recommend revisions to existing law to give direction to the department of ecology and other agencies and officials in carrying out the fundamental water policies of the state as adopted by the legislature.

(5) The department of ecology shall submit a report of the recommendations and agreements reached by the mediation group. The report shall be submitted on or before December 15, 1988, to the joint select committee established pursuant to section 8 of this act.

(6) Until July 1, 1989, or until the legislature has passed legislation based on recommendations from the mediation process, whichever comes first, the department of ecology shall not:

(a) Amend or alter the current guidelines, standards, or criteria governing the instream flow and water allocation elements of the state water resources program established pursuant to chapters 90.22 and 90.54 RCW and set forth in chapters 173-500 to 173-596 WAC;

(b) Adopt any water reservation under RCW 90.54.050 and set forth in chapters 173-500 to 173-596 WAC or the preferred alternative in the instream resources and water allocation environmental impact statement; or

(c) Issue any permanent appropriation permits for surface water in an amount greater than one-half cubic foot per second or one-half of one percent of the mean annual flow, whichever is less, on streams without established minimum flows, or establish any new minimum stream flows pursuant to chapters 90.03, 90.22, and 90.54 RCW and chapter 508-12 WAC.

This subsection does not apply to any emergency water permits or transfers authorized under RCW 43.83B.300 through 43.83B.344.

(7) The department of ecology shall provide staff support in the mediation process.

Sec. 4. Section 3, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.030 are each amended to read as follows:

For the purpose of insuring that the department is fully advised in relation to the performance of the water resources program provided in RCW 90.54.040, and to provide information and support to the mediation process established in section 3 of this 1988 act, the department is directed to become informed with regard to all phases of water and related resources of the state. To accomplish this objective the department shall:

(1) Collect, organize and catalog existing information and studies available to it from all sources, both public and private, pertaining to water and related resources of the state;

(2) Develop such additional data and studies pertaining to water and related resources as are necessary to accomplish the objectives of this chapter;

(3) Determine existing and foreseeable uses of, and needs for, such waters and related resources;

(4) Develop alternate courses of action to solve existing and foreseeable problems of water and related resources and include therein, to the extent feasible, the economic and social consequences of each such course, and the impact on the natural environment.

All the foregoing shall be included in a 'water resources archive' established and maintained by the department. The department shall develop a system of cataloging, storing and retrieving the information and studies of the archive so that they may be made readily available to and effectively used not only by the department but by the public generally.

Sec. 5. Section 4, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.040 are each amended to read as follows:

(1) The department, through the adoption of appropriate rules, is directed, as a matter of high priority to insure that the waters of the state are utilized for the best interests of the people, to develop and implement in accordance with the policies of this chapter a comprehensive state water resources program which will provide a process for making decisions on future water resource allocation and use. The department may develop the program in segments so that immediate attention may be given to waters of a given physioeconomic region of the state or to specific critical problems of water allocation and use.

The current guidelines, standards, or criteria governing the elements of the water resource program established pursuant to this subsection shall not be altered or amended after the effective date of this 1988 section, in accordance with section 3(6) of this 1988 act.

(2) In relation to the management and regulatory programs relating to water resources vested in it, the department is further directed to modify existing regulations and adopt new regulations, when needed and possible, to insure that existing regulatory programs are in accord with the water resource policy of this chapter and the program established in subsection (1) of this section. The current guidelines, standards, or criteria governing the department's implementation of this subsection shall not be altered or amended after the effective date of this 1988 section, in accordance with subsection (1) of this section.

(3) The department is directed to review all statutes relating to water resources which it is responsible for implementing. When any of the same appear to the department to be ambiguous, unclear, unworkable, unnecessary, or otherwise deficient, it shall make recommendations to the legislature including appropriate proposals for statutory modifications or additions. Whenever it appears that the policies of any such statutes are in conflict with the policies of this chapter, and the department is unable to fully perform as provided in subsection (2) of this section, the department is directed to submit statutory modifications to the legislature which, if enacted, would allow the department to carry out such statutes in harmony with this chapter.

Sec. 6. Section 3, chapter 284, Laws of 1969 ex. sess. as amended by section 103, chapter 109, Laws of 1987 and by section 96, chapter 506, Laws of 1987 and RCW 90.22.010 are each reenacted and amended to read as follows:

The department of ecology may establish minimum water flows or levels for streams, lakes or other public waters for the purposes of protecting fish, game, birds or other wildlife resources, or recreational or aesthetic values of said public waters whenever it appears to be in the public interest to establish the same. In addition, the department of ecology shall, when requested by the department of fisheries or the department of wildlife to protect fish, game or other wildlife resources under the jurisdiction of the requesting state agency, or if the department of ecology finds it necessary to preserve water quality, establish such minimum flows or levels as are required to protect the resource or preserve the water quality described in the request or determination. Any request submitted by the department of fisheries or department of wildlife shall include a statement setting forth the need for establishing a minimum flow or level. When the department acts to preserve water quality, it shall include a similar statement with the proposed rule filed with the code reviser. This section shall not apply to waters artificially stored in reservoirs, provided that in the granting of storage permits by the department of ecology in the future, full recognition shall be given to downstream minimum flows, if any there may be, which have theretofore been established hereunder.

The current guidelines, standards, or criteria governing the instream flow programs established pursuant to this chapter shall not be altered or amended after the effective date of this 1988 section, in accordance with section 3(6) of this 1988 act.

Sec. 7. Section 5, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.050 are each amended to read as follows:

In conjunction with the programs provided for in RCW 90.54.040(1), whenever it appears necessary to the director in carrying out the policy of this chapter, the department may by rule adopted pursuant to chapter 34.04 RCW:

(1) Reserve and set aside waters for beneficial utilization in the future, and

(2) When sufficient information and data are lacking to allow for the making of sound decisions, withdraw various waters of the state from additional appropriations until such data and information are available.

Prior to the adoption of a rule under this section, the department shall conduct a public hearing in each county in which waters relating to the rule are located. The public hearing shall be preceded by a notice placed in a newspaper of general circulation published within

each of said counties. Rules adopted hereunder shall be subject to review in accordance with the provisions of RCW 34.04.070 or 34.04.080.

No new rules or changes to existing rules to reserve or set aside water may be adopted pursuant to this section, as provided in section 3(6) of this 1988 act.

NEW SECTION. Sec. 8. A new section is added to chapter 90.54 RCW to read as follows:

(1) There is hereby created a joint select committee on water resource policy to address the recommendations reached by the mediation process pursuant to section 3 of this act. The committee shall consist of twelve members appointed jointly by the speaker of the house of representatives and the president of the senate. The membership shall be equally divided from each major political caucus and shall, to the extent possible, represent all major water interests including, but not limited to, agriculture, fisheries, municipal, environmental, and hydroelectric.

(2) The staff support shall be provided by the senate committee services and the office of program research as mutually agreed by the cochairmen of the joint select committee. The cochairmen shall be designated by the speaker of the house of representatives and the president of the senate.

(3) This section shall expire June 30, 1989.

NEW SECTION. Sec. 9. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "resources;" strike the remainder of the title and insert "amending RCW 43.83B.300, 90.54.010, 90.54.030, 90.54.040, and 90.54.050; reenacting and amending RCW 90.22.010; adding a new section to chapter 90.54 RCW; and declaring an emergency."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Bumgarner, Butterfield, Dorn, Fuhrman, Hargrove and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Cole, Haugen, Meyers, Schmidt, Spanel and S. Wilson.

Absent: Representatives Dorn and Smith.

Passed to Committee on Rules for second reading.

February 23, 1988

SSB 6736 Prime Sponsor, Committee on Law & Justice: Changing jurisdiction over tribal lands. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Belcher, Brough, Hargrove, Lewis, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Absent: Representatives Belcher, Brough, P. King and Locke.

Passed to Committee on Rules for second reading.

February 26, 1988

ESSB 6741 Prime Sponsor, Committee on Environment & Natural Resources: Relating to storage tanks. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the planning and development of regulatory programs for storage tanks containing petroleum and regulated substances must begin as soon as possible in order to meet the requirements of federal and state laws and address public health and safety concerns. The legislature further finds that a state regulatory program for underground storage tanks needs to be developed that is at least as stringent as the minimum requirements under 42 U.S.C. Sec. 6991 et seq.

In addition, the legislature finds that affordable private methods of ensuring financial responsibility as required under 42 U.S.C. Sec. 6991b(d) may not be available. Thus, it is necessary to study the possibility of developing risk retention pools to aid underground storage tank owners and operators in meeting federal financial responsibility requirements. The legislature further finds that the economic well-being of small businesses in the state that own or operate underground storage tanks depends on a clear state policy and adequate state regulatory programs.

Since additional information is needed to develop specific tank construction, installation, operational, monitoring, reporting, closure, and financial responsibility requirements, the legislature establishes the joint select committee on storage tanks to make recommendations on program elements and to develop legislation to establish these programs by June 1, 1989.

NEW SECTION, Sec. 2. (1) The joint select committee on storage tanks is created. The committee shall consist of six members from the senate appointed by the president of the senate and six members from the house of representatives appointed by the speaker of the house of representatives. The committee shall include equal numbers of members from the majority and minority parties of each house. The joint select committee chair and vice-chair shall be chosen by the majority vote of committee members and shall serve for the duration of the committee.

(2) The committee shall seek input from persons and organizations representing major petroleum companies, agriculture, environmental protection, petroleum jobbing, vehicle sales firms, vehicle repair firms, insurance underwriting, gasoline retailing, cities, counties, other units of local government, fuel oil retailing, the general business community, and the public.

(3) The committee shall be staffed from the senate committees on environment and natural resources, financial institutions and insurance, and ways and means and the house of representatives committees on environmental affairs, financial institutions and insurance, and ways and means. The department of ecology, department of general administration, and the insurance commissioner shall provide necessary staff and resources to assist the committee in carrying out its purpose and preparing legislation to establish the recommended programs by June 1, 1989.

(4) The committee shall report its findings and recommendations to the senate committees on environment and natural resources, financial institutions and insurance, and ways and means and the house of representatives committees on environmental affairs, financial institutions and insurance, and ways and means by December 10, 1988.

NEW SECTION, Sec. 3. The committee shall make recommendations on topics including, but not limited to, the following:

(1) Elements of an underground storage tank regulatory program necessary to meet the requirements of 42 U.S.C. Sec. 6991 et seq. and to allow full delegation of the federal program to the state. The committee shall specify circumstances under which it may be advisable to develop standards and requirements more stringent than those provided in federal regulations.

(2) Provisions necessary to implement a state-wide underground storage tank program, including:

(a) Whether state laws should generally preempt local laws governing the regulation of underground storage tanks but also allow for local programs that address environmentally sensitive areas; and

(b) Methods by which implementation and operation of underground storage tank programs will be coordinated between state and local governments.

(3) The cost of administering a state underground storage tank program and the methods of funding program administration, including:

(a) The need for limitations on fees charged by local governments; and

(b) Revenue sharing by the department of ecology with local governments to fund local program administration.

(4) Financial responsibility requirements for the owners and operators of underground petroleum storage tanks that meet the minimum federal financial responsibility requirements under 42 U.S.C. Sec. 6991b(d) and the advisability of and methods for establishing an owner and operator funded program that assures compliance with the federal requirements and which limits the state's liability, including the advisability of state administration of risk retention pools designed to provide financial responsibility for owners and operators who cannot obtain adequate and reasonably priced private insurance. If the determination is made that a state-administered risk retention pool is necessary, the committee shall develop methods for implementation, including information on:

(a) Estimates of the costs of administering risk retention pools;

(b) Adequate means of ensuring that the state will have the necessary resources to address the obligation of the risk retention pools in the event that regular contributions are insufficient, including but not limited to a petroleum products tax;

(c) Adequate yet reasonable contributions from the owner or operator;

(d) Ways to ensure that owners and operators of tanks eligible to obtain funds from the risk retention pools will comply with the applicable state storage tank regulations; and

(e) A timetable for implementation of the risk retention pools by June 1, 1989.

(5) A timetable for implementing a state underground storage tank regulatory program.

NEW SECTION, Sec. 4. (1) By December 10, 1988, the department of ecology shall provide a report to the legislature on the following:

(a) An inventory of above-ground tanks containing petroleum in existence in this state, including their sizes, location, types, and products stored therein;

(b) An analysis of the current practices and requirements applicable to above-ground storage tanks containing petroleum, including an examination of any causes of releases from such tanks and appropriate responses;

(c) Recommendations for a state program, if necessary for the installation, operation, and closure of above-ground storage tanks.

(2) For the purposes of this study and notwithstanding the provisions of chapter 34.04 RCW, the department, with the advice of the joint select committee established in section 2 of this act, shall develop a definition of above-ground petroleum storage tanks except that the definition shall not include farm or residential tanks of one thousand one hundred gallons or less capacity used for storing motor fuel for noncommercial purposes, tanks used for storing heating oil for consumptive use on the premises where stored, or barrels or drums commonly used for the transportation and temporary storage of petroleum products.

(3) In carrying out the study, the department may require a person, firm, corporation, or government entity other than a federal government entity, to respond to requests for information necessary to meet the requirements of this study.

NEW SECTION, Sec. 5. This act shall expire July 1, 1989.

NEW SECTION, Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "tanks;" strike the remainder of the title and insert "creating new sections; providing an expiration date; and declaring an emergency."

Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, Ferguson, Jesernig, Lux, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen and Ferguson.

Passed to Committee on Rules for second reading.

February 25, 1988

ESSB 6742 Prime Sponsor, Committee on Law & Justice: Authorizing an additional superior court judge in Yakima county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Crane, Vice Chair; Appelwick, Belcher, Brough, Hargrove, P. King, Lewis, Locke, Meyers, Moyer, Padden, Patrick, Schmidt, Scott, Wang and Wineberry.

Referred to Committee on Ways & Means.

February 25, 1988

SSJM 8019 Prime Sponsor, Committee on Environment & Natural Resources: Requesting curtailment of the foreign catch of Washington-produced salmon. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Fuhrman, Hargrove, Haugen, Meyers, Sayan, Schmidt, Smith, Spanel and S. Wilson.

Absent: Representative Belcher.

Passed to Committee on Rules for second reading.

February 26, 1988

SJM 8022 Prime Sponsor, Senator Metcalf: Requesting stable federal funding for parks and recreation. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 8, strike all material through "Washington" on page 2, line 7, and insert the following:

"WHEREAS, The State of Washington faces a growing demand for recreation in urban and rural areas on both upland and aquatic sites, from passive activities to team sports, with benefits accruing to both participants and spectators; and

WHEREAS, Recent evidence illustrates that constructing and enhancing recreation facilities improves local property values, assists in attracting industry, and creates new employment opportunities; and

WHEREAS, The State of Washington has authorized the sale of over ninety million dollars in bonds for recreation in the past three decades, yet over fifty million dollars in demand exists every biennium; and

WHEREAS, A shortage of funds in 1987 meant that local governments that had raised nearly five million dollars in local money could not proceed with the projects due to a shortage of state and federal funds; and

WHEREAS, Federal legislation authorizes that nine hundred million dollars annually be allocated from the Land and Water Conservation Fund to local, state, and federal agencies for recreational land acquisition, development, and renovation; and

WHEREAS, This full nine hundred million dollar amount has never been appropriated in the twenty-one year history of the Land and Water Conservation Fund; and

WHEREAS, Allocated funds for the Land and Water Conservation Fund have declined at a time when the demands on our public outdoor recreation areas and facilities have grown rapidly and the money available from the state is declining; and

WHEREAS, Since the inception of the Land and Water Conservation Fund in 1966, the State of Washington has received over 53.3 million dollars from the fund for state and local agencies' recreation projects; and

WHEREAS, The revenue in 1979 to the State of Washington from the fund amounted to six million nine hundred thousand dollars while in 1987 the state received less than one-tenth that amount; and

WHEREAS, These funds have been utilized to acquire, develop, and renovate needed recreational areas and facilities located throughout Washington State; and

WHEREAS, The Land and Water Conservation Fund is due to expire in 1989;

NOW, THEREFORE, BE IT RESOLVED, That the federal appropriation to the state and local governments from the Land and Water Conservation Fund be increased to two hundred million dollars during 1988; and

BE IT FURTHER RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Ronald Reagan, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, each member of Congress from the State of Washington, and other park supporters."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Amondson, Basich, Beck, Belcher, Bumgarner, Butterfield, Cole, Dorn, Hargrove, Meyers, Sayan, Schmidt, Spanel and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Absent: Representatives Amondson, Belcher, Haugen and Smith.

Passed to Committee on Rules for second reading.

February 26, 1988

SJM 8028 Prime Sponsor, Senator Zimmerman: Petitioning Congress and the Army Corps of Engineers to designate sites in the Columbia River Gorge National Scenic Area to receive spoil material to improve the recreational value of those sites. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after line 7 and insert the following:

"WHEREAS, Congress passed the Columbia River Gorge National Scenic Area Act to protect the resources and support the economy of the Columbia River Gorge; and

WHEREAS, Congress authorized construction of a new navigation lock at Bonneville Lock and Dam within the Scenic Area; and

WHEREAS, Construction of the new navigation lock will produce 4.7 million cubic yards of spoil material; and

WHEREAS, Congress failed to provide for recreational development on the Bonneville Pool at the time of construction of the dam, as was provided at other Columbia and Snake River dam projects; and

WHEREAS, Public access to the Columbia River in the Scenic Area is severely limited by highway and rail line and by the topography of the Gorge; and

WHEREAS, The five port districts on the Bonneville Pool and other agencies have proposed uses for all 4.7 million cubic yards of material produced by construction of the new lock; and

WHEREAS, The proposed uses would improve public access to the Columbia River and enhance the economy of the Gorge;

NOW, THEREFORE, Your Memorialists respectfully pray that: (1) Congress and the Army Corps of Engineers designate sites in the National Scenic Area as the sole eligible recipients of remaining spoil material from construction of the new navigation lock and of spoil material from other Corps projects on the Bonneville Pool;

(2) Congress and the Army Corps of Engineers assign highest priority to sites identified by the port districts on the Bonneville Pool and to sites where deposition would improve recreational access or wildlife habitat so long as those sites are found by the Columbia Gorge Commission and the Secretary of Agriculture to be consistent with the purposes of the Columbia River Gorge National Scenic Area Act, P.L. 99-663; and

(3) The spoils be delivered to the designated sites at no cost to agencies which own or manage the sites.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Ronald Reagan, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.*

Signed by Representatives Rust, Chair; Vaile, Vice Chair; Brekke, Ferguson, Jesernig, May, Pruitt, Schoon, D. Sommers, Sprengle, Unsoeld and Walker.

Absent: Representatives Allen, Lux and Walker.

Passed to Committee on Rules for second reading.

February 25, 1988

SJM 8029 Prime Sponsor, Senator Benitz: Requesting enactment of a Hanford Federal and State Plant Closing Disaster Program. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 7, strike the remainder of the memorial and insert the following:

*WHEREAS, The United States government has announced the closure of the Hanford N-Reactor and associated plutonium production facilities; and

WHEREAS, This closure will cause the loss of 6,000 to 12,000 skilled jobs and family wages as well as an average of 400 megawatts of electric energy from the N-Reactor no longer being available to supply steam to the Hanford Generating Plant; and

WHEREAS, The communities of the Tri-Cities and the state of Washington will suffer from these job losses economic losses totaling sixty to one hundred twenty million dollars in annual lost revenues resulting from increased unemployment compensation, public assistance costs, and lost wage tax revenues, in addition to hundreds of millions in lost revenues due to lost wages and the secondary impact of business failures; and

WHEREAS, The state government on its own cannot provide sufficient reemployment or training opportunities given the immensity of this closure, nor can it solely mitigate the loss of economic activity this great; and

WHEREAS, The Tri-Cities communities have been dependent on federal government-related business and employment for decades and without major federal assistance will experience a grave economic downturn under this government shut down; and

WHEREAS, The federal government, in passing the Redwood National Park Expansion Act (P.L. 95-250) in 1978, recognized its responsibilities in actions which caused the loss of five thousand plus lumber-dependent jobs and enacted both the Redwood Employees Protection Program for these five thousand plus workers totaling over fifty million dollars in direct payments to the affected workers and a community economic development mitigation program totaling over thirty million dollars, as well as five hundred million dollars compensation to affected lumber companies; and

WHEREAS, Your Memorialists recognize that a program for the Tri-Cities proportionate to that of P.L. 95-250 would involve a much greater level of assistance than that given in 1978 and thereby is, for Congress today, simply not affordable, but yet the severity and suddenness of the economic dislocation imposed by the federal government on the Tri-Cities should impel Congress toward what for today would be a singular level of effort to mitigate the inflicted economic devastation;

NOW, THEREFORE, Your Memorialists respectfully pray that the federal government, as the principal employer in the Tri-Cities for over four decades, take the primary and leading role in mitigating the effects of the closing of government facilities with a comprehensive program that accelerates Hanford defense waste cleanup, promotes economic diversification, and minimizes economic dislocations.

BE IT RESOLVED, That defense waste cleanup include early construction of a waste vitrification plant, a transportable grout facility, and a waste receiving and processing facility, and that diversification include establishment of a national research center comprising at least a molecular science research center, a hazardous waste technology center, a national center for advanced materials, and a major university presence, and possibly also include reinstated fusion research and a national center for energy research and development, and that diversification programs also include studies of agricultural and other business opportunities, nuclear energy waste heat utilization, and continuation of seismic and ground water studies, and that

transition assistance include funds or programs from the Department of Defense Office of Economic Adjustment, Nuclear Waste Policy Act moneys, and the Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, That workers receive transition assistance in job counseling, retraining, securing new employment, mortgage foreclosure prevention, and prevention of eviction from rentals; and

BE IT FURTHER RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Ronald Reagan, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington."

Signed by Representatives Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Brooks, Gallagher, Hankins, Jacobsen, Jesernig, May, Meyers, Miller, Sutherland, Unsoeld and S. Wilson.

Passed to Committee on Rules for second reading.

February 25, 1988

SJM 8030 Prime Sponsor, Senator Barr: Requesting expedited funding for the lighting system at Grand Coulee Dam. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 7, after "celebration" insert ", provided that the music accompanying the modernized laser-light demonstration be appropriately related to the state centennial celebration"

Signed by Representatives Vekich, Chair; Wineberry, Vice Chair; Beck, Cantwell, Doty, Grant, Hargrove, Heavey, Holm, Kremen, McLean, Moyer, Rasmussen, Schoon, B. Williams and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Amundson.

Absent: Representatives Braddock, Cantwell, Grant and J. Williams.

Passed to Committee on Rules for second reading.

February 25, 1988

SSCR 8403 Prime Sponsor, Committee on Economic Development & Labor: Requiring the Legislature to include persons of disability as a minority group for affirmative action purposes. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Anderson, Vice Chair; Baugher, Chandler, Hankins, O'Brien, Peery, Taylor and Walk.

Passed to Committee on Rules for second reading.

February 24, 1988

SCR 8431 Prime Sponsor, Senator Lee: Creating a joint select committee on workforce training and retraining. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 1, strike the remainder of the resolution and insert the following:

"WHEREAS, Employment opportunities are of vital concern to the citizens of the state of Washington; and

WHEREAS, The changing economy places increasing demands upon the state's workforce; and

WHEREAS, In order for Washington companies to maintain their competitive advantage in world markets and for the citizens of this state to maintain their quality lifestyles it is necessary to improve the international competitiveness of the workforce within the state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, the House of Representatives concurring, That a joint select committee on workforce training and retraining be established to: (1) Review the issues facing the workforce in Washington, including, but not limited to, identifying the basic skills training needed to enable workers in the state to be trained and retrained and determining the areas of training that would be most beneficial to the state's workforce and its employers; (2) review the manner in which training and retraining

could best be undertaken cooperatively between all sectors of the economy; and (3) make recommendations on establishing policies and programs to insure a competitive workforce in the state; and

BE IT FURTHER RESOLVED, That the committee consist of: (1) Three members from each caucus of the Senate, selected by the President of the Senate; at least one member from each caucus shall be a member of the Senate economic development and labor committee; and (2) three members from each caucus of the House of Representatives, selected by the Speaker of the House of Representatives; at least one member from each caucus shall be a member of the House of Representatives commerce and labor committee. The committee shall choose its chair and vice-chair from among its membership; and

BE IT FURTHER RESOLVED, That the committee, where feasible, may consult with individuals from the public and private sector or ask such persons to establish an advisory committee; and

BE IT FURTHER RESOLVED, That the committee shall use legislative staff and facilities, but may hire additional staff with specific technical expertise if such expertise is necessary to carry out the mandates of this resolution. All expenses of the committee shall be paid jointly by the Senate and the House of Representatives; and

BE IT FURTHER RESOLVED, That the committee may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the committee and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments; and

BE IT FURTHER RESOLVED, That the committee shall report to the legislature with its findings and recommendations by December 1, 1988. The committee shall cease to exist on April 1, 1989.*

Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisher, Jones, R. King, O'Brien, Patrick, Sanders, Sayan, Smith and Walker.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorials and resolutions listed on today's supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

MOTIONS

On motion of Mr. Ebersole, Engrossed Substitute Senate Bill No. 5669 was referred from Committee on Ways & Means to Committee on Rules.

On motion of Mr. Ebersole, Engrossed Second Substitute Senate Bill No. 6235 was referred from Committee on Environmental Affairs to Committee on Ways & Means.

On motion of Mr. Ebersole, Substitute Senate Bill No. 6474 was referred from Committee on Ways & Means to Committee on Rules.

Mr. Ebersole moved that Engrossed Substitute Senate Bill No. 6433 and Substitute Senate Bill No. 6551 be referred from today's second reading calendar to Committee on Ways & Means.

POINT OF PERSONAL PRIVILEGE

Ms. Miller: Thank you, Mr. Speaker. It is noted that these are on the second reading calendar and that we are moving them back to Ways & Means for, I assume, amendment. I am just raising a concern that these are two very important bills—the PKU bill and the victim/survivor rights bill. I just want to make sure that in our lack of time to finish our work that we don't lose these bills on their way to passage.

The Speaker (Mr. Wang presiding): Your concerns are noted, Representative Miller.

The motion was carried.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Monday, February 29, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTIETH DAY

MORNING SESSION

House Chamber, Olympia, Monday, February 29, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amondson, Bristow, Ferguson, Fuhrman, P. King, Locke, Nutley, Sanders, Schoon, Silver, Todd and Wineberry. Representative Ferguson was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Aaron Byers and Dori Johnson. Prayer was offered by The Reverend Lee Forstrom, Minister of The Westwood Baptist Church of Olympia.

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

MESSAGES FROM THE SENATE

February 24, 1988

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1270,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

February 26, 1988

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1306,

HOUSE BILL NO. 1318,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

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

REPORTS OF STANDING COMMITTEES

February 26, 1988

HB 1355 Prime Sponsor, Representative Bristow: Revising general obligation bond issues. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefore and the substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Basich, Belcher, Braddock, Brekke, Ebersole, Grant, Hine, Locke, Peery, Rust, Sayan, H. Sommers, Spanel, Sprengle, Valle, Wang and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Nealey and Silver.

Voting nay: Representatives Butterfield, Dellwo, Holland, McLean, Nealey and Silver.

Absent: Representatives Brough, Fuhrman, Taylor and B. Williams.

Passed to Committee on Rules for second reading.

February 26, 1988

HB 1455 Prime Sponsor, Representative Bristow: Adopting the supplemental capital budget. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefore and the substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice

Chair; Appelwick, Basich, Belcher, Braddock, Brekke, Ebersole, Grant, Hine, Locke, Peery, Rust, Sayan, Schoon, H. Sommers, Spanel, Sprengle, Valle, Wang and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Butterfield, Holland, McLean, Nealey and Silver.

Voting nay: Representatives Brough, Butterfield, Dellwo, Holland, McLean, Nealey and Silver.

Absent: Representatives Fuhrman, Taylor and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

HB 2036 Prime Sponsor, Representative Appelwick: Revising provisions on county sales and use tax equalization. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Basich, Bristow, Dellwo, Holland, Rust, Schoon, Valle and Winsley.

Absent: Representatives Grimm and Taylor.

Passed to Committee on Rules for second reading.

February 27, 1988

HB 2052 Prime Sponsor, Representative Locke: Relating to public facilities supported by excise taxes imposed by the state in class AA counties and imposed by local governments in all counties. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefore and the substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Basich, Belcher, Brekke, Dellwo, Ebersole, Grant, Hine, Locke, Peery, Sayan, Schoon, H. Sommers, Sprengle, Valle, Wang and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, McLean and Nealey.

Voting nay: Representatives Braddock, Brough, Fuhrman, Grant, Holland, McLean, Nealey and Spanel.

Absent: Representatives Butterfield, Silver, Taylor and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

HB 2053 Prime Sponsor, Representative Grimm: Relating to the transfer of money from the state lottery account to the general fund. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Basich, Belcher, Braddock, Brekke, Brough, Butterfield, Dellwo, Ebersole, Fuhrman, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Sayan, Schoon, H. Sommers, Spanel, Sprengle, Valle, Wang, B. Williams and Winsley.

Absent: Representatives Schoon, Silver, Taylor and Valle.

Passed to Committee on Rules for second reading.

February 27, 1988

HB 2054 Prime Sponsor, Representative Grimm: Authorizing waivers of state matching requirements for school construction projects. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefore and the substitute bill do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Basich, Belcher, Braddock, Brekke, Brough, Butterfield, Dellwo, Ebersole,

Grant, Hine, Holland, Locke, McLean, Nealey, Rust, Sayan, H. Sommers, Spanel, Sprenkle, Valle, Wang, B. Williams and Winsley.

Absent: Representatives Appelwick, Belcher, Fuhrman, Silver and Taylor.

Passed to Committee on Rules for second reading.

February 27, 1988

2SSB 5378 Prime Sponsor, Committee on Health Care & Corrections: Licensing laboratories conducting prenatal test. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Braddock, Brekke, Brough, Butterfield, Grant, Grimm, Holland, Sayan, H. Sommers, Spanel and Wang.

Absent: Representatives Bristow, Brough, Ebersole, Fuhrman, Holland, McLean, Nealey, Silver, Sprenkle and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

2SSB 5720 Prime Sponsor, Committee on Education: Revising the authority for cooperative agreements between or among school districts. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Braddock, Brekke, Brough, Butterfield, Grant, Grimm, Holland, Sayan, H. Sommers, Spanel and Wang.

Absent: Representatives Bristow, Brough, Ebersole, Fuhrman, McLean, Nealey, Silver, Sprenkle and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

ESB 6093 Prime Sponsor, Senator Pullen: Providing for presentence reports on sexual offenders. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Sayan, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representatives Silver and Wang.

Passed to Committee on Rules for second reading.

February 27, 1988

E2SSB 6220 Prime Sponsor, Committee on Ways & Means: Changing provisions relating to business and industrial development corporations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments by Committee on Ways & Means without amendments by Committee on Trade & Economic Development:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that the unavailability of capital to viable firms that do not meet current commercial bank or venture capital criteria for loans or equity investments can have a devastating impact on the state's economic development efforts. Without reasonable access to financing, talented and aggressive entrepreneurs are cut out of the economic system and the overall economy of the state suffers.

The process of job creation and economic development requires readily available capital for small and young companies that are the major source of innovations and new jobs. To ensure the availability of capital to entrepreneurs in Washington state, the legislature hereby eliminates unnecessary restrictions which have discouraged the formation of business and industrial development corporations under current law.

Sec. 2. Section 1, chapter 162, Laws of 1963 and RCW 31.24.010 are each amended to read as follows:

~~((As used in this chapter, the following words and phrases, unless differently defined or described, shall have the meanings and references as follows)) Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:~~

(1) Corporation means a Washington business and industrial development corporation created under this chapter.

(2) Financial institution means any banking corporation or trust company, national banking association, savings and loan association, insurance company or related corporation, partnership, foundation, or other institution engaged primarily in lending or investing funds.

~~(3) (Member means any financial institution authorized to do business within this state which shall undertake to lend money to a corporation created under this chapter, upon its call; and in accordance with the provisions of this chapter:~~

~~(4)) Board of directors means the board of directors of the corporation created under this chapter.~~

~~((5) Loan limit means for any member, the maximum amount permitted to be outstanding at one time on loans made by such member to the corporation, as determined under the provisions of this chapter.))~~

~~(4) Business means an individual, proprietorship, joint venture, partnership, trust, business trust, syndicate, association, joint stock company, cooperative, corporation, or any other organization operating in this state, and paying more than fifty percent of its contributions or payments for the purposes of unemployment insurance to this state.~~

~~(5) Associate means, if used with respect to a corporation:~~

~~(a) A controlling person, director, officer, agent, or advisor of that corporation.~~

~~(b) A director, officer, or partner of a person referred to in (a) of this subsection.~~

~~(c) A person who controls, is controlled by, or is under common control with a person referred to in (a) of this subsection directly or indirectly through one or more intermediaries.~~

~~(d) Any close relative of any person referred to in (a) of this subsection.~~

~~(e) A person of which a person referred to in (a) through (d) of this subsection is a director or officer.~~

~~(f) A person in which a person referred to in (a) through (d) of this subsection, or any combination of those persons acting in concert, owns or controls, directly or indirectly, a twenty percent or greater equity interest.~~

~~For the purposes of this subsection (5)(f), a person who is in a relationship referred to in this subsection within six months before or after a corporation provides financing assistance shall be considered to be in that relationship as of the date that corporation provides that financing assistance.~~

~~If a corporation, in order to protect its interests, designates a person to serve as a director of, officer of, or in any capacity in the management of a business to which that corporation provides financing assistance, that person shall not, on that account, be considered to have a relationship with that business. This exception does not apply if the person has, directly or indirectly, any other financial interest in the business or if the person, at any time before the corporation provides the financing assistance, served as a director of, officer of, or in any other capacity in the management of the business for a period of thirty days or more.~~

~~(6) Close relative means a parent, child, sibling, spouse, father-in-law, mother-in-law, son-in-law, brother-in-law, daughter-in-law, sister-in-law, grandparent, or grandchild.~~

~~(7) Supervisor means the state supervisor of banking.~~

~~Sec. 3. Section 2, chapter 162, Laws of 1963 as amended by section 1, chapter 16, Laws of 1974 ex. sess. and RCW 31.24.020 are each amended to read as follows:~~

~~((Fifteen or more)) At least seven but not more than twenty-one persons, a majority of whom shall be residents of this state, who may desire to create ((am)) a business and industrial development corporation under the provisions of this chapter, for the purpose of promoting, developing and advancing the prosperity and economic welfare of the state and, to that end, to exercise the powers and privileges hereinafter provided, may be incorporated by filing in the office of the secretary of state, as hereinafter provided, articles of incorporation. The articles of incorporation shall contain:~~

~~(1) The name of the corporation, which shall include the words 'Business and Industrial Development Corporation of Washington.'~~

~~(2) The location of the principal office of the corporation, but such corporation may have offices in such other places within the state as may be fixed by the board of directors.~~

~~(3) The purposes for which the corporation is founded, which shall be to ((promote, stimulate, develop and advance the business prosperity and economic welfare of Washington and its citizens; to encourage and assist through loans, investments or other business transactions in the location of new business and industry in this state and to rehabilitate and assist existing business and industry; to stimulate and assist in the expansion of all kinds of business activity which will tend to promote the business development and maintain the economic stability of this state; provide maximum opportunities for employment; encourage thrift; and improve the standard of living of citizens of this state; similarly, to cooperate and act in conjunction with other organizations, public or private, in the promotion and advancement of industrial, commercial, agricultural and recreational developments in this state; and to provide financing for~~

~~the promotion, development, and conduct of all kinds of business activity in this state)) provide moderate risk financing and management assistance to businesses operating primarily in Washington state to increase job opportunities for Washington citizens and the prosperity of the state.~~

(4) The names and post office addresses of the members of the first board of directors, who, unless otherwise provided by the articles of incorporation or the bylaws, shall hold office for the first year of existence of the corporation or until their successors are elected and have qualified.

(5) Any provision which the incorporators may choose to insert for the regulation of the business and for the conduct of the affairs of the corporation and any provision creating, dividing, limiting and regulating the powers of the corporation, the directors, stockholders or any class of the stockholders, including, but not limited to a list of the officers, and provisions governing the issuance of stock certificates to replace lost or destroyed certificates.

(6) The amount of authorized capital stock and the number of shares into which it is divided, the par value of each share and the amount of capital with which it will commence business and, if there is more than one class of stock, a description of the different classes; the names and post office addresses of the subscribers of stock and the number of shares subscribed by each. The aggregate of the subscription shall be the minimum amount of capital with which the corporation shall commence business which shall not be less than ~~((fifty thousand))~~ one million dollars, except as otherwise provided in this chapter. The articles of incorporation may also contain any provision consistent with the laws of this state for the regulation of the affairs of the corporation.

(7) The articles of incorporation shall be in writing, subscribed by not less than five natural persons competent to contract and acknowledged by each of the subscribers before an officer authorized to take acknowledgments and filed in the office of the secretary of state for approval. A duplicate copy so subscribed and acknowledged may also be filed.

(8) The articles of incorporation shall recite that the corporation is organized under the provisions of this chapter.

~~The secretary of state shall not approve articles of incorporation for a corporation organized under this chapter until ((a total of at least ten national banks, state banks, savings banks, industrial savings banks, federal savings and loan associations, domestic building and loan associations, or insurance companies authorized to do business within this state, or any combination thereof, have agreed in writing to become members of said corporation; and said written agreement shall be filed with the secretary of state with the articles of incorporation and the filing of same shall be a condition precedent to the approval of the articles of incorporation by the secretary of state)) the state supervisor of banking has certified the corporation as eligible to operate as a business and industrial development corporation under this chapter.~~

A person transacting business in this state shall not use a name or title which indicates that the person is a business and industrial development corporation including, but not limited to, use of the term 'BIDCO,' and a person shall not otherwise represent that the person is a business and industrial development corporation until the person has been certified as a business and industrial development corporation.

A corporation shall be certified by the supervisor of banking as eligible to operate under this chapter upon meeting the following conditions:

(a) The corporation has paid a three thousand dollar certification fee to the state supervisor of banking and such other fees or costs as the supervisor establishes by rule;

(b) The corporation has submitted a business plan which includes at least three years of detailed financial projections and other relevant information;

(c) The corporation has provided information about the character and competence of each director and officer of the corporation; and

(d) The supervisor finds that the corporation's officers and directors are capable of running the corporation competently, has a net worth and lendable funds sufficient to provide financing assistance, and that the directors and officers of the corporation have agreed to comply with the terms of this chapter and its intent to facilitate the availability of moderate risk financing to firms in Washington. In making the finding under this subsection, the supervisor of banking shall:

(i) Consult with the director of trade and economic development and the director of community development; and

(ii) Require a minimum net worth of one million dollars and an additional one million dollars in lendable funds or an enforceable pledge for one million dollars in lendable funds, unless the supervisor finds that special circumstances render lesser amounts of net worth or lendable funds adequate for the corporation to meet the intent of this chapter and operate according to its business plan.

Whenever the articles of incorporation shall have been filed in the office of the secretary of state and approved by ~~((him))~~ the secretary and all taxes, fees and charges, have been paid, as required by law, the subscribers, their successors and assigns shall constitute a corporation, and said corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may from time to time be issued.

Sec. 4. Section 3, chapter 162, Laws of 1963 as last amended by section 42, chapter 466, Laws of 1985 and RCW 31.24.030 are each amended to read as follows:

The business of a corporation shall be to provide financing and management assistance to businesses operating primarily in Washington state. In furtherance of its ~~((purposes))~~ business and in addition to the powers now or hereafter conferred on business corporations by the provisions of Title 23A RCW, ~~((the))~~ each corporation shall, subject to the restrictions and limitations herein contained, have the following powers:

(1) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation ~~((PROVIDED, That the corporation shall not incur any secondary liability by way of guaranty or endorsement of the obligations of any person, firm, corporation, joint stock company, association or trust, or in any other manner))~~.

(2) To borrow money ~~((from its members and the small business administration and any other similar federal agency;))~~ for any of the purposes of the corporation; to issue therefor its bonds, debentures, notes or other evidence of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof or interest therein, without securing stockholder ~~((or member))~~ approval ~~((PROVIDED, That no loan to the corporation shall be secured in any manner unless all outstanding loans to the corporation shall be secured equally and ratably in proportion to the unpaid balance of such loans and in the same manner))~~.

(3) To make loans to any person, firm, corporation, joint-stock company, association or trust, and to establish and regulate the terms and conditions with respect to any such loans and the charges for interest and service connected therewith ~~((PROVIDED, That the corporation shall not approve any application for a loan unless and until the person applying for said loan shall show that he has applied for the loan through ordinary banking channels and that the loan has been refused by at least one bank or other financial institution))~~.

(4) To purchase, receive, hold, lease, or otherwise acquire, and to sell, convey, transfer, lease or otherwise dispose of real and personal property, together with such rights and privileges as may be incidental and appurtenant thereto and the use thereof, ~~((including, but not restricted to, any))~~ if the real or personal property is for the corporation's use in operating its business, or if the real or personal property is acquired by the corporation from time to time in the satisfaction of debts or enforcement of obligations.

(5) ~~((To acquire the good will, business, rights, real and personal property, and other assets, or any part thereof, or interest therein, of any persons, firms, corporations, joint stock companies, associations or trusts, and to assume, undertake, or pay the obligations, debts and liabilities of any such person, firm, corporation, joint stock company, association or trust; to acquire improved or unimproved real estate for the purpose of constructing industrial plants or other business establishments thereon or for the purpose of disposing of such real estate to others for the construction of industrial plants or other business establishments; and to acquire, construct or reconstruct, alter, repair, maintain, operate, sell, convey, transfer, lease, or otherwise dispose of industrial plants or business establishments;))~~ To determine the form and the terms and conditions for financing assistance provided by the corporation to a business including, but not limited to forms such as loans; purchase of debt instruments; straight equity investments, such as purchase of common stock or preferred stock; debt with equity features such as warrants to purchase stock, convertible debentures, or receipt of a percent of net income or sales; royalty based financing; guaranteeing of debt; or leasing of property. A corporation may purchase securities of a business either directly or indirectly through an underwriter. A corporation may participate in the program of the small business administration pursuant to section 7(a) of the small business act, (Public Law 85-536, 15 U.S.C. Sec. 636(a)), or any other government program for which the corporation is eligible and which has as its function the provision or facilitation of financing or management assistance to businesses. If a corporation participates in a program referred to in this section, the corporation shall comply with the requirements of that program. Financing assistance provided by a corporation to a business shall be for the business purposes of that business.

(6) ~~((To acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the stock, shares, bonds, debentures, notes or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint stock company, association or trust, and while the owner or holder thereof to exercise all the rights, powers and privileges of ownership, including the right to vote thereon;))~~ To provide management assistance to a business which may encompass both management or technical advice and management or technical services. Management assistance provided by a corporation to a business shall be for the business purposes of that business.

(7) To mortgage, pledge, or otherwise encumber any property, right or things of value, acquired pursuant to the powers contained in subsection ~~((s))~~ (4) ~~((;))~~ or (5) ~~((-or (6)))~~ of this section, as security for the payment of any part of the purchase price thereof.

(8) To cooperate with and avail itself of the facilities of the United States department of commerce ~~((the department of trade and economic development;))~~ and any other similar

state or federal governmental agencies; and to cooperate with and assist, and otherwise encourage organizations in the various communities of the state in the promotion, assistance and development of the business prosperity and economic welfare of such communities or of this state or of any part thereof.

(9) To make donations for charitable, educational, research, or similar purposes.

(10) To do all acts and things necessary or convenient to carry out the powers expressly granted in this chapter.

Sec. 5. Section 4, chapter 162, Laws of 1963 and RCW 31.24.040 are each amended to read as follows:

Notwithstanding any rule at common law or any provision of any general or special law or any provision in their respective charters, agreements of association, articles of organization or trust indentures:

~~((H)) Any person including all domestic corporations organized for the purpose of carrying on business within this state and further including without implied limitation public utility companies and insurance companies, and foreign corporations licensed to do business within this state, and all financial institutions as defined herein, and all trustees, are hereby authorized to acquire, purchase, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of any bonds, securities or other evidences of indebtedness created by, or the shares of the capital stock of, the corporation, and while owners of said stock to exercise all the rights, powers and privileges of ownership, including the right to vote thereon, all without the approval of any regulatory authority of the state except as otherwise provided in this chapter~~~~((-PROVIDED- That a financial institution which does not become a member of the corporation shall not be permitted to acquire any shares of the capital stock of the corporation;~~

~~(2) All financial institutions are hereby authorized to become members of the corporation and to make loans to the corporation as provided herein; and~~

~~(3) Each financial institution which becomes a member of the corporation is hereby authorized to acquire, purchase, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of, any bonds, securities or other evidences of indebtedness created by, or the shares of the capital stock of, the corporation, and while owners of said stock, to exercise all the rights, powers and privileges of ownership, including the right to vote thereon, all without the approval of any regulatory authority of the state; PROVIDED, That the amount of the capital stock of the corporation which may be acquired by any member pursuant to the authority granted herein shall not exceed ten percent of the loan limit of such member).~~

The amount of capital stock of the corporation which any ~~((member))~~ financial institution is authorized to acquire pursuant to the authority granted herein is in addition to the amount of capital stock in corporations which such ~~((member))~~ financial institution may otherwise be authorized to acquire.

Sec. 6. Section 7, chapter 162, Laws of 1963 and RCW 31.24.070 are each amended to read as follows:

The stockholders ~~((and the members))~~ of the corporation shall have the following powers of the corporation:

(1) To determine the number of and elect directors as provided in RCW 31.24.090;

(2) To make, amend and repeal bylaws;

(3) To amend this charter as provided in RCW 31.24.080;

(4) To dissolve the corporation as provided in RCW 31.24.150;

(5) To do all things necessary or desirable to secure aid, assistance, loans and other financing from any financial institutions, and from any agency established under the small business investment act of 1958, public law 85-699, 85th congress, or other similar federal laws now or hereafter enacted.

(6) To exercise such other of the powers of the corporation consistent with this chapter as may be conferred on the stockholders ~~((and the members))~~ by the bylaws.

As to all matters requiring action by the stockholders ~~((and the members))~~ of the corporation, said stockholders ~~((and said members))~~ shall vote separately thereon by classes, and, except as otherwise herein provided, such matters shall require the affirmative vote of a majority of the votes to which the stockholders present or represented at the meeting shall be entitled ~~((and the affirmative vote of a majority of the votes to which the members present or represented at the meeting shall be entitled)).~~

~~((Each))~~ Stockholders shall have one vote, in person or by proxy, for each share of capital stock held ~~((by him, and each member shall have one vote, in person or by proxy, except that any member having a loan limit of more than one thousand dollars shall have one additional vote, in person or by proxy, for each additional one thousand dollars which such member is authorized to have outstanding on loans to the corporation at any one time as determined under subsection (3)(b) of RCW 31.24.050)).~~

Sec. 7. Section 8, chapter 162, Laws of 1963 and RCW 31.24.080 are each amended to read as follows:

The articles of incorporation may be amended by the votes of the stockholders ~~((and the members of the corporation)),~~ voting separately by classes, and such amendments shall require approval by the affirmative vote of two-thirds of the votes to which the stockholders

~~((shall be entitled and two-thirds of the votes to which the members)) shall be entitled: PROVIDED, That no amendment of the articles of incorporation which is inconsistent with the general purposes expressed herein or which authorizes any additional class of capital stock to be issued, or which eliminates or curtails the right of the state supervisor of banking to examine the corporation or the obligation of the corporation to make reports as provided in RCW 31.24.120, shall be made(~~(-PROVIDED, FURTHER, That no amendment of the articles of incorporation which increases the obligation of a member to make loans to the corporation, or makes any charge in the principal amount, interest rate, maturity date, or in the security or credit position of an outstanding loan of a member to the corporation, or affects a member's right to withdraw from membership as provided herein, or affects a member's voting rights as provided herein, shall be made without the consent of each membership affected by such amendment))~~).~~

Within thirty days after any meeting at which an amendment of the articles of incorporation has been adopted, articles of amendment signed and sworn to by the president, treasurer, and a majority of the directors, setting forth such amendment and due adoption thereof, shall be submitted to the secretary of state, who shall examine them and if ~~((he))~~ the secretary finds that they conform to the requirements of this chapter, shall so certify and endorse his or her approval thereon. Thereupon, the articles of amendment shall be filed in the office of the secretary of state and no such amendment shall take effect until such articles of amendment shall have been filed as aforesaid.

Sec. 8. Section 9, chapter 162, Laws of 1963 as amended by section 3, chapter 16, Laws of 1974 ex. sess. and RCW 31.24.090 are each amended to read as follows:

The business and affairs of the corporation shall be managed and conducted by a board of directors, a president, a vice president, a secretary, a treasurer, and such other officers and such agents as the corporation by its bylaws shall authorize. The board of directors shall consist of such number, not less than ~~((eleven))~~ seven nor more than twenty-one, as shall be determined in the first instance by the incorporators and thereafter annually by ~~((the members and))~~ the stockholders of the corporation. The board of directors may exercise all the powers of the corporation except such as are conferred by law or by the bylaws of the corporation upon the stockholders ~~((or members))~~ and shall choose and appoint all the agents and officers of the corporation and fill all vacancies except vacancies in the office of director which shall be filled as hereinafter provided. The board of directors shall be elected in the first instance by the incorporators and thereafter at the annual meeting, the day and month of which shall be established by the bylaws of the corporations, or, if no annual meeting shall be held in the year of incorporation, then within ninety days after the approval of the articles of incorporation at a special meeting as hereinafter provided. ~~((At each annual meeting, or at each special meeting held as provided in this section, the members of the corporation shall elect two-thirds of the board of directors and the stockholders shall elect the remaining directors.))~~ The directors shall hold office until the next annual meeting of the corporation or special meeting held in lieu of the annual meeting after the election and until their successors are elected and qualified unless sooner removed in accordance with the provisions of the bylaws. Any vacancy in the office of a director ~~((elected by the members shall be filled by the directors elected by the members, and any vacancy in the office of a director elected by the stockholders))~~ shall be filled by the directors ~~((elected by the stockholders))~~.

Directors and officers shall not be responsible for losses unless the same shall have been occasioned by the willful misconduct of such directors and officers.

NEW SECTION. Sec. 9. A new section is added to chapter 31.24 RCW to read as follows:

(1) A corporation shall transact its business in a safe and sound manner and shall maintain itself in a safe and sound condition. The supervisor of banking shall revoke the certification of a corporation if the supervisor finds that the corporation has failed to operate or maintain itself in a safe and sound manner or has failed to comply with the intent of this chapter, and the corporation may not transact business as a business and industrial development corporation until such time as the supervisor recertifies the corporation consistent with RCW 31.24.020(8). The secretary of state shall remove from the active files the incorporation records of a corporation with its certification revoked until such time as the supervisor of banking has recertified the corporation.

(2) In determining whether a corporation is transacting business in a safe and sound manner or has committed an unsafe or unsound act, the supervisor shall consider the risk of a provision of financing assistance to a business firm, within the context of the anticipated higher risks associated with the purposes of corporations organized under this chapter.

(3) Subsection (2) of this section does not limit the authority of the supervisor to:

(a) Determine that a corporation's financing assistance to a single business or group of affiliated firms is in violation of subsection (1) of this section if the amount of that financing assistance is unduly large in relation to the total assets or the total shareholder's equity of the corporation;

(b) Require that a corporation maintain a reserve in the amount of anticipated losses; and

(c) Require that a corporation have a written financing assistance policy, approved by its board of directors, including credit evaluation and other matters. The supervisor shall not require that a corporation adopt a financing assistance policy that contains standards which

prevent the corporation from exercising flexibility in meeting the capital needs of the individual firms.

Sec. 10. Section 12, chapter 162, Laws of 1963 and RCW 31.24.120 are each amended to read as follows:

The corporation shall be examined at least ~~((once annually))~~ every eighteen months by the state supervisor of banking and shall make quarterly reports of its condition ~~((not less than annually))~~ to said state supervisor of banking and more frequently upon call of the state supervisor of banking, who in turn shall make copies of such reports available to the state insurance commissioner and the governor; and the corporation shall also furnish such other information as may from time to time be required by the state supervisor of banking and secretary of state. The corporation shall pay the actual cost of said examinations. The state supervisor of banking shall exercise the same power and authority over corporations organized under this chapter as is now exercised over banks and trust companies by the provisions of the Title 30 RCW, where the provisions of Title 30 RCW are not in conflict with this chapter.

The state supervisor of banking shall publish annually and provide to the senate economic development and labor committee, the house trade and economic development committee, and the senate and house ways and means committees information on the impact of this chapter in promoting economic development in Washington. At the minimum, the information shall include aggregate statistics on each of the following:

(1) The number and locations of corporations operating under this chapter;
(2) The number of instances and dollar amount of financing and management assistance given by corporations operating under this chapter to:

(a) All individual businesses assisted;

(b) Types of businesses classified using the standard industrial classification manual;

(c) Minority and women-owned businesses; and

(d) Businesses located in distressed areas;

(3) The number of jobs created or retained by:

(a) All individual businesses assisted;

(b) Types of businesses classified using the standard industrial classification manual;

(c) Minority and women-owned businesses;

(d) Businesses located in distressed areas; and

(e) The wage rates paid to the employees hired or retained; and

(4) The percentage of each business's total contributions or payments for unemployment insurance made to the state of Washington.

Sec. 11. Section 13, chapter 162, Laws of 1963 and RCW 31.24.130 are each amended to read as follows:

The first meeting of the corporation shall be called by a notice signed by three or more of the incorporators, stating the time, place and purpose of the meeting, a copy of which notice shall be mailed, or delivered, to each incorporator at least five days before the day appointed for the meeting. Said first meeting may be held without such notice upon agreement in writing to that effect signed by all the incorporators. There shall be recorded in the minutes of the meeting a copy of said notice or of such unanimous agreement of the incorporators.

At such first meeting, the incorporators shall organize by the choice, by ballot, of a temporary clerk; by the adoption of bylaws, by the election by ballot of directors; and by action upon such other matters within the powers of the corporation as the incorporators may see fit. The temporary clerk shall be sworn and shall make and attest a record of the proceedings. ~~((Ten))~~ Five of the incorporators shall be a quorum for the transaction of business.

NEW SECTION. Sec. 12. A new section is added to chapter 31.24 RCW to read as follows:

The director of trade and economic development is authorized to provide assistance and advice to persons forming corporations under this chapter.

Sec. 13. Section 14, chapter 162, Laws of 1963 and RCW 31.24.140 are each amended to read as follows:

Unless otherwise provided in the articles of incorporation, the period of duration of the corporation shall be perpetual, subject, however, to the right of the stockholders ~~((and the members))~~ to dissolve the corporation prior to the expiration of said period as provided in RCW 31.24.150.

Sec. 14. Section 15, chapter 162, Laws of 1963 as amended by section 52, chapter 3, Laws of 1983 and RCW 31.24.150 are each amended to read as follows:

The corporation may upon the affirmative vote of two-thirds of the votes to which the stockholders shall be entitled ~~((and two-thirds of the votes to which the member shall be entitled))~~ dissolve said corporation as provided by Title 23A RCW, insofar as Title 23A RCW is not in conflict with the provisions of this chapter. Upon any dissolution of the corporation, none of the corporation's assets shall be distributed to the stockholders until all sums due the ~~((members))~~ creditors of the corporation ((as creditors thereof)) have been paid in full.

NEW SECTION. Sec. 15. A new section is added to chapter 31.24 RCW to read as follows:

(1) A corporation shall not provide, directly or indirectly, financing assistance to:

(a) An associate of the corporation;

(b) Discharge, or to free other money for use in discharging, in whole or in part, an obligation to an associate of that corporation. This section does not apply to a transaction effected by an associate of a corporation in the normal course of that associate's business involving a line of credit or short-term financing assistance.

(c) A business to which an associate of that corporation provides financing assistance, either contemporaneously with, or within one year before or after, the providing of financing assistance by the corporation, if the terms on which the corporation provides financing assistance are less favorable to the corporation than the terms on which the associate provides financing assistance to the business. If the financing assistance provided by the associate of the corporation is of a different kind from the financing assistance provided by the corporation, the burden shall be on the corporation to prove that the terms on which the corporation provided financing assistance were at least as favorable to the corporation as the terms on which the associate provided financing assistance to the business.

This subsection (1)(c) does not apply to any of the following:

(i) If the associate is a controlling person of the corporation and is also the only shareholder of the corporation;

(ii) If the associate is a subsidiary of the corporation; or

(iii) A transaction effected by an associate of a corporation in the normal course of that associate's business involving a line of credit or short-term financing assistance.

(2) For the purposes of this section and section 16 of this act:

(a) 'Person' means an individual, proprietorship, joint venture, partnership, trust, business trust, syndicate, association, joint stock company, corporation, cooperative, government, agency of a government, or any other organization. If used with respect to acquiring control of or controlling a specified person, person includes a combination of two or more persons acting in concert;

(b) 'Control' means, if used with respect to a specified person, the power to direct or cause the direction of, directly or indirectly through one or more intermediaries, the management and policies of that specified person, whether through the ownership of voting securities; by contract, other than a commercial contract for goods or nonmanagement services; or otherwise. A natural person shall not be considered to control a person solely on account of being a director, officer, or employee of that person. A person who, directly or indirectly, owns of record or beneficially holds with power to vote, or holds proxies with discretionary authority to vote, twenty percent or more of the then outstanding voting securities issued by a corporation shall be rebuttably presumed to control that corporation; and

(c) 'Controlling person' means, if used with respect to a specified person, a person who controls that specified person, directly or indirectly through one or more intermediaries.

NEW SECTION, Sec. 16. A new section is added to chapter 31.24 RCW to read as follows:

An associate of a corporation shall not receive, directly or indirectly, from a person to whom that corporation provides financing assistance, compensation in connection with the providing of that financing assistance or anything of value for procuring, influencing, or attempting to procure or influence the corporation's action with respect to the providing of the financing assistance. This section does not apply to the receipt of fees by an associate of a corporation for bona fide closing services performed by that associate if all of the following are true:

(1) The associate, with the consent and knowledge of the person to whom the financing assistance is provided, is designated by the corporation to perform the services;

(2) The services are appropriate and necessary in the circumstances;

(3) The fees for the services are approved as reasonable by the corporation; and

(4) The fees for the services are collected by the corporation on behalf of the associate.

Sec. 17. Section 16, chapter 162, Laws of 1963 and RCW 31.24.160 are each amended to read as follows:

Under no circumstances shall the credit of the state of Washington be pledged to any corporation organized under the provisions of this chapter. The state of Washington shall not be subject to or responsible for any claim, debt, obligation, liability, or undertaking arising from the formation, operation, activities, or dissolution of a corporation organized under this chapter, and shall be immune from suit thereon. All debt and equity instruments, including but not limited to bonds, debentures, securities, notes, and shares, issued by corporations organized under this chapter shall indicate on the face of each such document as issued that it does not constitute an obligation of the state of Washington.

NEW SECTION, Sec. 18. A new section is added to chapter 31.24 RCW to read as follows:

The insurance commissioner, the state supervisor of banking, the state supervisor of savings and loan associations, and the utilities and transportation commission shall each adopt such rules as may be necessary to allow those insurers, banks, savings and loan associations, and public service companies subject to regulation by state law to participate as investors in corporations organized under this chapter in a manner consistent with state regulatory requirements and the requirements imposed under this chapter.

Sec. 19. Section 2, chapter 107, Laws of 1987 and section 1, chapter 337, Laws of 1987 and section 16, chapter 370, Laws of 1987 and section 1, chapter 404, Laws of 1987 and section 10,

chapter 411, Laws of 1987 and RCW 42.17.310 are each reenacted and amended to read as follows:

(1) The following are exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would (i) be prohibited to such persons by RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer.

(d) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property: PROVIDED, That if at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern: PROVIDED, FURTHER, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(k) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or deprecation of such sites.

(l) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

(m) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070.

(n) Railroad company contracts filed with the utilities and transportation commission under RCW 81.34.070, except that the summaries of the contracts are open to public inspection and copying as otherwise provided by this chapter.

(o) Financial and commercial information and records supplied by private persons pertaining to export services provided pursuant to chapter 53.31 RCW.

(p) Financial disclosures filed by private vocational schools under chapter 28C.10 RCW.

(q) Records filed with the utilities and transportation commission or attorney general under RCW 80.04.095 that a court has determined are confidential under RCW 80.04.095.

(r) Financial and commercial information and records supplied by businesses during application for loans or program services provided by chapters 43.31, 43.63A, and 43.168 RCW.

(s) Membership lists or lists of members or owners of interests of units in timeshare projects, subdivisions, camping resorts, condominiums, land developments, or common-interest communities affiliated with such projects, regulated by the department of licensing, in the files or possession of the department.

(t) Except as provided under section 2 of this 1987 act (1987 c 404 § 2), all applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

(u) The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers.

(v) The residential addresses and residential telephone numbers of the customers of a public utility contained in the records or lists held by the public utility of which they are customers.

(w) Information obtained by the board of pharmacy as provided in RCW 69.45.090.

(x) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW.

(2) Except for information described in subsection (1)(c)(i) of this section and confidential income data exempted from public inspection pursuant to RCW 84.40.020, the exemptions of this section are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption may be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records exempt under the provisions of this section may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

NEW SECTION, Sec. 20. The following acts or parts of acts are each repealed:

(1) Section 5, chapter 162, Laws of 1963, section 1, chapter 90, Laws of 1973 1st ex. sess., section 2, chapter 16, Laws of 1974 ex. sess. and RCW 31.24.050;

(2) Section 6, chapter 162, Laws of 1963 and RCW 31.24.060; and

(3) Section 10, chapter 162, Laws of 1963 and RCW 31.24.100.

NEW SECTION, Sec. 21. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "corporations;" strike the remainder of the title and insert "amending RCW 31.24.010, 31.24.020, 31.24.030, 31.24.040, 31.24.070, 31.24.080, 31.24.090, 31.24.120, 31.24.130, 31.24.140, 31.24.150, and 31.24.160; reenacting and amending RCW 42.17.310; adding new sections to chapter 31.24 RCW; creating a new section; repealing RCW 31.24.050, 31.24.060, and 31.24.100; and prescribing penalties."

Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Basich, Belcher, Braddock, Brekke, Dellwo, Ebersole, Fuhrman, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Sayan, H. Sommers, Spanel, Sprengle, Valle and Wang.

Voting nay: Representative Schoon.

Absent: Representatives Brough, Butterfield, Ebersole, Silver, Taylor, B. Williams and Winsley.

Passed to Committee on Rules for second reading.

February 27, 1988

E2SSB 6235

Prime Sponsor, Committee on Ways & Means: Creating the water pollution control account and authorizing financial assistance from it. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

'NEW SECTION, Sec. 1. The long-range health and environmental goals for the state of Washington require the protection of the state's surface and underground waters for the health, safety, use, enjoyment, and economic benefit of its people. It is the purpose of this chapter to provide an account to receive federal capitalization grants to provide financial assistance to the state and to local governments for the planning, design, acquisition, construction, and improvement of water pollution control facilities and related activities in the achievement of state and federal water pollution control requirements for the protection of the state's waters.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of ecology.

(2) 'Eligible cost' means the cost of that portion of a water pollution control facility or activity that can be financed under this chapter.

(3) 'Fund' means the water-pollution control revolving fund in the custody of the state treasurer.

(4) 'Water pollution control facility' or 'water pollution control facilities' means any facilities or systems owned or operated by a public body for the control, collection, storage, treatment,

disposal, or recycling of wastewater, including but not limited to sanitary sewage, storm water, combined sewer overflows, residential, commercial, industrial, and agricultural wastes, which are causing water quality degradation due to concentrations of conventional, nonconventional, or toxic pollutants. Water pollution control facilities include all equipment, utilities, structures, real property, and interests in and improvements on real property necessary for or incidental to such purpose. Water pollution control facilities also include such facilities, equipment, and collection systems as are necessary to protect federally designated sole source aquifers.

(5) 'Water pollution control activities' means actions taken by a public body for the following purposes: (a) To control nonpoint sources of water pollution; (b) to develop and implement a comprehensive management plan for estuaries; and (c) to maintain or improve water quality through the use of water pollution control facilities or other means.

(6) 'Public body' means the state of Washington or any agency, county, city or town, other political subdivision, municipal corporation or quasi-municipal corporation, and those Indian tribes now or hereafter recognized as such by the federal government.

(7) 'Water pollution' means such contamination, or other alteration of the physical, chemical, or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental, or injurious to the public health, safety, or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

(8) 'Nonpoint source water pollution' means pollution that enters any waters of the state from any dispersed water-based or land-use activities, including, but not limited to, atmospheric deposition, surface water runoff from agricultural lands, urban areas, and forest lands, subsurface or underground sources, and discharges from boats or other marine vessels.

(9) 'Federal capitalization grants' means grants from the federal government provided by the water quality act of 1987 (P.L. 100-4).

NEW SECTION. Sec. 3. (1) The water pollution control revolving fund is hereby established in the custody of the state treasurer. Moneys in this fund are not subject to legislative appropriation. Moneys in the fund may be spent only in a manner consistent with this chapter.

(2) The water pollution control revolving fund shall consist of:

(a) All capitalization grants provided by the federal government under the federal water quality act of 1987;

(b) All state matching funds appropriated or authorized by the legislature;

(c) Any other revenues derived from gifts or bequests pledged to the state for the purpose of providing financial assistance for water pollution control projects;

(d) All repayments of moneys borrowed from the fund;

(e) All interest payments made by borrowers from the fund;

(f) Any other fee or charge levied in conjunction with administration of the fund; and

(g) Any new funds as a result of leveraging.

(3) The state treasurer may invest and reinvest moneys in the water pollution control revolving fund in the manner provided by law. All earnings from such investment and reinvestment shall be credited to the water pollution control revolving fund.

NEW SECTION. Sec. 4. The department of ecology shall use the moneys in the water pollution control revolving fund to provide financial assistance as provided in the water quality act of 1987:

(1) To make loans, on the condition that:

(a) Such loans are made at or below market interest rates, including interest free loans, at terms not to exceed twenty years;

(b) Annual principal and interest payments will commence not later than one year after completion of any project and all loans will be fully amortized not later than twenty years after project completion;

(c) The recipient of a loan will establish a dedicated source of revenue for repayment of loans; and

(d) The fund will be credited with all payments of principal and interest on all loans.

(2) Loans may be made for the following purposes:

(a) To public bodies for the construction or replacement of water pollution control facilities as defined in section 212 of the federal water quality act of 1987;

(b) For the implementation of a management program established under section 319 of the federal water quality act of 1987 relating to the management of nonpoint sources of pollution, subject to the requirements of that act; and

(c) For development and implementation of a conservation and management plan under section 320 of the federal water quality act of 1987 relating to the national estuary program, subject to the requirements of that act.

(3) The department may also use the moneys in the fund for the following purposes:

(a) To buy or refinance the water pollution control facilities' debt obligations of public bodies at or below market rates, if such debt was incurred after March 7, 1985;

(b) To guarantee, or purchase insurance for, public body obligations for water pollution control facility construction or replacement or activities if the guarantee or insurance would improve credit market access or reduce interest rates, or to provide loans to a public body for this purpose;

(c) As a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the state if the proceeds of the sale of such bonds will be deposited in the fund;

(d) To earn interest on fund accounts; and

(e) To pay the expenses of the department in administering the water pollution control revolving fund according to administrative reserves authorized by federal and state law.

(4) The department shall present a progress report on the use of moneys from the fund to the chairs of the ways and means committees of the senate and the house of representatives no later than November 30 of each year. This report shall consist of a list of each loan recipient, a project description, total loan amount, financial arrangement and interest rate, repayment schedule, and source of repayment.

(5) The department may not use the moneys in the water pollution control revolving fund for grants.

NEW SECTION. Sec. 5. Moneys deposited in the water pollution control revolving fund shall be administered by the department of ecology. In administering the fund, the department shall:

(1) Allocate funds for loans in accordance with the annual project priority list in accordance with section 212 of the federal water pollution control act as amended in 1987, and allocate funds under sections 319 and 320 according to the provisions of that act;

(2) Use accounting, audit, and fiscal procedures that conform to generally accepted government accounting standards;

(3) Prepare any reports required by the federal government as a condition to awarding federal capitalization grants;

(4) Adopt by rule any procedures or standards necessary to carry out the provisions of this chapter;

(5) Enter into agreements with the federal environmental protection agency;

(6) Cooperate with local, substate regional, and interstate entities regarding state assessment reports and state management programs related to the nonpoint source management programs as noted in section 319(c) of the federal water pollution control act amendments of 1987 and estuary programs developed under section 320 of that act; and

(7) Comply with provisions of the water quality act of 1987.

NEW SECTION. Sec. 6. Any public body receiving a loan from the fund shall:

(1) Appear on the annual project priority list to be identified for funding under section 212 of the federal water pollution control act amendments of 1987 or be eligible under sections 319 and 320 of that act;

(2) Submit an application to the department;

(3) Establish and maintain a dedicated source of revenue or other acceptable source of revenue for the repayment of the loan; and

(4) Demonstrate to the satisfaction of the department that it has sufficient legal authority to incur the debt for which it is applying.

NEW SECTION. Sec. 7. If a public body defaults on payments due to the fund, the state may withhold any amounts otherwise due to the public body and direct that such funds be applied to the indebtedness and deposited into the account.

NEW SECTION. Sec. 8. The department shall establish by rule policies for establishing loan terms and interest rates for loans made from the fund that assure that the objectives of this chapter are met and that adequate funds are maintained in the fund to meet future needs.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 90 RCW.

NEW SECTION. Sec. 10. (1) In addition to and not in lieu of any other appropriation, the sum of five million dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the water quality account to the water pollution control revolving fund to provide a match at twenty percent of each federal capitalization grant received by the department of ecology in accordance with congressional appropriations. The department shall transfer money from the water quality account to the water pollution revolving fund at intervals consistent with the timing of deposits of federal capitalization grant money. The amounts transferred are not to exceed the match required for each federal deposit. The total of such transfers during the biennium is not to exceed the amount appropriated in this section.

(2) This is the first year of a six-year program. After the state receives all of the federal money it is entitled to under this program, state matching funds from the water quality account are no longer required. The federal authorization expires at the end of the six-year program.

NEW SECTION. Sec. 11. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 4 of the title, after "activities;" strike the remainder of the title and insert "adding a new chapter to Title 90 RCW; making an appropriation; and declaring an emergency."

Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Basich, Belcher, Braddock, Brekke, Brough, Butterfield, Dellwo, Ebersole, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Sayan, Schoon, H. Sommers, Spanel, Valle, Wang, B. Williams and Winsley.

Absent: Representatives Appelwick, Belcher, Fuhrman, Silver and Taylor.

Passed to Committee on Rules for second reading.

February 27, 1988

SB 6245 Prime Sponsor, Senator McDonald: Revising provisions relating to investment of bond proceeds. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Basich, Braddock, Brekke, Brough, Butterfield, Dellwo, Ebersole, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Sayan, Schoon, H. Sommers, Spanel, Sprenkle, Valle, Wang, B. Williams and Winsley.

Absent: Representatives Bristow, Vice Chair; Appelwick, Belcher, Fuhrman, Hine, Silver and Taylor.

Passed to Committee on Rules for second reading.

February 27, 1988

SB 6271 Prime Sponsor, Senator Deccio: Regulating care provided in the home to ill, disabled, or infirm persons. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Health Care and with the following amendment by Committee on Ways & Means/Appropriations:

On page 11, line 12 of the Health Care Committee amendment, strike "43.20A.055." and insert "43.20B.110. A surcharge no greater than \$50.00 per year may be assessed for the period of time necessary to repay the cost of implementing this act."

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Sayan, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Voting nay: Representatives Brough and Fuhrman.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

February 27, 1988

SB 6292 Prime Sponsor, Senator Zimmerman: Revising the property tax exemption for public assembly halls and meeting places. Reported by Committee on Ways & Means/Revenue

MAJORITY recommendation: Do pass with the following amendment:

On page 1, strike everything after the enacting clause and insert:

"Sec. 1. Section 2, chapter 141, Laws of 1981 as amended by section 80, chapter 505, Laws of 1987 and RCW 84.36.037 are each amended to read as follows:

Real or personal property owned by a nonprofit organization, association, or corporation in connection with the operation of a public assembly hall or meeting place is exempt from taxation. The area exempt under this section includes the building or buildings, the land under the buildings, and an additional area necessary for parking, not exceeding a total of one acre: PROVIDED, That for property essentially unimproved except for restroom facilities and structures on such property which has been used primarily for annual community celebration events for at least ten years, such exempt property shall not exceed twenty-nine acres.

To qualify for this exemption the property must comply with RCW 84.36.805 ((be used exclusively for public gatherings and be available to all organizations or persons desiring to use the property, but)). The owner may impose conditions and restrictions which are necessary

for the safekeeping of the property and promote the purposes of this exemption. Membership shall not be a prerequisite for the use of the property.

~~((The use of the property for pecuniary gain or to promote business activities, except fund-raising activities conducted by a nonprofit organization, nullifies the exemption otherwise available for the property for the assessment year. The exemption is not nullified by the collection of rent or donations if the amount is reasonable and does not exceed maintenance and operation expenses created by the user.~~

~~The department of revenue shall narrowly construe this exemption.))"~~

Signed by Representatives Appelwick, Chair; Basich, Bristow, Dellwo, Holland, Rust, Schoon, Valle and Winsley.

Absent: Representatives Grimm and Taylor.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6294 Prime Sponsor, Committee on Economic Development & Labor: Providing funding for special employer services provided by the employment security department. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with amendments by Committee on Commerce & Labor. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Ebersole, Grant, Grimm, Hine, McLean, Peery, Sayan, H. Sommers, Spanel, Sprengle, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Holland and Nealey.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

February 27, 1988

ESSB 6316 Prime Sponsor, Committee on Law & Justice: Providing for the seizure of assets in drug cases. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with amendment by Committee on Judiciary. Signed by Representatives Locke, Chair; Belcher, Brekke, Butterfield, Ebersole, Grant, Hine, Holland, McLean, Nealey, Peery, H. Sommers, Spanel, Wang and B. Williams.

Absent: Representatives Braddock, Bristow, Brough, Fuhrman, Grant, Grimm, Sayan, Silver and Sprengle.

Passed to Committee on Rules for second reading.

February 27, 1988

ESSB 6433 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring health care insurance coverage for the food supplements necessary for the treatment of phenylketonuria. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Ebersole, Fuhrman, Grant, Grimm, Hine, McLean, Sayan, Spanel, Sprengle and Wang.

Absent: Representatives Brough, Butterfield, Grimm, Holland, Nealey, Silver and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6437 Prime Sponsor, Committee on Ways & Means: Changing provisions relating to the investment allowance for nursing homes. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Grant, Grimm, Holland, McLean, Peery, H. Sommers and Spanel.

Absent: Representatives Bristow, Brough, Ebersole, Fuhrman, Hine, McLean, Nealey, Silver and Sprenkle.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6470 Prime Sponsor, Committee on Health Care & Corrections: Providing a voluntary substance abuse program for health care licensees. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Brekke, Butterfield, Ebersole, Grant, Hine, Holland, McLean, Nealey, H. Sommers, Spanel, Wang and B. Williams.

Absent: Representatives Braddock, Bristow, Brough, Ebersole, Fuhrman, Grant, Grimm, Sayan, Silver and Sprenkle.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6498 Prime Sponsor, Committee on Law & Justice: Reviewing and establishing standards for appointment of counsel for indigent persons. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Sayan, H. Sommers, Spanel, Sprenkle and Wang.

Absent: Representatives Bristow, Butterfield, Silver and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6546 Prime Sponsor, Committee on Energy & Utilities: Specifying restriction on use of low-level radioactive waste surveillance fees. A Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with amendment by Committee on Energy & Utilities. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Grant, Grimm, Holland, Sayan, H. Sommers, Spanel, Wang and B. Williams.

Absent: Representatives Bristow, Brough, Ebersole, Fuhrman, Hine, McLean, Nealey, Silver, Sprenkle and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6548 Prime Sponsor, Committee on Economic Development & Labor: Authorizing fees for administration of the federal targeted jobs tax credit program. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Grant, Grimm, Holland, McLean, Sayan, H. Sommers, Spanel, Wang, and B. Williams.

Absent: Representatives Bristow, Brough, Ebersole, Fuhrman, Hine, McLean, Nealey, Silver, Sprenkle and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6631 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring that employers offer an alternative to a dental care assistance plan that limits providers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Basich, Belcher, Brough, Butterfield, Dellwo, Ebersole, Fuhrman, Grant, Holland, Locke, McLean, Peery, Rust, Sayan, Schoon, H. Sommers, Spanel, Sprenkle, Valle, Wang and Winsley.

Voting nay: Representatives Belcher, Braddock, Brekke and H. Sommers.

Absent: Representatives Silver, Taylor and B. Williams.

Passed to Committee on Rules for second reading.

February 27, 1988

SB 6671 Prime Sponsor, Senator Lee: Specifying funds that may be retained for administration of the housing trust fund. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with amendment by Committee on Housing. Signed by Locke, Chair; Belcher, Brekke, Butterfield, Ebersole, Grant, Hine, Holland, McLean, Nealey, Peery, H. Sommers, Spanel, Wang and B. Williams.

Absent: Representatives Braddock, Bristow, Brough, Fuhrman, Grant, Grimm, Sayan, Silver and Sprenkle.

Passed to Committee on Rules for second reading.

February 27, 1988

ESSB 6742 Prime Sponsor, Committee on Law & Justice: Authorizing an additional superior court judge in Yakima county. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Butterfield, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Sayan, H. Sommers, Spanel, Sprenkle, Wang and B. Williams.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider Senate Joint Memorial No. 8026 on second reading. The motion was carried.

SENATE JOINT MEMORIAL NO. 8026, by Senators Rinehart, Saling and von Reichbauer

Requesting that Congress exempt tuition waivers from federal income tax.

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

Representatives Jacobsen and Barnes spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8026, and the memorial passed the House by the following vote: Yeas, 86; absent, 11; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 86.

Absent: Representatives Amondson, Bristow, Fuhrman, King P, Locke, Nutley, Sanders, Schoon, Silver, Todd, Wineberry - 11.

Excused: Representative Ferguson - 1.

Senate Joint Memorial No. 8026, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Amondson, Bristow, Ferguson, Fuhrman, P. King, Locke, Nutley, Sanders, Schoon, Silver, Todd and Wineberry appeared at the bar of the House. Representative Brekke was excused.

STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of SJM 8026, the tuition waivers memorial to Congress.

PAUL SANDERS, 48th District.

MOTION

Mr. Ebersole moved that the House be at ease until 1:30 p.m. The motion was carried.

AFTERNOON SESSION

The Speaker (Mr. Jacobsen presiding) called the House to order at 1:30 p.m.

MOTION

Mr. Ebersole moved that the House be at recess until 2:00 p.m. The motion was carried.

The Speaker (Mr. O'Brien presiding) called the House to order at 2:00 p.m. The Clerk called the roll and all members were present except Representatives Basich, Chandler, Prince and Sprengle.

SENATE BILL NO. 5667, by Senators Warnke, von Reichbauer and Lee

Revising procedures for disposition of personal property.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 40th Day, February 19, 1988.)

Mr. Armstrong moved adoption of the committee amendments on page 2, lines 8 and 12. Mr. Armstrong spoke in favor of the committee amendments, and they were adopted.

Mr. Armstrong moved adoption of the committee amendments on page 4, lines 6 and 11. Mr. Armstrong spoke in favor of the committee amendments, and they were adopted.

Mr. P. King moved adoption of the following amendments:

On page 1, line 11 after "known," insert "which notice shall inform the owner of the disposition which may be made of the property under this section and the time that the owner has to claim the property"

On page 3, line 17 after "known," insert "which notice shall inform the owner of the disposition which may be made of the property under this section and the time that the owner has to claim the property"

Mr. P. King spoke in favor of adoption of the amendments, and they were adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5667 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; absent, 4.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Basich, Chandler, Prince, Sprenkle - 4.

Senate Bill No. 5667 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Basich and Prince appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider Senate Bill No. 5016 on second reading. The motion was carried.

SENATE BILL NO. 5016, by Senators Newhouse, Talmadge, Halsan and West; by request of Statute Law Committee

Revising terminology resulting from the Rules of Appellate Procedure.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 45th Day, February 24, 1988.)

Mr. Armstrong moved adoption of the committee amendment. Representatives Armstrong and Padden spoke in favor of adoption of the committee amendment, and it was adopted.

On motion of Mr. Armstrong, the committee amendment to the title was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5016 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Chandler, Sprenkle - 2.

Senate Bill No. 5016 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Chandler and Sprengle appeared at the bar of the House.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4729, by Representatives Jacobsen, Prince, Heavey, H. Sommers, Silver, Fox, Basich, Miller, Nelson, Grimm, Appelwick, Jesernig, Allen, Barnes, Unsoeld, Amondson, Anderson, Armstrong, Ballard, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jones, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, C. Smith, D. Sommers, Spanel, Sprengle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Dr. Robert Waldo has dedicated nearly four decades to public higher education in the State of Washington; and

WHEREAS, Dr. Robert Waldo has completed more than thirty-two years of service to the University of Washington in a variety of increasingly responsible positions from his 1946 post as a Student Counselor to Dean of Men, Assistant to the President, Director of Planning and Development, Director and, later, Vice-President for University Relations, Vice-Provost and Dean of Continuing Education, and a ten-year assignment as Director of Government Relations; and

WHEREAS, Dr. Robert Waldo has donated years of community service to a number of organizations ranging from the Public Broadcasting Service to the American Society for Public Administration, and from the Council for Advancement and Support of Education to the National University Extension Association; and

WHEREAS, Dr. Robert Waldo has devoted his professional career to advocating successfully for and articulating persuasively the needs of public higher education; and

WHEREAS, Dr. Robert Waldo has skillfully, gracefully and diplomatically contributed to our legislative deliberations for more than fourteen years; and

WHEREAS, Dr. Robert Waldo has capped his distinguished career with a four-year appointment as Executive Director of the Council of Presidents; and

WHEREAS, Dr. Robert Waldo has announced his retirement from the Council of Presidents effective August 31, 1988;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of the House of Representatives on behalf of the citizens of this state express enduring appreciation, infinite admiration and lasting gratitude to Dr. Robert Waldo for his tenacious persistence, endless patience and innumerable and invaluable contributions to the past, the present and the future students of public higher education in the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Dr. Robert Waldo and his wife, Joan.

Mr. Jacobsen moved adoption of the resolution. Representatives Jacobsen, Barnes, Basich and H. Sommers spoke in favor of it, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized Dr. Robert Waldo. Dr. Waldo was acknowledged by members of the House.

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

SECOND READING

MOTION

Mr. Meyers moved that the House consider the following bills in the following order: Engrossed Substitute Senate Concurrent Resolution No. 8429, Engrossed Senate Bill No. 5229, Substitute Senate Bill No. 6096, Substitute Senate Bill No. 6255 and Senate Bill No. 6293. The motion was carried.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8429, by Committee on Higher Education (originally sponsored by Senators Saling, Smitherman, Patterson, Hansen, McMullen, Anderson and von Reichbauer)

Approving the master plan for higher education and establishing a study group.

The resolution was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 43rd Day, February 22, 1988.)

Mr. Jacobsen moved adoption of the committee amendment.

Mr. Jacobsen moved adoption of the following amendment by Representatives Jacobson and Allen to the committee amendment:

On page 3, beginning on line 19 of the Higher Education Committee amendment, strike ", but are not limited to"

Mr. Jacobsen spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Miller and Jacobsen spoke in favor of adoption of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Concurrent Resolution No. 8429 as amended by the House, and the resolution was adopted by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute Senate Concurrent Resolution No. 8429 as amended by the House, having received the constitutional majority, was declared adopted.

ENGROSSED SENATE BILL NO. 5229, by Senators Kreidler, Deccio, Sellar, Kiskaddon and Stratton; by request of Department of Social and Health Services

Revising the membership and duties of the state advisory committee to the department of social and health services.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 43rd Day, February 22, 1988.)

Ms. Brekke moved adoption of the committee amendment. Ms. Brekke spoke in favor of adoption of the committee amendment, and it was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5229 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 5229 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6096, by Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Smitherman, Moore, Gaspard, Johnson and Rasmussen)

Prohibiting a pattern of equity skimming.

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

Representatives Lux, Winsley and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6096, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6096, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6255, by Committee on Transportation (originally sponsored by Senators West, Patterson, Smith, Zimmerman, Benitz and Barr)

Creating a zone where interstate trip permits are not required.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 43rd Day, February 22, 1988.)

Mr. Walk moved adoption of the committee amendment. Mr. Walk spoke in favor of adoption of the committee amendment, and it was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6255 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen,

Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6255 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6293, by Senators Deccio, Kreidler, Newhouse, Vognild, Johnson, Wojahn, Smith, Niemi, Nelson, Halsan, Kiskaddon, Fleming, Sellar, Rinehart, Stratton, Garrett and von Reichbauer

Revising provisions for activities of registered nurses.

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

Representatives Braddock, Brooks and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6293, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6362, by Senators Nelson, von Reichbauer, Barr and Patterson
Regulating license plates and fenders on antique vehicles.

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

Mr. Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6362, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6362, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6373, by Senators Pullen, Talmadge and McCaslin: by request of Statute Law Committee

Correcting obsolete statutory references.

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

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6373, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6373, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6438, by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Stratton, Newhouse, Bluechel, Owen, Nelson, Pullen, Madsen, Williams and Talmadge)

Permitting banded rate tariffs for natural gas and electric services.

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

Representatives Nelson and Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6438, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6438, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of Engrossed Senate Bill No. 6440 and that the bill hold its place on the second reading calendar. The motion was carried.

SENATE BILL NO. 6494, by Senators Patterson, Conner, Metcalf, Hansen, Owen, DeJarnatt, Barr, Bender and Sellar

Revising provisions for motor vehicle license fees.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6494, and the bill passed the House by the following vote: Yeas, 88; nays, 10.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Brooks, Brough, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bristow, Bumgarner, Cole, Heavey, Jones, Lux, Miller, Padden, Valle, Williams J - 10.

Senate Bill No. 6494, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6556, by Senators Wojahn, Kiskaddon, Stratton and Johnson

Specifying that fees for birth certificates suitable for display be used for the children's trust fund.

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

Mr. Cooper spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6556, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6556, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 6563, by Senators Pullen, Madsen and McCaslin

Adopting the uniform federal lien registration act.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6563, and the bill passed the House by the following vote: Yeas, 90; nays, 8.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Ballard, Fuhrman, May, McLean, Moyer, Padden, Silver, Williams J - 8.

Engrossed Senate Bill No. 6563, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 5147, by Committee on Transportation (originally sponsored by Senators Hansen, Rasmussen, Bauer, Barr, Patterson, Johnson and Pullen)

Repealing authority for public utility and transportation corridors.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5147, and the bill passed the House by the following vote: Yeas, 90; nays, 8.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Belcher, Cole, Fisher, Lux, Rust, Valle, Vekich, Wang - 8.

Substitute Senate Bill No. 5147, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Senate Bill No. 6440 on second reading. The motion was carried.

ENGROSSED SENATE BILL NO. 6440, by Senators Kreidler, Newhouse, Gaspard, Owen, Hayner, Vognild and Bauer

Providing for the clean-up of hazardous wastes.

The bill was read the second time.

Mr. Lux moved adoption of the following amendment:

On page 1, line 16, after "Sec. 1." strike everything through "Sec. 67." on page 47, line 30, and insert "(1) The legislature intends to assert the authority vested in the legislature under Article II, section 1(a) of the state Constitution to permit Initiative 97 to be placed on the 1988 general election ballot without an alternative proposal being placed on the ballot.

(2)"

Representatives Lux, Wineberry, R. King, Taylor and Dellwo spoke in favor of adoption of the amendment, and Representatives Rust, Walker, May, Vekich and Pruitt opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Lux to Engrossed Senate Bill No. 6440, and the amendment was not adopted by the following vote: Yeas, 23; nays, 75.

Voting yea: Representatives Anderson, Brekke, Cole, Day, Dellwo, Fisher, Grimm, Jacobsen, Jones, King P, King R, Leonard, Lux, Nelson, Patrick, Scott, Sprenkle, Taylor, Todd, Wang, Wilson K, Wineberry, Winsley - 23.

Voting nay: Representatives Allen, Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Kremen, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Sommers D, Sommers H, Spanel, Sutherland, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson S, Zellinsky, and Mr. Speaker - 75.

Mr. Locke moved adoption of the following amendments by Representatives Locke and Walker:

On page 39, line 14, strike "June" and insert "April"

On page 41, line 8, strike "taxation" and insert "this section"

Mr. Locke spoke in favor of adoption of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Walker:

On page 48, after line 3, insert the following:

"NEW SECTION. Sec. 69. A new section is added to chapter 2, Laws of 1987 3rd ex. sess. and to chapter 82.22 RCW to read as follows:

Notwithstanding RCW 82.22.020, 'hazardous substance' does not include substances or products packaged as a household product and distributed for domestic use until June 1, 1988, and does not include such substances or products in inventory before June 1, 1988.

NEW SECTION. Sec. 70. Section 69 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representatives Locke and Walker spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Locke, the following amendments to the title were adopted:

On page 1, line 9 of the title, after "82 RCW;" insert "adding a new section to chapter 2, Laws of 1987 3rd ex. sess. and to chapter 82.22 RCW;"

On page 1, line 14 of the title, strike "and providing an expiration date" and insert "providing an expiration date; and declaring an emergency"

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Walker spoke in favor of passage of the bill, and Mr. Nelson opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6440 as amended by the House, and the bill passed the House by the following vote: Yeas, 73; nays, 25.

Voting yea: Representatives Allen, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, King P, Kremen, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Sprenkle, Sutherland, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Amondson, Anderson, Armstrong, Brekke, Cole, Crane, Fisher, Fox, Grimm, Jacobsen, Jones, King R, Leonard, Lux, Nelson, Nutley, Padden, Rust, Spanel, Taylor, Todd, Unsoeld, Valle, Wilson K, Wineberry - 25.

Engrossed Senate Bill No. 6440 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

My vote on ESB 6440 as amended by the House should have been "Yes."

SETH ARMSTRONG, 36th District.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2036 on second reading. The motion was carried.

HOUSE BILL NO. 2036, by Representatives Appelwick, Taylor, Grimm, Haugen, Ferguson and Basich

Revising provisions on county sales and use tax equalization.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 2036 was substituted for House Bill No. 2036, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2036 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick and Schoon spoke in favor of passage of the bill, and Mr. Lux opposed it. Mr. Appelwick again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2036, and the bill passed the House by the following vote: Yeas, 91; nays, 7.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Allen, Betzoff, Ferguson, Lux, Patrick, Williams J, Winsley - 7.

Substitute House Bill No. 2036, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2053 on second reading. The motion was carried.

HOUSE BILL NO. 2053, by Representative Grimm

Relating to the transfer of money from the state lottery account to the general fund. (t.o.)

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 2053 was substituted for House Bill No. 2053, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2053 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm, Holland and Schoon spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Holland yielded to question by Mr. Lewis.

Mr. Lewis: Representative Holland, it was my understanding that the advocates for the homeless were looking at trying to tap the unclaimed prizes up to a million dollars to begin a process to deal with the homeless crisis that we have in this state. What is your understanding of the action to this bill?

Mr. Holland: Thank you, Representative Lewis. My understanding is that rather than taking the million dollars of unclaimed prizes and allocating it directly into the housing trust fund, we are putting it into the general fund and then taking money from the general fund and putting it into the trust fund, so that the housing problem is addressed under either approach. The approach we have in the bill before us is a continuing kind of thing so that the unclaimed moneys would continue to flow into the state general fund should there be an excess.

Representatives Lewis and Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2053, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Betrozoff, Bumgarner, Patrick - 3.

Substitute House Bill No. 2053, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Ebersole demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Ebersole, the House proceeded with business under the call of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1455 on second reading. The motion was carried.

MOTION

Ms. Miller moved that Representative Padden be excused from further proceedings under the Call of the House. Ms. Miller spoke in favor of the motion, and it was carried.

HOUSE BILL NO. 1455, by Representatives Bristow, Holland, Grimm, McLean and Wineberry; by request of Governor Gardner

Adopting the supplemental capital budget.

The bill was read the second time. On motion of Mr. Bristow, Substitute House Bill No. 1455 was substituted for House Bill No. 1455, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1455 was read the second time.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be Substitute House Bill No. 1455 on second reading.

Mr. Wineberry moved adoption of the following amendment by Representatives Wineberry, Anderson and Beck:

On page 7, line 15, strike "150,000" and insert "250,000"

Mr. Wineberry spoke in favor of adoption of the amendment, and it was adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 7, line 38, strike all of section 103.

Mr. Fuhrman spoke in favor of adoption of the amendment, and Mr. Bristow opposed it.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Representatives B. Williams, Schoon and Holland spoke in favor of adoption of the amendment, and Representatives Belcher, H. Sommers and Grimm opposed it.

Representatives B. Williams and Fuhrman again spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Sanders.

Mr. Sanders: Representative Grimm, could you tell me the total cost of one hundred and twenty-three million dollars when you include the interest?

Mr. Grimm: Thank you. The total cost of the project for authorization is one hundred and twenty-three million dollars. The interest on twenty-five year bonds is one hundred sixty million dollars. So in today's dollars over the twenty five years, not discounted for inflation, the total is two hundred eighty-three million dollars, but I want to emphasize that that is not discounted for inflation.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Fuhrman to Substitute House Bill No. 1455, and the amendment was not adopted by the following vote: Yeas, 37; nays, 60; excused, 1.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Grant, Hankins, Heavey, Holland, Lewis, May, Miller, Moyer, Nealey, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 37.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, McLean, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 60.

Excused: Representative Padden - 1.

Mr. Fuhrman moved adoption of the following amendment:

On page 10, line 24, strike all of section 202.

Representatives Fuhrman and Silver spoke in favor of adoption of the amendment, and Representatives R. King, Belcher and Lewis opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Fuhrman to Substitute House Bill No. 1455, and the amendment was not adopted by the following vote: Yeas, 13; nays, 84; excused, 1.

Voting yea: Representatives Amondson, Ballard, Barnes, Brooks, Bumgarner, Butterfield, Chandler, Fuhrman, McLean, Nealey, Sanders, Silver, Sommers D - 13.

Voting nay: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith C,

Sommers H. Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Excused: Representative Padden - 1.

The Clerk read the following amendment by Representative Fuhrman:
On page 20, line 14, strike all of section 602.

With consent of the House, Mr. Fuhrman withdrew the amendment.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Bristow spoke in favor of passage of the bill, and Mr. Fuhrman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1455, and the bill passed the House by the following vote: Yeas, 59; nays, 38; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 59.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Bumgarner, Butterfield, Chandler, Day, Dellwo, Doty, Ferguson, Fuhrman, Grant, Hankins, Heavey, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Walker, Williams B, Williams J, Wilson S, Zellinsky - 38.

Excused: Representative Padden - 1.

Engrossed House Bill No. 1455, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1270,
HOUSE BILL NO. 1306,
HOUSE BILL NO. 1318.

MOTION

Mr. Appelwick moved that the House immediately consider House Bill No. 2052 on second reading. The motion was carried.

MOTION

On motion of Ms. Miller, Representative Allen was excused from further proceedings under the Call of the House.

HOUSE BILL NO. 2052, by Representatives Locke, Grimm, Holland and Ferguson

Relating to public facilities supported by excise taxes imposed by the state in class AA counties and imposed by local governments in all counties. (t.o.)

The bill was read the second time. On motion of Mr. Locke, Substitute House Bill No. 2052 was substituted for House Bill No. 2052, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2052 was read the second time.

Mr. Locke moved adoption of the following amendment:

On page 11, line 35 after "purpose," strike all material through "act" on line 36, and insert "A class A county, east of the cascade ridge of 300,000 population or more, acquiring and constructing a convention and coliseum facility"

Mr. Locke spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Locke yielded to question by Ms. Silver.

Ms. Silver: Representative Locke, is this for or against Spokane.

Mr. Locke: This is for Spokane.

Ms. Silver: As I understand it, it limits the increase in maximum councilmanic indebtedness to Spokane County, but the limits are in order with our fifteen million. Is that correct?

Mr. Locke: I believe that this would limit the councilmanic indebtedness for Spokane County, so that if they wanted to, they could handle the entire thirty million. The legislation before us reads to allow all counties throughout the state to lift their councilmanic indebtedness limits, and since the issue is really providing enough room for Spokane, it was thought that it was not necessary to lift the councilmanic indebtedness limits for all counties throughout the state, but just to restrict it to Spokane. No one else is asking for it, in other words.

Ms. Silver: If we had only the fifteen million, would we need to be lifted? In as much as I have just seen this amendment—it is brand new to me—I am a little bit unaware of exactly what it says.

Mr. Locke: If you are only planning on doing fifteen million, you certainly don't have to exercise the discretion that is being granted to Spokane County, but in case Spokane wanted to do other facilities, then this would allow that.

Representatives Silver and Taylor spoke against the amendment, and Mr. Dellwo spoke in favor of it.

The amendment was adopted.

Mr. Locke moved adoption of the following amendment:

On page 13, line 5, after "RCW 67.40.100," insert "or a city subject to a tax of five percent or more under RCW 67.40.090"

Representatives Locke and Holland spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Locke yielded to question by Ms. Brough.

Ms. Brough: Representative Locke, could you explain to me, if one city in a county is currently imposing a three percent hotel/motel tax and the county determines that they would like this available option, then is that county tax not county-wide? A city would be excused from that three percent additional tax under this amendment, so the end result would be unequal taxation throughout the county. A city that already has it, will they be excused from the county that comes along later to impose it?

Mr. Locke: Yes.

Ms. Brough: There is not a concern about the inequitableness or unconstitutionality of a tax that would be applied county-wide with the exception of a particular city?

Mr. Locke: We have that already occurring, for instance with the example of a sales tax, where the City of Seattle imposed a sales tax and then the county imposed an increase in the sales tax and that there could not be a double accumulation of sales tax, but a credit by the city against the county portion. That's already occurring throughout our jurisdictions. This amendment does not affect that.

Ms. Brough spoke against adoption of the amendment.

The amendment was adopted.

Mr. Locke moved adoption of the following amendments:

On page 13, line 4, strike "or town"

On page 13, line 11, strike "or town"

On page 13, line 13, strike "or town"

Mr. Locke spoke in favor of adoption of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendment:

On page 17, line 7, after "act" insert ": PROVIDED, That such revenues shall not be used for maintenance and operation of a public facility constructed prior to the effective date of this act"

Mr. Locke spoke in favor of adoption of the amendment, and it was adopted.

Mr. Schoon moved adoption of the following amendment:

On page 13, after line 36 insert:

"(6) Taxes levied and collected under this act shall not be used for a zero grade beach or other components of a wave pool or water slide constructed or acquired as a part of an indoor aquatic swimming facility in Pierce County."

Representatives Schoon and Fuhrman spoke in favor of adoption of the amendment, and Representatives Locke and Ebersole opposed it.

Mr. Schoon again spoke in favor of the amendment.

The amendment was not adopted.

There being no objection, Representative Hine was excused from further proceedings under the Call of the House.

Mr. Dellwo moved adoption of the following amendment by Representatives Dellwo, Silver and Day:

On page 13, line 7, strike "three" and insert "two"

Representatives Dellwo and Silver spoke in favor of adoption of the amendment, and Representatives Hargrove and Locke opposed it.

Mr. Grimm demanded an electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Dellwo and others to Substitute House Bill No. 2052, and the amendment was not adopted by the following vote: Yeas, 32; nays, 63; excused, 3.

Voting yea: Representatives Amondson, Ballard, Beck, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Day, Dellwo, Doty, Fuhrman, Grant, Hankins, Heavey, Holland, Jacobsen, Jesernig, Lewis, May, Miller, Moyer, Nealey, Patrick, Prince, Schoon, Silver, Smith C, Sommers D, Taylor, Williams B - 32.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Berozoff, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Holm, Jones, King P, King R, Kremen, Leonard, Locke, Lux, McLean, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 63.

Excused: Representatives Allen, Hine, Padden - 3.

Representative Hine appeared at the bar of the House.

Ms. Silver moved adoption of the following amendment by Representatives Dellwo, Silver and Day:

Beginning on page 16, line 25, strike all of section 17

Ms. Silver spoke in favor of adoption of the amendment, and Mr. Locke opposed it.

The amendment was not adopted.

Mr. Dellwo moved adoption of the following amendment by Representatives Dellwo, Silver and Day:

On page 17, after line 7, insert a new section to read:

***NEW SECTION.** Sec. 18. A new section is added to chapter 36.32 RCW to read as follows:

The legislative authority of any county may, by resolution or ordinance for the purposes authorized by section 10(5) of this act, fix and impose a countywide sales and use tax in accordance with the terms of this chapter. Such tax shall be collected from those persons who are taxable by the state pursuant to chapter 82.08 and 82.12 RCW, upon the occurrence of any taxable event within the county. The rate of such tax shall be one-twentieth of one percent of

the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax)."

Renumber the following sections accordingly.

Mr. Dellwo spoke in favor of adoption of the amendment, and Representatives Hargrove and H. Sommers opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Dellwo and others to Substitute House Bill No. 2052, and the amendment was not adopted by the following vote: Yeas, 5; nays, 91; excused, 2.

Voting yea: Representatives Day, Dellwo, Grant, Moyer, Silver - 5.

Voting nay: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Excused: Representatives Allen, Padden - 2.

The bill was order engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke, O'Brien, and Ferguson spoke in favor of passage of the bill, and Representatives B. Williams and Fuhrman opposed it.

MOTION

Ms. Miller moved that Representative B. Williams be excused from further proceedings under the Call of the House.

A division was called.

ROLL CALL

The Clerk called the roll on the motion by Representative Miller to excuse Representative B. Williams from the Call of the House, and the motion was carried by the following vote: Yeas, 53; nays, 43; excused, 2.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betzoff, Brekke, Brough, Bumgarner, Butterfield, Chandler, Cole, Dellwo, Dorn, Doty, Ferguson, Grant, Hankins, Hargrove, Heavey, Holland, Jesernig, King R, Kremen, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Patrick, Prince, Pruitt, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Sommers D, Spanel, Sutherland, Taylor, Todd, Unsoeld, Vekich, Walker, Williams B, Williams J, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Bristow, Brooks, Cantwell, Cooper, Crane, Day, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grimm, Haugen, Hine, Holm, Jacobsen, Jones, King P, Leonard, Locke, Nutley, O'Brien, Peery, Rasmussen, Rayburn, Rust, Scott, Sommers H, Sprenkle, Valle, Waik, Wang, Wilson K, Wilson S, Wineberry, Winsley - 43.

Excused: Representatives Allen, Padden - 2.

Representatives Nelson, Lux, Prince and Betzoff spoke in favor of passage of the bill, and Ms. Silver opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2052, and the bill passed the House by the following vote: Yeas, 66; nays, 29; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Betzoff, Brekke, Bristow, Cantwell, Cole, Crane, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Holm, Jones, King P, King R, Leonard, Lewis, Locke, Lux, May, Meyers, Nealey, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 66.

Voting nay: Representatives Amondson, Ballard, Beck, Braddock, Brooks, Brough, Bumgarner, Butterfield, Chandler, Cooper, Day, Dellwo, Fuhrman, Grant, Hankins, Heavey,

Jacobsen, Jesernig, Kremen, McLean, Miller, Moyer, Nelson, Schmidt, Silver, Smith C, Sommers D, Taylor, Zellinsky - 29.

Excused: Representatives Allen, Padden, Williams B - 3.

Engrossed House Bill No. 2052, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1355 on second reading. The motion was carried.

HOUSE BILL NO. 1355, by Representatives Bristow, McLean, Grimm, Holland, May, Betrozoff and Brough; by request of Governor Gardner

Revising general obligation bond issues.

The bill was read the second time. On motion of Mr. Bristow, Substitute House Bill No. 1355 was substituted for House Bill No. 1355, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1355 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang and Winsley:

On page 11, line 26, after "account." strike all material through "director" on line 31

Representatives Wang, Winsley and Belcher spoke in favor of adoption of the amendment, and Representatives Locke, J. Williams, Ferguson and Schoon opposed it.

The amendment was not adopted.

Representative B. Williams appeared at the bar of the House.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow and Sayan spoke in favor of passage of the bill, and Representatives Silver, Day and Taylor opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1355, and the bill failed to pass the House by the following vote: Yeas, 50; nays, 46; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Dorn, Ebersole, Fisher, Fox, Gallagher, Hargrove, Haugen, Hine, Holm, Jones, King P, King R, Kremen, Leonard, Locke, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Day, Dellwo, Doty, Ferguson, Fuhrman, Grant, Grimm, Hankins, Heavey, Holland, Jacobsen, Jesernig, Lewis, Lux, May, McLean, Miller, Moyer, Nealey, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 46.

Excused: Representatives Allen, Padden - 2.

Substitute House Bill No. 1355, having failed to receive the constitutional 60% majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Grimm served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Substitute House Bill No. 1355 failed to pass the House.

The Speaker called on Mr. O'Brien to preside.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2054 on second reading. The motion was carried.

HOUSE BILL NO. 2054, by Representatives Grimm and Peery

Authorizing waivers of state matching requirements for school construction projects.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 2054 was substituted for House Bill No. 2054, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2054 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery, S. Wilson and Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2054, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Padden - 2.

Substitute House Bill No. 2054, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 29, 1988

HB 2038 Prime Sponsor, Representative Sprengle: Establishing the Washington state health care authority. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Appelwick, Basich, Braddock, Brekke, Dellwo, Ebersole, Grant, Hine, Locke, Peery, Rust, H. Sommers, Spanel, Sprengle and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Fuhrman, Holland, McLean, Nealey, Schoon, Silver and B. Williams.

Voting nay: Representatives Brough, Butterfield, Fuhrman, Holland, McLean, Nealey, Sayan, Schoon, Silver, Taylor, Wang, B. Williams and Winsley.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6118 Prime Sponsor, Committee on Children & Family Services: Providing for the establishment of state child care policy. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendments by Committee on Ways & Means/Appropriations without amendment by Committee on Human Services:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. It shall be the policy of the state of Washington to:

(1) Recognize the family as the most important social and economic unit of society and support the central role parents play in child rearing. All parents are encouraged to participate fully in the effort to improve the quality of child care services.

(2) Promote a variety of culturally and developmentally appropriate child care settings and services of the highest possible quality in accordance with the basic principle of continuity

of care. These settings shall include, but not be limited to, family day care homes, mini-centers, centers and schools.

(3) Promote the growth, development and safety of children by working with community groups including providers and parents to establish standards for quality service, training of child care providers, fair and equitable monitoring, and salary levels commensurate with provider responsibilities and support services.

(4) Promote equal access to quality, affordable, socio-economically integrated child care for all children and families.

(5) Facilitate broad community and private sector involvement in the provision of quality child care services to foster economic development and assist industry.

NEW SECTION, Sec. 2. (1) There is established a child care coordinating committee to provide coordination and communication between state agencies responsible for child care and early childhood education services. The child care coordinating committee shall be composed of not less than seventeen nor more than thirty members who shall include:

(a) One representative each from the department of social and health services, the department of community development, the office of the superintendent of public instruction, and any other agency having responsibility for regulation, provision, or funding of child care services in the state;

(b) One representative from the governor's commission on children;

(c) One representative from the department of trade and economic development;

(d) At least one representative of family home child care providers and one representative of center care providers;

(e) At least one representative of early childhood development experts;

(f) At least one representative of school districts and teachers involved in the provision of child care and preschool programs;

(g) At least one parent education specialist;

(h) At least one representative of resource and referral programs;

(i) One pediatric or other health professional;

(j) At least one representative of college or university child care providers;

(k) At least one representative of a citizen group concerned with child care;

(l) At least one representative of a labor organization;

(m) At least one representative of a head start - early childhood education assistance program agency;

(n) At least one employer who provides child care assistance to employees;

(o) Parents of children receiving, or in need of, child care, half of whom shall be parents needing or receiving subsidized child care and half of whom shall be parents who are able to pay for child care.

The named state agencies shall select their representative to the child care coordinating committee. The department of social and health services shall select the remaining members, considering recommendations from lists submitted by professional associations and other interest groups until such time as the committee adopts a member selection process. Staff support for the child care coordinating committee shall be provided within available resources by the department of social and health services on an ongoing basis. The department shall use any federal funds which may become available to accomplish the purposes of sections 1 through 3 of this act.

The committee shall elect officers from among its membership and shall adopt policies and procedures specifying the lengths of terms, methods for filling vacancies, and other matters necessary to the ongoing functioning of the committee. The secretary of social and health services shall appoint a temporary chair until the committee has adopted policies and elected a chair accordingly. Child care coordinating committee members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(2) To the extent possible within available funds, the child care coordinating committee shall:

(a) Serve as an advisory coordinator for all state agencies responsible for early childhood or child care programs for the purpose of improving communication and interagency coordination, but not to review the substance of programs. The committee shall annually review state programs and make recommendations to the agencies and the legislature which will maximize funding and promote furtherance of the policies set forth in section 1 of this act;

(b) Review and propose changes to the child care subsidy system by December 1, 1989;

(c) Review agency administration of the child care expansion grant program described in section 3 of this act;

(d) Review alternative models for child care service systems, in the context of the policies set forth in section 1 of this act, and recommend to the legislature a new child care service structure;

(e) Review options and make recommendations on the feasibility of establishing an allocation for day care facilities when constructing state buildings; and

(f) Perform other functions to improve the quantity and quality of child care in the state, including compliance with existing and future prerequisites for federal funding.

NEW SECTION. Sec. 3. (1) The legislature recognizes that a severe shortage of child care exists to the detriment of all families and employers throughout the state. Many workers are unable to enter or remain in the work force due to a shortage of child care resources. The high costs of starting a child care business create a barrier to the creation of new slots, especially for children with special needs.

(2) A child care expansion grant fund is created in the custody of the secretary of the department of social and health services. Grants shall be awarded on a one-time only basis to persons, organizations, or schools needing assistance to start a child care center or mini-center as defined by the department by rule, or to existing licensed child care providers, including family home providers, for the purpose of making capital improvements in order to accommodate handicapped children as defined under chapter 72.40 RCW, sick children, or infant care, or children needing night time care. No grant may exceed ten thousand dollars. Start-up costs shall not include operational costs after the first three months of business.

(3) Child care expansion grants shall be awarded on the basis of need for the proposed services in the community, within appropriated funds.

(4) The department shall adopt rules under chapter 34.04 RCW setting forth criteria, application procedures, and methods to assure compliance with the purposes described in this section.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act are each added to chapter 74.13 RCW.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "RCW;" strike the remainder of the title and insert "and declaring an emergency."

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Bristow, Ebersole, Grant, Hine, McLean, Peery, Sayan, H. Sommers, Spanel, Sprenkle and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Absent: Representatives Brough, Butterfield, Grimm, Holland, Nealey, Silver and B. Williams.

Passed to Committee on Rules for second reading.

February 29, 1988

ESSB 6344 Prime Sponsor, Committee on Agriculture: Revising provisions relating to agriculture. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with amendments by Committee on Agriculture & Rural Development. Signed by Representatives Grimm, Chair; Bristow Vice Chair; Appelwick, Basich, Belcher, Braddock, Brekke, Brough, Butterfield, Dellwo, Ebersole, Fuhrman, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Rust, Sayan, Schoon, Silver, H. Sommers, Spanel, Sprenkle, Taylor, Valle, Wang, B. Williams and Winsley.

Absent: Representatives Appelwick, Basich, Braddock, Brough, Dellwo, Ebersole, Locke and Schoon.

Passed to Committee on Rules for second reading.

February 27, 1988

SSB 6466 Prime Sponsor, Committee on Ways & Means: Revising retirement benefit calculation for certain county employees. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 5, after "Sec. 1," strike all material down to and including "1985." on line 10 and insert "An employee of the public works department of a class A county who retired on February 1, 1985, may have an additional sixty days after the effective date of this act to appeal a final decision of the director of retirement systems that was rendered on April 17, 1986, notwithstanding RCW 41.40.412."

Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Brough, Ebersole, Fuhrman, Grant, Grimm, Hine, Holland, McLean, Nealey, Peery, Sayan, H. Sommers, Spanel, Sprenkle and Wang.

Absent: Representatives Bristow, Silver and B. Williams.

Passed to Committee on Rules for second reading.

February 29, 1988

SSB 6512 Prime Sponsor, Committee on Agriculture: Exempting land enrolled in the federal conservation reserve program from state property and excise taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Bristow, Vice Chair; Appelwick, Braddock, Brekke, Brough, Butterfield, Dellwo, Ebersole, Grant, Hine, Holland, Locke, McLean, Nealey, Peery, Sayan, Schoon, Silver, Spanel, Sprenkle, Taylor, Valle, Wang, B. Williams and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Belcher.

Voting nay: Representatives Belcher, H. Sommers and Valle.

Absent: Representatives Bristow, Vice Chair; Basich, Brough, Fuhrman, Peery, Rust and Wang.

Passed to Committee on Rules for second reading.

February 27, 1988

ESB 6519 Prime Sponsor, Senator Anderson: Changing provisions relating to the method of determining the depreciation base of certain nursing homes. Reported by Committee on Ways & Means/Appropriations

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11, after "facility by" strike "the" and insert "(the) any"

On page 3, after line 3, strike section 2

Signed by Representatives Belcher, Braddock, Bristow, Ebersole, Grant, Grimm, Hine, Sayan, H. Sommers, Spanel, Sprenkle and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Locke, Chair.

Absent: Representatives Brough, Butterfield, Holland, Nealey, Silver, Sprenkle and B. Williams.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's supplemental committee reports under the fifth order of business were referred to the committees so designated.

MOTION

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Tuesday, March 1, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Tuesday, March 1, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amondson, Ballard, Day and Todd. Representatives Day and Todd were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Wendy Matteson and David Bowerman. Prayer was offered by The Reverend Lee Forstrom, Minister of The Westwood Baptist Church of Olympia.

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

MESSAGE FROM THE SENATE

February 29, 1988

Mr. Speaker:

The Senate has failed to pass:

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4210.

Gordon A. Golob, Secretary.

Representative Zellinsky was excused.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House begin consideration of the second reading calendar with Engrossed Senate Bill No. 6143. The motion was carried.

ENGROSSED SENATE BILL NO. 6143, by Senators Pullen, Talmadge and Nelson
Revising provisions on real estate contract forfeitures.

The bill was read the second time.

MOTION

Mr. Ebersole moved that the House defer further consideration of Engrossed Senate Bill No. 6143 and that the bill hold its place on the second reading calendar. The motion was carried.

SENATE BILL NO. 6210, by Senators McCaslin, Garrett, Zimmerman, Hayner and Nelson; by request of Office of State Auditor

Authorizing the state auditor to contract with certified public accountants for municipal audits.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6210, and the bill passed the House by the following vote: Yeas, 93; absent, 2; excused, 3.

Voting yea: Representatives Allen, Anderson, Appewick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner.

Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 93.

Absent: Representatives Amondson, Ballard - 2.

Excused: Representatives Day, Todd, Zellinsky - 3.

Senate Bill No. 6210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Ballard appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Engrossed Senate Bill No. 6143 on second reading. The motion was carried.

ENGROSSED SENATE BILL NO. 6143, by Senators Pullen, Talmadge and Nelson

Revising provisions on real estate contract forfeitures.

The Clerk read the following amendments by Representative Armstrong:

On page 2, line 2, after "contract," strike all material through and including "chapter." on line 3 of page 2

On page 3, after line 6, strike section 2.

Renumber remaining sections consecutively.

On page 17, line 18, after "(1)" strike all material through and including "mortgage, a" on line 19 of page 17 and insert "A"

With consent of the House, Mr. Armstrong withdrew the amendments.

Mr. Armstrong moved adoption of the following amendment:

On page 3, line 17, after "state" insert ", although a deficiency judgment may only be awarded on contracts entered into after the effective date of this 1988 act"

Mr. Armstrong spoke in favor of adoption of the amendment, and Representatives Padden and P. King opposed it.

Mr. Armstrong again spoke in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Armstrong to Engrossed Senate Bill No. 6143, and the amendment was not adopted by the following vote: Yeas, 38; nays, 56; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Armstrong, Belcher, Braddock, Brække, Bristow, Cole, Crane, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Heavey, Hine, Jacobsen, Jones, Kremen, Leonard, Locke, Lux, Nelson, O'Brien, Pruitt, Scott, Sommers H, Spanel, Sprengle, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 38.

Voting nay: Representatives Allen, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Dorn, Doty, Ferguson, Fuhrman, Grant, Hankins, Haugen, Holland, Holm, Jesernig, King P, King R, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Nutley, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Sommers D, Sutherland, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 56.

Absent: Representative Amondson - 1.

Excused: Representatives Day, Todd, Zellinsky - 3.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

Representative Todd appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6143, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent, 1; excused, 2.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 94.

Voting nay: Representative Wang - 1.

Absent: Representative Amondson - 1.

Excused: Representatives Day, Zellinsky - 2.

Engrossed Senate Bill No. 6143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Amondson appeared at the bar of the House.

SENATE BILL NO. 6211, by Senators McCaslin, Garrett, Zimmerman, Hayner and Nelson; by request of Office of State Auditor

Authorizing the state auditor to contract with certified public accountants for departmental audits.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6211, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Day, Zellinsky - 2.

Senate Bill No. 6211, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 6536 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6536, by Committee on Economic Development & Labor (originally sponsored by Senators Anderson, Lee and Rasmussen; by request of Employment Security Department)

Limiting employer liability for unemployment benefits paid as a result of a natural disaster.

The bill was read the second time.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute Senate Bill No. 6536 and that the bill hold its place on the second reading calendar. The motion was carried.

Representative Zellinsky appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider Senate Concurrent Resolution No. 8428 on second reading. The motion was carried.

SENATE CONCURRENT RESOLUTION NO. 8428, by Senators DeJarnatt, Patterson, Rasmussen, Zimmerman, Hayner, Garrett, Conner, Bauer, Moore, Smith, Kiskaddon, Rinehart and Lee

Commending Julia Butler Hansen for her career of public service.

The resolution was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

The Speaker (Mr. O'Brien presiding) called on Mr. Jacobsen to preside.

Representatives O'Brien, B. Williams, Vekich, Basich, Prince and Schmidt spoke in favor of the resolution.

The resolution was adopted.

The Speaker (Mr. Jacobsen presiding) declared the House to be at ease.

The Speaker called the House to order.

Representative Day appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Second Substitute Senate Bill No. 6221 on second reading. The motion was carried.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6221, by Committee on Ways & Means (originally sponsored by Senators Deccio, Kreidler, Johnson, Niemi, Smith, Wojahn, Zimmerman, Hayner, Vognild and Talmadge)

Modifying provisions relating to sexually transmissible diseases.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Braddock moved adoption of the committee amendment by Committee on Health Care.

Mr. Padden moved adoption of the following amendment to the committee amendment:

On page 5, line 21 of the amendment, after "services," insert "The model curriculum shall emphasize the proportionate risks of transmitting or contracting the AIDS virus through homosexuality, prostitution, drug use, and any other form of high-risk behavior."

Mr. Padden spoke in favor of adoption of the amendment to the committee amendment, and Representatives Braddock and Brooks opposed it.

The amendment to the committee amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment to the committee amendment:

On page 5, line 21 of the amendment, after "services," insert "The model curriculum shall not promote or present as acceptable behavior homosexuality, prostitution, drug use, or any other form of high-risk behavior which transmits the AIDS virus."

Mr. Fuhrman spoke in favor of adoption of the amendment to the committee amendment, and Mr. Braddock opposed it.

Mr. Padden asked Mr. Braddock to yield to a question, and Mr. Braddock would not yield.

Mr. Padden spoke in favor of adoption of the amendment to the committee amendment.

The amendment to the committee amendment was not adopted.

The Clerk read the following amendments to the committee amendment by Representative Padden:

On page 10, after line 4, insert the following:

NEW SECTION. Sec. 701. The legislature finds that counseling and testing are indispensable components of a comprehensive program to eradicate sexually transmitted diseases. The legislature further finds that individuals convicted of sexual offenses, prostitution and offenses involving hypodermic needles present a significant risk to the public and individual health and welfare of the people of this state. The legislature also finds that a person who agrees to pay a fee to a prostitute to engage in sexual conduct presents a significant risk to the public and individual health and welfare of the people of this state."

Renumber subsequent sections accordingly.

On page 11, line 6 of the amendment, after "9A.88 RCW" strike "," and insert ", and in addition thereto, all persons who agree to pay a fee to another to engage in sexual conduct:"

With consent of the House, Mr. Padden withdrew the amendments.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove, Baugher, J. Williams, Amondson and Ferguson to the committee amendment:

On page 18, beginning on line 4 of the amendment, strike all of section 902 through "immunodeficient." on line 17

Renumber the sections consecutively and correct any internal references accordingly.

Representatives Hargrove, Brough, Padden and Moyer spoke in favor of the amendment to the committee amendment, and Representatives Braddock, Brooks and Sprengle spoke against it.

Mr. Fuhrman demanded an electric roll call vote, and the demand was sustained.

Representatives Chandler and Hargrove spoke in favor of the amendment to the committee amendment, and Mr. Braddock again spoke against it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Hargrove and others to the committee amendment, and the amendment to the committee amendment was not adopted by the following vote: Yeas, 39; nays, 59.

Voting yea: Representatives Amondson, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Bristol, Brough, Bumgarner, Butterfield, Chandler, Crane, Dorn, Doty, Ferguson, Fuhrman, Hargrove, Holland, King P. Lewis, May, McLean, Moyer, Nealey, Padden, Patrick, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 39.

Voting nay: Representatives Allen, Anderson, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brooks, Cantwell, Cole, Cooper, Day, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Meyers, Miller, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, and Mr. Speaker - 59.

Mr. Peery moved adoption of the following amendment by Representatives Peery and Betzoff to the committee amendment:

On page 5, line 13 of the amendment, after "act," insert "If a district elects to use curricula developed by the school district, the district shall submit to the office on AIDS a copy of its curricula and an Affidavit of Medical Accuracy stating that the material in the district developed curricula has been compared to the model curricula for medical accuracy and that in the opinion of the district the district developed materials are medically accurate. Upon submission of the affidavit and curricula, the district may use these materials until the approval procedure to be conducted by the office of AIDS has been completed."

Representatives Peery, Betzoff, Braddock and Brooks spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

Mr. Vekich moved adoption of the following amendment by Representatives Vekich, Meyers, Beck and Schoon to the committee amendment:

On page 24, after line 9 of the amendment, insert the following:

NEW SECTION. Sec. 908. A new section is added to chapter 70.24 RCW to read as follows: Any bodily fluids, human body parts, or human tissue that is infectious with any sexually transmitted or contagious disease shall be plainly labelled as such pursuant to board rules.
Renumber the sections consecutively and correct internal references accordingly.

POINT OF ORDER

Mr. Braddock: Thank you, Mr. Speaker. I would like a ruling on scope and object on amendment number 287.

SPEAKER'S RULING

The Speaker: Representative Braddock, the Speaker has examined both Engrossed Second Substitute Senate Bill No. 6221 and the amendment offered by Representative Vekich. The bill very clearly is an act relating to sexually transmitted diseases. The amendment appears to broaden the scope and intention of the original bill by referring to "or contagious disease" which is plainly labelled. The Speaker rules that the amendment is outside the scope of the bill. Your point, Representative Braddock, is well taken.

POINT OF PERSONAL PRIVILEGE

Mr. Vekich: Mr. Speaker, with all respect to your ruling I would like to say that I think we have now ignored the workers' safety issue in this bill. In my opinion it was clearly within the scope of the bill. We are now saying that we do not care about hazardous wastes that the workers are handling and that the lab technicians, lab technologists and nurses do not deserve to be warned when they are handling infectious matters. I disagree with your ruling. I respect it, but I think we are really missing an opportunity here to provide for workers' safety and deal with the hazardous wastes.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be the adoption of the committee amendment as amended.

Representatives Braddock, Brooks, Sprengle and Moyer spoke in favor of the committee amendment as amended, and Mr. Fuhrman opposed it.

The committee amendment as amended was adopted.

There being no objection, the committee amendment to the title was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Hargrove.

Mr. Hargrove: Thank you, Mr. Speaker. Representative Braddock, our current anti-discrimination laws do not prohibit discrimination based on sexual orientation or perceived sexual orientation. Does the language in Section 902 of this bill prohibit discrimination based on sexual orientation or perceived sexual orientation?

Mr. Braddock: I don't believe I understand how Section 902 relates to the sexual orientation. I believe Section 902 relates to HIV status. HIV status can be discriminated against. If you have the AIDS virus and you are in a job or a position where that virus could be transmitted and you can establish that that virus can be transmitted--that is, if a public health officer would come to the conclusion that the position of employment would, for example, place the community at risk because of potential transmission of the virus and that is the blood-to-blood contact--then you could certainly discriminate against that person having that job and that employment.

Mr. Hargrove: If I may continue then, just to make this clear. If the HIV virus is not present, then this does not now prohibit discrimination on the basis of sexual orientation?

Mr. Braddock: I believe you are correct.

Mr. Hargrove: Thank you.

Representatives B. Williams and Fuhrman spoke against passage of the bill, and Representatives Sutherland, Anderson, Wineberry, Locke and Braddock spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6221 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fuhrman, Padden, Williams B - 3.

Engrossed Second Substitute Senate Bill No. 6221 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 6264 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6264, by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Kreidler, Smith and Anderson)

Requiring a report on the management of infectious wastes.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust, Walker and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6264, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6264, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Ms. H. Sommers presiding) called the House to order.

MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 5595 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 5595, by Committee on Economic Development & Labor (originally sponsored by Senator Kreidler)

Establishing liens for owners of self-storage facilities.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Armstrong moved adoption of the committee amendment.

Mr. Meyers moved adoption of the following amendment by Representatives Meyers and Moyer to the committee amendment:

On page 8, after line 2 of the amendment, insert "Sec. 19. Section 6, chapter 205, Laws of 1982 as amended by section 4, chapter 324, Laws of 1986 and RCW 18.11.070 are each amended to read as follows:

(1) It is unlawful for any person to act as an auctioneer or for an auction company to engage in any business in this state without a license.

(2) This chapter does not apply to:

(a) An auction of goods conducted by an individual who personally owns those goods and who did not acquire those goods for resale;

(b) An auction conducted by or under the direction of a public authority;

(c) An auction held under judicial order in the settlement of a decedent's estate;

(d) An auction which is required by law to be at auction;

(e) An auction conducted by or on behalf of a political organization or a charitable corporation or association if the person conducting the sale receives no compensation. ((or))

(f) an auction of livestock or agricultural products which is conducted under chapter 16.65 or 20.01 RCW. Auctions not regulated under chapter 16.65 or 20.01 RCW shall be fully subject to the provisions of this chapter; or

(g) An auction held under chapter 19.— RCW (sections 1 through 18 of this 1987 act)."

Representatives Meyers and Moyer spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

The Speaker (Ms. H. Sommers presiding) stated the question before the House to be the committee amendment as amended.

The committee amendment as amended was adopted.

Mr. Appelwick moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This chapter shall be known as the 'Washington self-service storage facility act.'

NEW SECTION. Sec. 2. For the purposes of this chapter, the following terms shall have the following meanings:

(1) 'Self-service storage facility' means any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to the space for the purpose of storing and removing personal property on a self-service basis, but does not include a garage or other storage area in a private residence. No occupant may use a self-service storage facility for residential purposes.

(2) 'Owner' means the owner, operator, lessor, or sublessor of a self-service storage facility, his or her agent, or any other person authorized by him or her to manage the facility, or to receive rent from an occupant under a rental agreement.

(3) 'Occupant' means a person, or his or her sublessee, successor, or assign, who is entitled to the use of the storage space at a self-service storage facility under a rental agreement, to the exclusion of others.

(4) 'Rental agreement' means any written agreement or lease which establishes or modifies the terms, conditions, rules or any other provision concerning the use and occupancy of a self-service storage facility.

(5) 'Personal property' means movable property not affixed to land, and includes, but is not limited to, goods, merchandise, furniture, and household items.

(6) 'Last known address' means that address provided by the occupant in the latest rental agreement, or the address provided by the occupant in a subsequent written notice of a change of address.

NEW SECTION. Sec. 3. The owner of a self-service storage facility and his or her heirs, executors, administrators, successors, and assigns have a lien upon all personal property located at a self-service storage facility for rent, labor, or other charges, present or future, incurred pursuant to the rental agreement, and for expenses necessary for the preservation, sale, or disposition of personal property subject to this chapter. The lien may be enforced consistent with this chapter. However, any lien on a motor vehicle or boat which has attached and

is set forth in the documents of title to the motor vehicle or boat shall have priority over any lien created pursuant to this chapter.

NEW SECTION. Sec. 4. When any part of the rent or other charges due from an occupant remains unpaid for six consecutive days, and the rental agreement so provides, an owner may deny the occupant access to the storage space at a self-service storage facility.

NEW SECTION. Sec. 5. When any part of the rent or other charges due from an occupant remains unpaid for fourteen consecutive days, an owner may terminate the right of the occupant to the use of the storage space at a self-service storage facility by sending a notice to the occupant's last known address, and to the alternative address specified in section 15(2) of this act, by first class mail, postage prepaid, containing all of the following:

(1) An itemized statement of the owner's claim showing the sums due at the time of the notice and the date when the sums become due.

(2) A statement that the occupant's right to use the storage space will terminate on a specified date (not less than fourteen days after the mailing of the notice) unless all sums due and to become due by that date are paid by the occupant prior to the specified date.

(3) A notice that the occupant may be denied or continue to be denied, as the case may be, access to the storage space after the termination date if the sums are not paid, and that an owner's lien, as provided for in section 3 of this act may be imposed thereafter.

(4) The name, street address, and telephone number of the owner, or his or her designated agent, whom the occupant may contact to respond to the notice.

NEW SECTION. Sec. 6. A notice in substantially the following form shall satisfy the requirements of section 5 of this act:

PRELIMINARY LIEN NOTICE

to _____ (occupant)
 _____ (address)
 _____ (state)

You owe and have not paid rent and/or other charges for the use of storage (space number) _____ at (name and address of storage facility) _____

Charges that have been due for more than fourteen days and accruing on or before (date) _____ are itemized as follows:

DUE DATE	DESCRIPTION	AMOUNT
		TOTAL \$ _____

IF this sum is not paid in full before

(date at least fourteen days from mailing) _____,

your right to use the storage space will terminate, you may be denied, or continue to be denied, access and an owner's lien on any stored property will be imposed. You may pay the sum due and contact the owner at:

(Name) _____
 (Address) _____
 (State) _____
 (Telephone) _____
 (Date) _____

(Owner's Signature) _____

NEW SECTION. Sec. 7. If a notice has been sent, as required by section 5 of this act, and the total sum due has not been paid as of the date specified in the preliminary lien notice, the lien imposed by this chapter attaches as of that date and the owner may deny an occupant access to the space, enter the space, and remove any property found therein to a place of safe keeping. The owner shall then send to the occupant, addressed to the occupant's last known address and to the alternative address specified in section 15(2) of this act by certified mail, postage prepaid, all of the following:

(1) A notice of lien sale which shall state all of the following:

(a) That the occupant's right to use the storage space has terminated and that the occupant no longer has access to the stored property.

(b) That the stored property is subject to a lien, and the amount of the lien accrued and to accrue prior to the date required to be specified in (c) of this subsection.

(c) That the property may be sold to satisfy the lien after a specified date which is not less than fourteen days from the date of mailing the notice unless the amount of the lien is paid or the occupant executes and returns by certified mail a declaration under penalty of perjury in opposition to the lien sale in the form set forth in subsection (2) of this section.

(d) That any excess proceeds of the sale over the lien amount and costs of sale and any personal papers and personal effects will be retained by the owner and may be reclaimed by the occupant, or claimed by another person, at any time for a period of one year from the sale and that thereafter the proceeds and personal papers and effects will be turned over to the state as abandoned property.

(e) That the occupant within one year after the date of the sale may repurchase from any purchaser any of the occupant's property sold pursuant to section 10 of this act at the price paid by the purchaser.

(2) A blank declaration in opposition to the lien sale which shall be substantially the following form:

DECLARATION IN OPPOSITION TO LIEN SALE

I, _____ (occupant's name), have received the notice of lien sale of the property stored at _____ (location and space). I oppose the lien sale of the property. My address is:

_____ (address)
 _____ (city) _____ (state) _____ (zip)

I understand that the lienholder may file an action in court against me, and if a judgment is given in his or her favor, I may be liable for the court costs. I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was signed by me on _____ (date) at _____ (place).

_____ (signature of occupant)

NEW SECTION, Sec. 8. If a declaration in opposition to the lien sale, executed under penalty of perjury, is not received prior to the date of sale set forth in the notice of lien sale, and if the reasonable aggregate value of the property is less than one hundred dollars, the owner may donate the property to a charitable organization exempt from federal income tax under the federal internal revenue code.

NEW SECTION, Sec. 9. If a declaration in opposition to the lien sale, executed under penalty of perjury, is not received prior to the date of sale set forth in the notice of lien sale, the owner may, subject to sections 11 and 12 of this act, sell the property upon complying with the requirements set forth in section 10 of this act.

NEW SECTION, Sec. 10. (1) After the expiration of the time given in the notice of lien sale pursuant to section 7 of this act, an advertisement of the sale shall be published once a week for two weeks consecutively in a newspaper of general circulation in the county, city, or town where the self-service storage facility is located and the sale is to be held. The advertisement shall include a general description of the goods, the name of the person on whose account they are being stored, the space number of the occupant, and the name and the location of the storage facility. If there is no newspaper of general circulation in the county, city, or town where the self-service storage facility is located and where the sale is to be held, the advertisement shall be posted at least ten days before the sale in not less than six conspicuous places in the neighborhood of the proposed sale.

(2) The sale shall be conducted in a commercially reasonable manner, and, after deducting the amount of the lien and costs of sale, the owner shall retain any excess proceeds of the sale on the occupant's behalf. The occupant, or any other person having a court order or other judicial process against the property, may claim the excess proceeds, or a portion thereof sufficient to satisfy the particular claim, at any time within one year of the date of sale.

(3) No employee or owner, or family member of an employee or owner, may acquire, directly or indirectly, the property sold at a lien sale authorized under this chapter.

(4) After the sale has been completed, the owner shall provide an accounting of the disposition of the proceeds of the sale to the occupant at the occupant's last known address and at the alternative address.

NEW SECTION, Sec. 11. Any person who has a perfected security interest under Article 62A.9 RCW of the uniform commercial code may claim any personal property subject to the security interest and subject to a lien pursuant to this chapter by paying the total amount due, as specified in the lien notices, for the storage of the property, if no declaration of opposition to the lien sale is executed and returned by the occupant. Upon payment of the total amount due, the owner shall deliver possession of the particular property subject to the security interest to the person who paid the total amount due. The owner shall not be liable to any person for any action taken pursuant to this section if the owner has fully complied with sections 6 and 7 of this act.

NEW SECTION, Sec. 12. Prior to any sale pursuant to section 9 of this act, any person claiming a right to the goods may pay the amount necessary to satisfy the lien and the reasonable expenses incurred for particular actions taken pursuant to this chapter. In that event, the goods shall not be sold, but shall be retained by the owner subject to the terms of this chapter pending a court order directing a particular disposition of the property.

NEW SECTION, Sec. 13. If a declaration in opposition to the lien sale is received prior to the date set forth in the notice of lien sale, the owner may enforce the lien as follows:

(1) A civil action to enforce the owner's lien shall be commenced by the filing of a verified complaint setting forth the facts upon which the claim of lien is based. The summons and complaint shall be served in the manner provided for by court rule.

(2) If the occupant has not responded to the complaint by answer within the time allowed after service is completed, the court, upon application of the owner, shall enter the default of the occupant, and thereafter, the owner may apply to the court for judgment in the amount of the lien, including costs.

(3) Any judgment entered on the action on the lien in favor of the owner may be enforced by sale of the property by the owner. The sale shall be conducted in a commercially reasonable manner, and shall take place ten days or more from the entry of judgment, unless within

that time period, or at any time prior to the sale, the occupant pays to the owner the full amount of the judgment.

(4) Enforcement of the judgment may be stayed, pending appeal, by the posting of a bond by the occupant in an amount one and one-half times the amount of the judgment, in which case the property may be released to the occupant.

NEW SECTION. Sec. 14. A purchaser in good faith of goods sold to enforce a lien or judgment entered on the lien in favor of the owner on goods stored at a self-service storage facility takes the goods free of any rights of persons against whom the lien was claimed, despite non-compliance by the owner of the storage facility with this chapter. However, the purchaser shall return the goods to the owner of the property if the owner tenders the purchase price plus any costs incurred by the purchaser within one year of the date of the purchase.

NEW SECTION. Sec. 15. (1) Each contract for the rental or lease of individual storage space in a self-service storage facility shall be in writing and shall contain, in addition to the provisions otherwise required or permitted by law to be included, a statement requiring the occupant to disclose any lienholders or secured parties who have an interest in the property that is or will be stored in the self-service storage facility, a statement that the occupant's property will be subject to a claim of lien and may even be sold to satisfy the lien if the rent or other charges due remain unpaid for fourteen consecutive days, and that such actions are authorized by this chapter.

(2) This chapter shall not apply, and the lien authorized by this chapter shall not attach, unless the rental agreement requests, and provides space for, the occupant to give the name and address of another person to whom the preliminary lien notice and subsequent notices required to be given under this chapter may be sent. Notices sent pursuant to section 5 or 7 of this act shall be sent to the occupant's address and the alternative address, if both addresses are provided by the occupant. Failure of an occupant to provide an alternative address shall not affect an owner's remedies under this chapter or under any other provision of law.

NEW SECTION. Sec. 16. Any insurance protecting the personal property stored within the storage space against fire, theft, or damage must be provided by the occupant and shall not be the responsibility of the owner.

NEW SECTION. Sec. 17. Nothing in this chapter may be construed to impair or affect the right of the parties to create additional rights, duties, and obligations in and by virtue of the rental agreement. The rights provided by this chapter shall be in addition to all other rights provided by law to a creditor against his or her debtor.

NEW SECTION. Sec. 18. This chapter shall only apply to rental agreements entered into, extended, or renewed after the effective date of this section. Rental agreements entered into before the effective date of this section which provide for monthly rental payments but providing no specific termination date shall be subject to this chapter on the first monthly rental payment date next succeeding the effective date of this section.

NEW SECTION. Sec. 19. All rental agreements entered into before the effective date of this section, and not extended or renewed after that date, or otherwise made subject to this chapter pursuant to section 18 of this act, and the rights, duties, and interests flowing from them, shall remain valid, and may be enforced or terminated in accordance with their terms or as permitted by any other statute or law of this state.

NEW SECTION. Sec. 20. If an owner issues any warehouse receipt, bill of lading, or other document of title for the personal property stored, the owner and the occupant are subject to Article 62A.7 RCW (commencing with RCW 62A.7-101) of the uniform commercial code and this chapter does not apply.

Sec. 21. Section 6, chapter 205, Laws of 1982 as amended by section 4, chapter 324, Laws of 1986 and RCW 18.11.070 are each amended to read as follows:

(1) It is unlawful for any person to act as an auctioneer or for an auction company to engage in any business in this state without a license.

(2) This chapter does not apply to:

(a) An auction of goods conducted by an individual who personally owns those goods and who did not acquire those goods for resale;

(b) An auction conducted by or under the direction of a public authority;

(c) An auction held under judicial order in the settlement of a decedent's estate;

(d) An auction which is required by law to be at auction;

(e) An auction conducted by or on behalf of a political organization or a charitable corporation or association if the person conducting the sale receives no compensation; ((or))

(f) An auction of livestock or agricultural products which is conducted under chapter 16.65 or 20.01 RCW. Auctions not regulated under chapter 16.65 or 20.01 RCW shall be fully subject to the provisions of this chapter; or

(g) An auction held under chapter 19.— RCW (sections 1 through 20 of this 1988 act).

Sec. 22. Section 3, chapter 252, Laws of 1941 as last amended by section 9, chapter 370, Laws of 1977 ex. sess. and RCW 18.85.110 are each amended to read as follows:

This chapter shall not apply to (1) any person who purchases property and/or a business opportunity for his own account, or that of a group of which he is a member, or who, as the owner or part owner of property, and/or a business opportunity, in any way disposes of the

same; nor, (2) any duly authorized attorney in fact, or an attorney at law in the performance of his duties; nor, (3) any receiver, trustee in bankruptcy, executor, administrator, guardian, or any person acting under the order of any court, or selling under a deed of trust; nor, (4) any secretary, bookkeeper, accountant, or other office personnel who does not engage in any conduct or activity specified in any of the definitions under RCW 18.85.010; nor, (5) any owner of rental or lease property, members of the owner's family whether or not residing on such property, or a resident manager of a complex of residential dwelling units wherein such manager resides; nor, (6) any person who manages residential dwelling units on an incidental basis and not as his principal source of income so long as that person does not advertise or hold himself out to the public by any oral or printed solicitation or representation that he is so engaged; nor, (7) only with respect to the rental or lease of individual storage space; any person who owns or manages a self-service storage facility as defined under chapter 19.— RCW (sections 1 through 20 of this 1988 act).

NEW SECTION. Sec. 23. A new section is added to chapter 63.29 RCW to read as follows:

The personal papers and personal effects held by the owner and the excess proceeds of a sale conducted pursuant to section 10 of this act by an owner of a self-storage facility to satisfy the lien and costs of storage which are not claimed by the occupant of the storage space or any other person which remains unclaimed for more than one year are presumed abandoned.

NEW SECTION. Sec. 24. Sections 1 through 20 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 25. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Mr. Appelwick spoke in favor of adoption of the amendment, and Mr. Padden opposed it.

Representative B. Williams was excused.

Mr. Appelwick again spoke in favor of adoption of the amendment, and Mr. Padden again opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Appelwick to Substitute Senate Bill No. 5595, and the amendment was adopted by the following vote: Yeas, 57; nays, 40; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Dellwo, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Allen, Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Day, Dorn, Doty, Fuhrman, Hankins, Hargrove, Holland, Jesernig, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams J, Wilson S, Winsley - 40.

Excused: Representative Williams B - 1.

There being no objection, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "facilities;" strike the remainder of the title and insert "amending RCW 18.11.070 and 18.85.110; adding a new section to chapter 63.29 RCW; and adding a new chapter to Title 19 RCW."

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5595 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan,

Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Substitute Senate Bill No. 5595 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 6252 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6252, by Committee on Law & Justice (originally sponsored by Senators Halsan and Talmadge)

Revising enforcement provisions for failure to comply with traffic infraction laws.

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

Representatives Baugher and D. Sommers in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6252, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Substitute Senate Bill No. 6252, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6260, by Senators Warnke, Smitherman, Garrett and Conner: by request of Pharmacy Board

Changing requirements relating to sales of poisons.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6260 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Senate Bill No. 6260 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Ebersole demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative B. Williams.

On motion of Mr. Ebersole, the absent member was excused and the House proceeded with business under the call of the House.

MOTION

Mr. Ebersole moved that the House immediately consider Senate Bill No. 6243 on second reading. The motion was carried.

SENATE BILL NO. 6243, by Senators Smitherman, Lee, Warnke, Bender, Talmadge, Vogtild, Metcalf, Hansen, Stratton, West and Fleming; by request of Joint Select Committee on Labor-Management Relations

Revising labor dispute disqualification for unemployment compensation.

The bill was read the second time.

Mr. Ebersole moved adoption of the following amendment by Representatives Ebersole, Patrick and Wang:

On page 2, after line 30 insert:

NEW SECTION. Sec. 2. (1) The department of employment security shall study and analyze the impact of section 1 of this act on the number of claimants receiving unemployment insurance benefits and the total amount of benefits paid, and on the type, frequency, duration, and outcome of labor disputes. In performing the study the department shall specifically address the impact of section 1(1)(b) of this act on the above subjects.

(2) In performing its duties under this section the department shall periodically convene meetings with representatives of labor and management, including but not limited to representatives of the following: A general business association; an organization broadly representing organized labor; the construction industry; construction industry organized labor; the trade industry; trade industry organized labor; the manufacturing industry; manufacturing industry organized labor; the service industry; service industry organized labor; the transportation industry; transportation industry organized labor; the communication industry; and communication industry organized labor.

(3) For the purpose of studying and analyzing the impact of section 1(1)(b) of this act the department shall periodically convene, in addition to those meetings specified in subsection (2) of this section, meetings with representatives of labor and management from industries with multi-employer bargaining units, including but not limited to representatives from a general business association; an organization broadly representing organized labor; the retail trade industry; and retail trade industry organized labor.

(4) The department shall report its findings to the governor, the senate economic development and labor committee, and the house of representatives commerce and labor committee, or the appropriate successor committees, by the commencement of the 1990 regular session of the legislature.

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Ebersole and Patrick spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Ebersole, the following amendment to the title was adopted:
On page 1, line 2 of the title, after "50.20.090," insert "creating a new section;"

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6243 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Senate Bill No. 6243 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6332, by Committee on Governmental Operations (originally sponsored by Senators Newhouse and Rasmussen)

Providing for unclaimed property in museums and historical societies.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Anderson moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6332 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Substitute Senate Bill No. 6332 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Senate Joint Memorial No. 8030 on second reading. The motion was carried.

SENATE JOINT MEMORIAL NO. 8030, by Senators Barr, Hansen and Sellar

Requesting expedited funding for the lighting system at Grand Coulee Dam.

The memorial was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Vekich moved that the House do not adopt the committee amendment. Mr. Vekich spoke in favor of the motion, and it was carried.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Fuhrman and McLean spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Resolution No. 8030, and the memorial passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Williams B - 1.

Senate Joint Memorial No. 8030, having received the constitutional majority, was declared passed.

The Speaker resumed the Chair.

MOTION

Mr. Ebersole moved that Committee on Rules be relieved of House Bill No. 2038 and that the bill be placed on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2038, by Representatives Sprenkle, Holland, Braddock, Brooks, Peery, Grimm and Locke

Establishing the Washington state health care authority.

The bill was read the second time. On motion of Mr. Locke, Substitute House Bill No. 2038 was substituted for House Bill No. 2038, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2038 was read the second time.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher, Lewis, Unsoeld, Holm, Day, Meyers, Sayan and Basich:

On page 7, line 9, after "board," strike everything down to and including "employee," on line 10 and insert "These health care benefit plans shall provide coverage for all officials and employees and their dependents without premium or subscription cost to the individual employees and officials, unless the board approves a panel medicine plan at a subscription rate in excess of the premium of the regularly constituted insurance carrier or health care service contractor, in which circumstances an employee contribution may be authorized at an amount equal to such excess."

Representatives Belcher and Lewis spoke in favor of adoption of the amendment, and Representatives Holland and Braddock opposed it.

The amendment was not adopted.

Mr. Sprenkle moved adoption of the following amendment:

On page 7, line 5, strike "(2)" and insert "(3)"
Renumber remaining subsections consecutively.

Mr. Sprenkle spoke in favor of adoption of the amendment, and it was adopted.

Mr. Sprenkle moved adoption of the following amendment:

On page 7, line 19, after "provide" strike "health care" and insert "employee"

Mr. Sprenkle spoke in favor of adoption of the amendment, and it was adopted.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher, Lewis, Unsoeld, Holm, Meyers, P. King, Cooper, Pruitt, Day, Lux, Sayan and Basich:

On page 6, line 20, after "(a)" strike all material down to and including "benefits" on line 29 and insert "methods of maximizing cost containment while ensuring access to quality health care"

Ms. Belcher spoke in favor of adoption of the amendment, and it was adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Lux moved adoption of the following amendment by Representatives Lux, Sayan, Todd and Vekich:

Strike everything after the enacting clause and insert:

NEW SECTION, Sec. 1. (1) The director of the office of financial management shall conduct a study of state-purchased health care, which shall address, at a minimum, the following:

(a) the administration of the state employee insurance program;

(b) the need to develop data systems to maintain and analyze utilization of state purchased health care;

(c) ways to control health care costs while maintaining adequate levels of health care for state employees and persons under the care of the state;

(d) the interaction of public and private health care systems;

(e) feasibility of consolidating state purchased health care, especially the inclusion of school employee health care coverage with the state employee insurance program.

(2) The director of the office of financial management shall appoint an advisory committee to assist in the study. Members shall include, but not be limited to, representatives of employee unions and associations; experts in the field of health care provision, administration, insurance, and research; and interested citizens.

(3) The director of the office of financial management shall report to the appropriate committees of the legislature no later than December 15, 1988, on the findings of the study and related recommendations."

Representatives Lux, Lewis, Sayan and Day spoke in favor of adoption of the amendment, and Representatives Braddock and Sprenkle opposed it.

Representatives Taylor and Todd spoke in favor of the amendment, and Mr. Sprenkle again opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Lux and others to Substitute House Bill No. 2038, and the amendment was adopted by the following vote: Yeas, 61; nays, 36; excused, 1.

Voting yea: Representatives Amondson, Anderson, Ballard, Barnes, Baugher, Beck, Belcher, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Crane, Day, Dorn, Doty, Ferguson, Fuhrman, Gallagher, Hankins, Hargrove, Heavey, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, O'Brien, Padden, Patrick, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Todd, Unsoeld, Vekich, Walker, Wang, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 61.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Dellwo, Ebersole, Fisher, Fox, Grant, Grimm, Haugen, Hine, Jacobsen, Leonard, Locke, Nutley, Peery, Prince, Pruitt, Rasmussen, Rust, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Valle, Walk, Wilson K, and Mr. Speaker - 36.

Excused: Representative Williams B - 1.

MOTION FOR RECONSIDERATION

Mr. Lux, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendment by Representative Lux and others to Substitute House Bill No. 2038 passed the House. The motion was carried.

MOTION

With consent of the House, Representative Allen was excused from further proceedings under the Call of the House.

The Speaker declared the House to be at ease.
The Speaker called the House to order.

MOTION

Mr. Ebersole moved that the House suspend Rule 14(C). The motion was carried.

MOTION FOR RECONSIDERATION

Mr. Grimm, having given notice on the preceding day, moved that the House do now reconsider the vote by which Substitute House Bill No. 1355 failed to pass the House. The motion was carried.

RECONSIDERATION

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 1355 on reconsideration.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute House Bill No. 1355 and that the bill hold its place on the third reading calendar. The motion was carried.

MOTION

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Wednesday, March 2, 1988.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

FIFTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, March 2, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Schoon and Wineberry, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Debbie Weinman and Richard Ross. Prayer was offered by The Reverend William J. Sullivan, President of Seattle University.

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

The Speaker (Mr. O'Brien presiding) called on Representative Appelwick to preside.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4741, by Representatives Cole, Spanel, K. Wilson, Kremen, Leonard, Wang, Day, Valle, Peery, Holm, Scott, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, C. Smith, D. Sommers, H. Sommers, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vekich, Walk, Walker, B. Williams, J. Williams, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The first National Congress For Mothers Convention, later called the Parent-Teacher Association, was held on February 17, 1897 in Washington D.C. ninety-one years ago; and

WHEREAS, The two organizers, Alice McLellan Birney and Pheobe Apperson Hearst, expected about two hundred delegates at the conference; and

WHEREAS, Over one thousand delegates attended to discuss the single subject of children; and

WHEREAS, The convention focused on the health, education and welfare of all children and youth; and

WHEREAS, The National Parent-Teacher Association has served as an advocate for the needs of all children in the United States, regardless of race, color or condition; and

WHEREAS, The National Parent-Teacher Association now boasts a membership of over 6.1 million persons; and

WHEREAS, The National Parent-Teacher Association continues its commitment to protecting the rights of all children; and

WHEREAS, The National Parent-Teacher Association has been responsible for the initiation of a variety of beneficial programs, such as the nationwide school lunch program, and lobbies for better government concerning children's issues;

NOW, THEREFORE, BE IT RESOLVED, That the Washington House of Representatives strongly support the work of the National Parent-Teacher Association and assist in its continued effort to improve the lives of the children of our state; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to each member of the Washington State Legislature.

Ms. Cole moved adoption of the resolution. Representatives Cole, Miller, Leonard, Rasmussen, Valle, Walker, McLean, Betrozoff and Barnes spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 88-4742, by Representatives Jones, Hargrove and Sanders

WHEREAS, The United States Constitution is the foundation of our democracy and guarantees those liberties which are vital to the American way of life; and

WHEREAS, The strength of this country, and its states, is based upon the continued observance and enforcement of those essential rights and privileges contained in our Constitution and upon the education of American citizens about this wonderful document, so that all citizens can fully understand and value the fundamental rights guaranteed to them; and

WHEREAS, An exemplary essay contest was recently held in Jefferson County, Washington in which high school students were encouraged to examine the Constitution as a living and adaptable document and to compose an essay on the significance of that document to their generation; and

WHEREAS, The winning essayists received trips to our nation's capital, and the three finalists were awarded the privilege of traveling to Olympia as guests of the Governor and the Legislature to experience first-hand the law-making process and to lunch with the Governor; and

WHEREAS, Tanja Schade, age sixteen, a Quilcene High School student and one of the essay finalists, is Sophomore Class President, Assistant Editor of the school yearbook, a member of the Knowledge Bowl team, and hopes to attend The Evergreen State College and become a Professor of History; and

WHEREAS, Julie Schreiber, also an essay finalist, is sixteen years of age, a junior at Port Townsend High School, a poet, a participant in the high school musical "Forty-second Street," and hopes that her attendance at college will enable her to pursue a career in advertising; and

WHEREAS, Heather Westall, finalist in the essay contest, is seventeen years of age, a junior at Port Townsend High School, an accomplished pianist and writer, a member of the Knowledge Bowl team, and hopes to attend Western Washington University and the University of Washington, majoring in advertising; and

WHEREAS, These three outstanding Jefferson County high school students composed the fine constitutional essays which entitled them to travel to Olympia to tour the legislature and to be luncheon guests of Governor Gardner;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognizes and honors Tanja Schade, Julie Schreiber and Heather Westall, welcomes them to the Washington Legislature and commends them for their prize-winning essays on the United States Constitution; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Port Townsend High School, Quilcene High School and to Tanja Schade, Julie Schreiber and Heather Westall.

On motion of Mr. Jones, the resolution was adopted.

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

SECOND READING

MOTION

Mr. Dellwo moved that the House immediately consider Senate Bill No. 6182 on second reading. The motion was carried.

SENATE BILL NO. 6182, by Senator McCaslin

Denying registration if contractor has previous unsatisfied judgment.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 43rd Day, February 22, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Peery, Nutley, Sutherland and Patrick:

On page 2, after line 4, insert the following:

"Sec. 2. Section 8, chapter 77, Laws of 1963 as amended by section 3, chapter 118, Laws of 1972 ex. sess. and RCW 18.27.080 are each amended to read as follows:

No person engaged in the business or acting in the capacity of a contractor may bring or maintain any action in any court of this state for the collection of compensation for the performance of any work or for breach of any contract for which registration is required under this chapter without alleging and proving that he was a duly registered contractor and held a current and valid certificate of registration at the time he contracted for the performance of such work or entered into such contract. For the purposes of this section, the court shall not find a contractor in substantial compliance with the registration requirements of this chapter unless: (1) The department has on file the information required by RCW 18.27.030; (2) the contractor has a current bond or other security as required by RCW 18.27.040; and (3) the contractor has current insurance as required by RCW 18.27.050. In determining under this section whether a contractor is in substantial compliance with the registration requirements of this chapter, the court shall take into consideration the length of time during which the contractor did not hold a valid certificate of registration."

POINT OF ORDER

Mr. Padden: I would like a ruling on scope and object of this amendment.

The Speaker (Mr. Appelwick presiding) stated that the point of order would be taken under advisement.

With consent of the House, further consideration of Senate Bill No. 6182 was deferred and the bill was ordered to hold its place on the second reading calendar.

Representative Schoon appeared at the bar of the House.

MOTION

Mr. Dellwo moved that the House immediately consider Substitute Senate Bill No. 6350 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6350, by Committee on Law & Justice (originally sponsored by Senators Smith, Halsan, Zimmerman, West and Bauer)

Establishing a civil penalty for killing or injuring a guide or service dog.

The bill was read the second time.

Mr. Meyers moved adoption of the following amendments:

On page 1, line 6 after "who" strike "negligently or"

On page 1, line 14 strike "negligently or"

Mr. Meyers spoke in favor of adoption of the amendments, and Representatives Padden and P. King opposed them. The amendments were not adopted.

On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6350, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty,

Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Meyers - 1.

Excused: Representative Wineberry - 1.

Substitute Senate Bill No. 6350, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6354, by Senators Lee, Smitherman and McMullen; by request of Department of Labor and Industries

Changing the definition of wages for industrial insurance purposes.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Wang moved adoption of the committee amendment

POINT OF ORDER

Mr. R. King: Mr. Speaker, I believe that this committee amendment goes beyond the scope and object of the bill. The bill deals with industrial insurance; the amendment deals with minimum wage.

The Speaker (Mr. Appelwick presiding) stated that the point of order would be taken under advisement.

With consent of the House, further consideration of Senate Bill No. 6354 was deferred and the bill was ordered to hold its place on the second reading calendar.

SENATE BILL NO. 6396, by Senators West, Conner and Anderson; by request of Department of Labor and Industries

Ending the use of apprentices' assumed wage rates for computing disability compensation payments.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6396 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wineberry - 1.

Senate Bill No. 6396 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6402, by Committee on Law & Justice (originally sponsored by Senators Pullen, Moore, Bluechel, Newhouse, Bauer, DeJarnatt and Hansen)

Revising venue requirements in civil actions in district court.

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

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6402, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wineberry - 1.

Substitute Senate Bill No. 6402, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that consideration of Substitute Senate Bill No. 6408 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6419, by Committee on Governmental Operations (originally sponsored by Senators Zimmerman and Rasmussen)

Revising provisions relating to contracts by port districts.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Cooper moved adoption of the committee amendment. Representatives Cooper and Ferguson spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Cooper spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6419 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 7; excused, 1.

Voting yea: Representatives Allen, Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen,

Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Anderson, Belcher, Cole, Fisher, Heavey, Holm, Locke - 7.

Excused: Representative Wineberry - 1.

Substitute Senate Bill No. 6419 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6435, by Committee on Economic Development & Labor (originally sponsored by Senators Lee and Owen)

Changing provisions relating to disclosure by contractors.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6435 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wineberry - 1.

Substitute Senate Bill No. 6435 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that the House immediately consider Engrossed Substitute Senate Bill No. 6218 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6218, by Committee on Health Care & Corrections (originally sponsored by Senators McCaslin, Bauer, Johnson, Conner and Benitz)

Revising certain provisions regulating the practice of physical therapy.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Braddock moved adoption of the committee amendment.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock and Lewis to the committee amendment:

On page 5, line 6, strike "physician" and insert "provider"

Mr. Braddock spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

Mr. Braddock spoke in favor of the committee amendment as amended, and Mr. Brooks spoke against it. The committee amendment as amended was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6218 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Beck, Brooks, Day, Ferguson, Moyer - 5.

Excused: Representative Wineberry - 1.

Engrossed Substitute Senate Bill No. 6218 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that the House immediately consider Substitute Senate Bill No. 6439 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6439, by Committee on Law & Justice (originally sponsored by Senators Pullen and Talmadge)

Studying the consolidation of district and municipal courts.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Padden moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6439 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Allen, Beck, Dorn - 3.

Absent: Representative Chandler - 1.

Excused: Representative Wineberry - 1.

Substitute Senate Bill No. 6439 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that consideration of Engrossed Substitute Senate Bill No. 6446 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

Representative Wineberry appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 6462, by Committee on Law & Justice (originally sponsored by Senator Nelson; by request of Sentencing Guidelines Commission)

Making technical corrections on procedures for sentencing adult felons.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6462, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6462, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6480, by Senators DeJarnatt, Metcalf, Owen and Pullen

Establishing the crime of obstructing the taking of fish or wildlife.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Sutherland moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6480 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6480 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6530, by Committee on Law & Justice (originally sponsored by Senators Pullen, Halsan, Nelson and Garrett; by request of Department of Labor and Industries)

Revising procedures for explosives licensing.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6530 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6530 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6574, by Senators Metcalf and Kreidler; by request of Washington State Parks and Recreation Commission

Limiting liability of the parks and recreation commission regarding winter recreation activities.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Armstrong moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6574 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6574 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 6600, by Senators Pullen, Talmadge, Rinehart and Saling

Revising provisions relating to child abuse reporting by public employees.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Scott and Dorn spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6600, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 6600, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that the House immediately consider Senate Bill No. 6408 on second reading. The motion was carried.

SENATE BILL NO. 6408, by Senators Benitz, Bender, Newhouse, Vognild and Garrett

Revising provisions on the state energy code.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Nelson moved adoption of the committee amendment. Representatives Nelson and Barnes spoke in favor of it, and the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Todd spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6408 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 6.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers H, Spanel,

Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Baugher, Bumgarner, Moyer, Padden, Silver, Sommers D - 6.

Senate Bill No. 6408 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that the House immediately consider Senate Bill No. 6641 on second reading. The motion was carried.

SENATE BILL NO. 6641, by Senators Craswell, Vognild, Bailey, Owen, Smitherman and Metcalf

Providing for armed forces shipboard population adjustment.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Anderson moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson, Hankins and Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6641 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spaniel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6641 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Appelwick presiding) declared the House to be at ease.

The Speaker (Mr. Appelwick presiding) called the House to order.

SENATE BILL NO. 6667, by Senator Nelson; by request of Department of Licensing

Revising special fuel user's report filing frequency.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6667, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen,

Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6667, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6668, by Senator Nelson; by request of Department of Licensing

Revising special fuel bonding requirements.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Walk moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6668 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristol, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6668 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 6705, by Senators Craswell, Rasmussen, Nelson and Johnson

Protecting children in the home.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. Brekke moved adoption of the committee amendment. Representatives Brekke and Moyer spoke in favor of it, and the committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6705 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristol, Brooks, Brough,

Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D. Sommers H. Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 6705 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Appelwick presiding) declare the House to be at ease.
The Speaker called the House to order.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Substitute House Bill No. 2038 from Tuesday, March 1, 1988. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 2038, by Committee on Ways & Means (originally sponsored by Representatives Sprenkle, Holland, Braddock, Brooks, Peery, Grimm and Locke)

Establishing the Washington state health care authority.

The Speaker stated the question before the House to be the motion by Mr. Lux to reconsider the vote by which the amendment by Representative Lux and others passed the House. The motion was carried.

RECONSIDERATION

The Speaker stated the question before the House to be the adoption of the amendment by Representative Lux and others on reconsideration.

Mr. Ebersole spoke against adoption of the amendment.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Mr. Lux spoke in favor of the amendment.

Mr. B. Williams asked Mr. Lux to yield to a question, and Mr. Lux would not yield.

Mr. B. Williams spoke in favor of adoption of the amendment.

POINT OF ORDER

Mr. Ebersole: Mr. Speaker, would you ask the representative to address his remarks to the amendment before us and not to the subsequent events?

SPEAKER'S RULING

The Speaker: Your point is well taken, Representative Ebersole. Representative Williams, if you wish to continue, you will address yourself to the merits of the amendment before us.

Mr. B. Williams continued his remarks in favor of the amendment.

POINT OF ORDER

Mr. Ebersole: Point of order. The Representative is not addressing the amendment.

SPEAKER'S RULING

The Speaker: Your point is well taken, Representative Ebersole. You are through, Representative Williams.

Ms. Brough spoke in favor of adoption of the amendment.

POINT OF ORDER

Mr. Ebersole: Mr. Speaker, would you ask the speaker to address her remarks to the amendment before the body?

SPEAKER'S RULING

The Speaker: Your point is well taken, Representative Ebersole. Representative Brough, again, if you wish to continue your remarks, the question before us is an amendment offered by Representative Lux. That is the subject before us. I would ask you to confine your remarks to that amendment. We have before us a very controversial issue. We will continue and try to maintain the proper decorum. There will be a chance for more latitude on final passage. Please continue, Representative Brough.

Ms. Brough continued her remarks in favor of adoption of the amendment. Representatives Lewis, Taylor and May spoke in favor of the amendment, and Mr. Meyers opposed it.

ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendment by Representative Lux and others to Substitute House Bill No. 2038, and the amendment was not adopted by the following vote: Yeas, 41; nays, 57.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Baugher, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Day, Doty, Ferguson, Fuhrman, Hankins, Holland, Lewis, Lux, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 57.

Ms. Belcher moved adoption of the following amendment:

On page 5, line 29, strike "or union" and on line 31, after "employees" insert "and one of whom shall represent an employee union certified as exclusive representative of at least one bargaining unit of classified employees"

Ms. Belcher spoke in favor of adoption of the amendment.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Belcher to Substitute House Bill No. 2038, and the amendment was adopted by the following vote: Yeas, 75; nays, 23.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Beck, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Betzoff, Brooks, Bumgarner, Butterfield, Chandler, Doty, Fuhrman, Holland, May, McLean, Nealey, Padden, Prince, Schmidt, Smith C, Sommers D, Taylor, Williams J, Wilson S - 23.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher, Lewis, Unsoeld, Holm, Day, Meyers, Sayan and Basich:

On page 7, line 9, after "board," strike everything down to and including "employee." on line 10 and insert "These health care benefit plans shall provide coverage for all officials and employees and their dependents without premium or subscription cost to the individual employees and officials, unless the board approves a panel medicine plan at a subscription rate in excess of the premium of the regularly constituted insurance carrier or health care service contractor, in which circumstances an employee contribution may be authorized at an amount equal to such excess."

Ms. Belcher spoke in favor of adoption of the amendment, and Mr. Holland opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Belcher and others to Substitute House Bill No. 2038, and the amendment was adopted by the following vote: Yeas, 74; nays, 24.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Bumgarner, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith C, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Haugen, Holland, May, McLean, Nealey, Padden, Prince, Sanders, Schmidt, Sommers D, Walker, Williams J, Wilson S - 24.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sprenkle and Belcher spoke in favor of passage of the bill, and Representatives B. Williams, Taylor and Lewis opposed it.

Mr. Ebersole spoke in favor of passage of the bill.

POINT OF ORDER

Ms. Brough: Mr. Speaker, I am not quite clear on what the majority leader is addressing. He is talking about "your" viewpoint and "our" viewpoint, and I wish he would either be more specific and maybe give us examples, if he is making reflections as to one side of the aisle or the other.

The Speaker: Representative Brough, I think he is talking about Democrats and Republicans.

POINT OF ORDER

Ms. Brough: I understood your ruling earlier that you were going to allow more latitude for debate when we got to final passage. Process is certainly part of the agenda at the moment, is it not? We are now discussing process?

The Speaker: We are now debating the matter before us; we are debating the final passage of Engrossed Substitute House Bill No. 2038.

Mr. Ebersole continued his remarks in favor of passage of the bill. Representatives Ballard, Moyer, Butterfield and Brough spoke against passage of the bill, and Representatives K. Wilson, Grimm and Sayan spoke in favor of it. Mr. Sprenkle again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2038, and the bill passed the House by the following vote: Yeas, 59; nays, 39.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Brooks, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Fisher, Fox, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Allen, Amondson, Ballard, Barnes, Baugher, Beck, Betzoff, Brough, Bumgarner, Butterfield, Chandler, Day, Doty, Ferguson, Fuhrman, Gallagher, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 39.

Engrossed Substitute House Bill No. 2038, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

MOTION

Mr. Ebersole moved that the House immediately consider Senate Bill No. 6736 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6736, by Committee on Law & Justice (originally sponsored by Senators Pullen, Talmadge, Nelson, Halsan and McMullen)

Changing jurisdiction over tribal lands.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hargrove and Spanel spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6736, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6736, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4730, by Representative Hankins

WHEREAS, The advances in technology today are made possible by expanding the varieties of materials available in the new-technology research centers across the country; and

WHEREAS, Creativity is essential to the progress of science and technology, and in our schools the creativity of students is stimulated when they are challenged to experiment and solve problems; and

WHEREAS, Steve Plippo, a Richland High School teacher, and Paul Howard, a Richland goldsmith, created a secondary school curriculum with the assistance of Battelle's Pacific Northwest Laboratories and the Richland public schools, which they have named Materials, Science and Technology; and

WHEREAS, The pilot program conducted in 1987 was so successful that the results defied all expectations; and

WHEREAS, The course is interdisciplinary in nature, encompassing chemistry, physics, mathematics, engineering, handiness, English and the arts; and

WHEREAS, Students experiment, create, design and work with metals, ceramics, glass, polymers and composites, and the cutting-edge technologies such as special glass, composites and superconductors; and

WHEREAS, Students have received recognition for their achievements in mastering new concepts and furthering their higher education goals; and

WHEREAS, The course's innovative approach has gained regional and national attention; and

WHEREAS, This program, and others like it, are essential to the development of bright, productive scientists and technicians who are vital to maintaining a competitive regional and national edge; and

WHEREAS, The Materials, Science and Technology course has been generously funded by the United States Department of Energy; Battelle, with assistance from Boeing, Corning Glass, NASA, Sandvik Special Metals and Western Sintering; and

WHEREAS, The following individuals have played an instrumental role in the success of this program: Marge Chow, Superintendent of Richland Public Schools; William R. Wiley, Director, Battelle Pacific Northwest Laboratories; Michael J. Lawrence, Richland Manager, United States Department of Energy; Steve Piippo, Teacher; Paul Howard, Goldsmith; John G. Nash, Principal; Harold Richards, District Coordinator; Jim Deatherage; Larry Dale; Mel Schauer; the scientists and technical staff: Mike Schweiger, Project Coordinator; Eugene Eschbach, Manager Innovation and Technology Deployment; Jerry Straalsund, Adrian Roberts, Irene Hays, Manager Education Programs; Dave Atteridge, Don Bradley, Roy Bunnell, Jim Coleman, Jack Dawson, Scott Dilly, Kim Ferris, Ross Gordon, Gordon Graff, Jeff Griffin, Richard Klein, Gary McVay, Larry Pederson, Denis Strachan, John Wald, Steve Bates, Dave Coles, Gary Maupin, Anita Alger, Harold Kjarmo, Nat Saenz, Carl Grando, Chal B. Rogers, Dale E. Giesecking, Bob Rector, Bill Weber and Homer Kissinger;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognizes the achievements of the students, teachers, administrators, private individuals, companies and other supporters who have made such an innovative program possible; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the individuals listed herein.

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

HOUSE FLOOR RESOLUTION NO. 88-4746, by Representatives Rayburn and Baugher

WHEREAS, The Grandview Greyhounds are a boys' basketball team from Grandview High School; and

WHEREAS, The Greyhounds have played an excellent season, made most memorable because it is the first season that any sports team from Grandview High School has qualified for a state tournament; and

WHEREAS, The deserving Greyhounds won eighteen games and lost only six games during the entire season; and

WHEREAS, Momentum was building as the Greyhounds won the Yakima Valley A East League championship, winning eleven league games out of twelve; and

WHEREAS, Grandview's team then went on to the district playoffs, winning three out of four games and placing third; and

WHEREAS, All the team members of the Grandview Greyhounds, parents of Greyhounds and Grandview community members are proud of the hard work and determination the team has demonstrated; and

WHEREAS, Very few Grandview community members will be left in Grandview when the Greyhounds travel to Tacoma to play their first championship game, which will be against the Ridgefield Spudders in the Tacoma Dome on Wednesday, March 2, 1988 at 10:00 P.M.; and

WHEREAS, The Grandview community will be cheering the Greyhounds during all the games at the Boys' Class A State Basketball Tournament, whether or not the Greyhounds place first;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognizes the winning spirit of the Grandview Greyhounds, honors the team for its achievements and wishes the team luck in the Class A State Basketball Championship Tournament; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Mayor of Grandview, to Greyhound Coach Mike Schuette and to each member of the Grandview Greyhound basketball team.

On motion of Ms. Rayburn, the resolution was adopted.

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

SECOND READING

MOTION

Mr. Ebersole moved that consideration of Substitute Senate Joint Memorial No. 8027 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

SENATE BILL NO. 5451, by Senators Hansen, Patterson and Garrett

Changing requirements for operation of passenger charter carriers.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk, Schmidt and Zöllinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5451, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zöllinsky, and Mr. Speaker - 98.

Senate Bill No. 5451, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 5558, by Committee on Higher Education (originally sponsored by Senators Gaspard, Bauer, Bailey, Smitherman, Benitz, Barr, McDonald, Bender, Craswell, Conner, Rasmussen, Kreidler, Williams, Hayner, Nelson, West and von Reichbauer)

Studying the provisions of Washington state scholars attending independent colleges or universities.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 43rd Day, February 22, 1988.)

Mr. Heavey moved adoption of the committee amendment. Representatives Heavey and Moyer spoke in favor of it, and the committee amendment was adopted.

On motion of Mr. Heavey, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heavey and Basich spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Basich yielded to question by Mr. Vekich.

Mr. Vekich: Representative Basich, it is three for each legislative district. On those half-size, economy size districts--the A/B districts--do you give each one and a half?

Mr. Basich: No, I think I would get six instead of the three, Representative Vekich.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5558 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Brekke, Pruitt - 2.

Substitute Senate Bill No. 5558 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE SENATE BILL NO. 5720, by Committee on Education (originally sponsored by Senators Gaspard, Patterson, Barr, Bailey, Bauer and Hansen)

Revising the authority for cooperative agreements between or among school districts.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Betzoff, Peery, McLean and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5720, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Second Substitute Senate Bill No. 5720, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6178, by Committee on Agriculture (originally sponsored by Senators Benitz, Barr, Hansen, Anderson, Bailey and Newhouse)

Implementing the vinifera grape growers' assessment.

The bill was read the second time. Committee on Agriculture & Rural Development recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 43rd Day, February 22, 1988.)

Ms. Rayburn moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rayburn spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6178 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Hargrove - 1.

Substitute Senate Bill No. 6178 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6200, by Committee on Governmental Operations (originally sponsored by Senators Sellar, Bauer, Zimmerman, Bender, Bailey, Garrett and von Reichbauer)

Extending reduced utility rates to low income disabled citizens.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nelson and Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6200, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute Senate Bill No. 6200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6207, by Committee on Children & Family Services (originally sponsored by Senators Craswell, Owen, Kiskaddon and Stratton)

Increasing out-of-home placement alternatives for victims of child abuse.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. Brekke moved adoption of the committee amendments. Representatives Brekke and Winsley spoke in favor of them, and the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6207 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute Senate Bill No. 6207 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that consideration of Engrossed Second Substitute Senate Bill No. 6220 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6240, by Committee on Environment & Natural Resources (originally sponsored by Senators Warnke and Metcalf)

Establishing a wild mushroom harvesting program.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Sutherland moved adoption of the committee amendment.

Ms. Cole moved adoption of the following amendment by Representatives Cole and Sutherland to the committee amendment:

On page 4, beginning on line 21 of the amendment, strike all material down to and including "appropriation." on page 5, line 8

Renumber the remaining section consecutively.

Ms. Cole spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

The committee amendment as amended was adopted.

With consent of the House the following amendments to the title were adopted:

On page 5 of the committee amendment to the title, beginning on line 19, strike all material through "date;" on line 21 and on page 1, line 2 of the bill title, after "penalties;" insert "providing an effective date; and" and on line 3, strike "and making appropriations"

On motion of Mr. Sutherland, the committee amendment as amended to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole, S. Wilson and Hargrove spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6240 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6240 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House immediately consider Engrossed Senate Bill No. 6447 on second reading. The motion was carried.

ENGROSSED SENATE BILL NO. 6447, by Senators Owen, Warnke, Barr, Moore, Nelson and Smith

Strengthening the custodial interference law.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Crane moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

With consent of the House, the committee amendment to the title was adopted.

On motion of Mr. Crane, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane, P. King and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6447 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungamer, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Deliwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Holland - 1.

Engrossed Senate Bill No. 6447 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Appelwick moved that the House immediately consider Senate Bill No. 6675 on second reading. The motion was carried.

SENATE BILL NO. 6675, by Senators Kiskaddon, Stratton, Bailey and Wojahn; by request of Governor

Modifying provisions relating to the family independence program.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Ms. Brekke moved adoption of the committee amendment

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock, Brekke and Belcher to the committee amendment:

On page 9, after line 7 of the committee amendment insert:

*NEW SECTION. Sec. 6. Section 3, chapter 435, Laws of 1987 and RCW 26.23.030 are each amended to read as follows:

There is created a Washington state support registry within the office of support enforcement as the agency designated in Washington state to administer the child support program under Title IV-D of the federal social security act. The registry shall:

- (1) Account for and disburse all support payments received by the registry;
- (2) Maintain the necessary records including, but not limited to, information on support orders, support debts, the date and amount of support due; the date and amount of payments; and the names, social security numbers, and addresses of the parties;
- (3) Develop procedures for providing information to the parties regarding action taken by, and support payments collected and distributed by the registry;
- (4) The secretary of social and health services shall adopt rules for the maintenance and retention of records of support payments and for the archiving and destruction of such records when the support obligation terminates or is satisfied. When a support obligation established under court order entered in a superior court of this state has been satisfied, a satisfaction of judgment form shall be prepared by the registry and filed with the clerk of the court in which the order was entered.

The child support registry shall distribute all moneys received in compliance with 42 U.S.C. Sec. 657. Support received by the office of support enforcement shall be distributed promptly but not later than eight days from the date of receipt unless circumstances exist which make such distribution impossible. Such circumstances include when: (1) The location of the custodial parent is unknown; (2) the child support debt is in litigation; or (3) the responsible parent or custodial parent cannot be identified. When, following termination of public assistance, the office of support enforcement collects support, all moneys collected up to the maximum of the support due for the period following termination from public assistance shall, to the extent permitted by federal law, be paid to the custodial parent before any distribution to the office of support enforcement under 42 U.S.C. Sec. 657. This section shall not apply to support collected through intercepting federal tax refunds under 42 U.S.C. Sec. 664. When a responsible parent has more than one support obligation, or a support debt is owed to more than one party, moneys received will be distributed between the parties proportionally, based upon the amount of the support obligation and/or support debt owed.

If the Washington state support registry distributes a support payment to a person in error, the registry may obtain restitution by means of a set-off against future payments received on behalf of the person receiving the erroneous payment, or may act according to RCW 74.20A-.270 as deemed appropriate. Any set-off against future support payments shall be limited to amounts collected on the support debt and up to ten percent of amounts collected as current support.

Sec. 7. Section 22, chapter 171, Laws of 1979 ex. sess. as amended by section 3, chapter 276, Laws of 1985 and RCW 74.20.330 are each amended to read as follows:

(1) Whenever public assistance is paid under this title, each applicant or recipient is deemed to have made assignment to the department of any rights to a support obligation from any other person the applicant or recipient may have in his or her own behalf or in behalf of any other family member for whom the applicant or recipient is applying for or receiving public assistance, including any unpaid support obligation or support debt which has accrued at the time the assignment is made. Payment of public assistance under this title operates as an assignment by operation of law.

(2) Upon the recipient's request, the department ((may, and under appropriate circumstances)) shall(;) continue to establish the support obligation and to enforce and collect the support debt ((for a period not to exceed three months from the month following the month in which such family ceased)) after the family ceases to receive public assistance, and thereafter if a nonassistance request for support enforcement services has been made under RCW 74.20-.040 (2) and (3). The department shall distribute all amounts collected in accordance with 42 U.S.C. Sec. 657 and RCW 26.23.030.

Sec. 8. Section 3, chapter 164, Laws of 1971 ex. sess. as last amended by section 31, chapter 435, Laws of 1987 and RCW 74.20A.030 are each amended to read as follows:

The department shall be subrogated to the right of any dependent child or children or person having the care, custody, and control of said child or children, if public assistance money is paid to or for the benefit of the child, to prosecute or maintain any support action or execute any administrative remedy existing under the laws of the state of Washington to obtain reimbursement of moneys expended, based on the support obligation of the responsible parent established by a superior court order or RCW 74.20A.055. Distribution of any support moneys shall be made in accordance with 42 U.S.C. Sec. 657.

Public assistance moneys shall be exempt from collection action under this chapter except as provided in RCW 74.20A.270.

No collection action shall be taken against parents of children eligible for admission to, or children who have been released from, a state school for the developmentally disabled as defined by chapter 72.33 RCW.

The department may initiate, continue, maintain, or execute action to establish, enforce, and collect a support obligation, including establishing paternity and performing related services, under this chapter and chapter 74.20 RCW, or through the attorney general or prosecuting attorney under chapter 26.09, 26.18, 26.20, 26.21, or 26.26 RCW or other appropriate statutes or the common law of this state, for a period not to exceed three months from the month following the month in which the family or any member thereof ceases to receive public assistance and thereafter if a nonassistance request for support enforcement services has been made under RCW 74.20.040 and RCW 26.23.030."

Renumber the sections consecutively and correct any internal references accordingly.

Mr. Braddock spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

The committee amendment as amended was adopted.

With consent of the House, the following amendment to the title was adopted:

On page 1, line 4 of the title, strike "and 74.21.904" and insert "74.21.904, 26.23.030, 74.20.330, and 74.20A.030"

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke, Winsley, Sutherland, Leonard and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6675 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Allen, Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Anderson, Belcher, Brekke - 3.

Senate Bill No. 6675 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute Senate Bill No. 6316 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6316, by Committee on Law & Justice (originally sponsored by Senators Pullen, Madsen, Zimmerman, Vognild, Bailey, Saling, Johnson, Talmadge, Metcalf, Bauer and West)

Providing for the seizure of assets in drug cases.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.) Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended by Committee on Judiciary.

Mr. Crane moved adoption of the committee amendment.

Mr. Padden moved adoption of the following amendments to the committee amendment:

On page 10, line 38 strike "(A) Fifty" and insert "((Fifty)) (A) Seventy-five"

On page 11, line 11 strike "(B) Fifty" and insert "((fifty)) (B) Twenty-five"

Representatives Padden, Patrick and Schmidt spoke in favor of adoption of the amendments to the committee amendment, and Representatives Locke and P. King opposed them.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Representatives Bumgarner, Lewis and Brough spoke in favor of the amendments to the committee amendment. Mr. Padden again spoke in favor of the amendments to the committee amendment, and Mr. Locke again opposed them.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Padden to the committee amendment to Engrossed Substitute Senate Bill No. 6316, and the amendments were adopted by the following vote: Yeas, 58; nays, 40.

Voting yea: Representatives Allen, Amondson, Appelwick, Ballard, Barnes, Baugher, Beck, Betrozoff, Bristow, Brooks, Brough, Bumgarner, Butterfield, Chandler, Cooper, Crane, Dorn, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Jesernig, Jones, Kremen, Lewis, May, McLean, Meyers, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sutherland, Taylor, Vekich, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 58.

Voting nay: Representatives Anderson, Armstrong, Basich, Belcher, Braddock, Brekke, Cantwell, Cole, Day, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grimm, Hine, Holm, Jacobsen, King P, King R, Leonard, Locke, Lux, Nelson, Nutley, O'Brien, Peery, Pruitt, Rust, Sommers H, Spanel, Sprengle, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 40.

Mr. Bumgarner moved adoption of the following amendment by Representatives Bumgarner, Locke, Dellwo, Padden, Patrick, Brooks, Sprengle, Moyer and Meyers to the committee amendment:

On page 11, line 8 after "services," insert "These services may include the creation of reward funds for the purpose of rewarding informants who supply information leading to the arrest, prosecution and conviction of persons who violate laws relating to controlled substance."

Representatives Bumgarner, Patrick and Baugher spoke in favor of adoption of the amendment to the committee amendment, and Mr. Armstrong opposed it.

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6316 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Heavey - 1.

Engrossed Substitute Senate Bill No. 6316 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Senate Bill No. 6182 on second reading. The motion was carried.

SENATE BILL NO. 6182, by Senator McCaslin

Denying registration if contractor has previous unsatisfied judgment.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the point of order by Representative Padden regarding the amendment by Representative Wang and others.

With consent of the House, Mr. Padden withdrew his point of order.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the adoption of the amendment by Representative Wang and others.

Mr. Wang spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Wang the following amendment to the title was adopted:
On page 1, line 1 of the title, after "registration," insert "amending RCW 18.27.080:"

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6182 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 6182 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

INTRODUCTION AND FIRST READING

HCR 4444 by Representatives Leonard, Lewis, Bristow, Day, Lux, Doty, Grimm, Ballard, Valle, Hankins, Sutherland, Holland, Sayan, Vekich, Nealey, Appelwick, Bumgarner, Scott, Belcher, Cole, Fox, Fuhrman, Kremen, Sanders, B. Williams, Prince, Smith, Silver, Winsley, Fisher, Jacobsen, H. Sommers, Crane, Gallagher, Ebersole, K. Wilson, Walk, Todd, Nutley, Wang, Rayburn, Meyers, P. King, Peery, Hine, Locke and Basich

Recognizing contributions of the Washington Optometric Association and the Lions sight conservation foundation of Washington.

Referred to Committee on Rules.

The Speaker (Mr. O'Brien presiding) referred the resolution listed on today's introduction sheet under the fourth order of business to the committee so designated.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Thursday, March 3, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Thursday, March 3, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Day, McLean, Sayan and H. Sommers. Representative McLean was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Andrea Briggs and Aaron Snell. Prayer was offered by Pastor Rex Bell, Minister of Wabash Presbyterian Church of Auburn.

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

MESSAGE FROM THE SENATE

March 3, 1988

Mr. Speaker:

The President has signed:

SENATE JOINT MEMORIAL NO. 8030,

and the same is herewith transmitted.

Gordon A. Golob, Secretary

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker had signed:

SENATE JOINT MEMORIAL NO. 8030.

MESSAGES FROM THE SENATE

February 29, 1988

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 280,
HOUSE BILL NO. 1300,
SUBSTITUTE HOUSE BILL NO. 1392,
ENGROSSED HOUSE BILL NO. 1401,
HOUSE BILL NO. 1470,
SUBSTITUTE HOUSE BILL NO. 1472,
SUBSTITUTE HOUSE BILL NO. 1473,
HOUSE BILL NO. 1504,
HOUSE BILL NO. 1514,
HOUSE BILL NO. 1531,
ENGROSSED HOUSE BILL NO. 1581,

and the same are herewith transmitted.

Gordon A. Golob, Secretary

March 1, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 46,
HOUSE BILL NO. 1330,
SUBSTITUTE HOUSE BILL NO. 1336,
ENGROSSED HOUSE BILL NO. 1354,
HOUSE BILL NO. 1361,
SUBSTITUTE HOUSE BILL NO. 1370,
SUBSTITUTE HOUSE BILL NO. 1672,
HOUSE BILL NO. 1760,

SUBSTITUTE HOUSE BILL NO. 1862,
HOUSE JOINT RESOLUTION NO. 4222,

and the same are herewith transmitted.

Gordon A. Golob, Secretary

March 1, 1988

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1270,
HOUSE BILL NO. 1306,
HOUSE BILL NO. 1318,
SUBSTITUTE SENATE BILL NO. 5844,
SENATE BILL NO. 5953,
SENATE BILL NO. 6113,
SENATE BILL NO. 6262,
SENATE BILL NO. 6295,
SENATE BILL NO. 6296,
SENATE BILL NO. 6338,
SUBSTITUTE SENATE BILL NO. 6399,
SENATE BILL NO. 6516,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider Senate Bill No. 6638 on second reading. The motion was carried.

SENATE BILL NO. 6638, by Senators Niemi, Johnson, Deccio, Wojahn, Smith and Kreidler

Providing conditional scholarships for nursing students.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Braddock moved adoption of the committee amendment.

Mr. Braddock moved adoption of the following amendment to the committee amendment:

On page 3, line 28, after "established" insert "for students pursuing nursing programs in institutions of higher education"

Mr. Braddock spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

Mr. Braddock moved adoption of the following amendment to the committee amendment:

On page 3, line 32, after "education" insert "and the superintendent of public instruction for vocational education"

Mr. Braddock spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

Mr. Braddock spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Mr. Braddock, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock, Brooks, Anderson and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6638 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; absent, 3; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Day, Sayan, Sommers H - 3.

Excused: Representative McLean - 1.

Senate Bill No. 6638 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Day and H. Sommers appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute Senate Bill No. 5036 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5036, by Committee on Environment & Natural Resources (originally sponsored by Senator Rasmussen)

Restricting sale of surplus salmon eggs by the department of fisheries.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Sutherland moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sutherland and S. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5036 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Sayan - 1.

Excused: Representative McLean - 1.

Engrossed Substitute Senate Bill No. 5036 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 3, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5147,
 • SUBSTITUTE SENATE BILL NO. 6096,
 SENATE BILL NO. 6143,
 SENATE BILL NO. 6210,
 SENATE BILL NO. 6211,
 SUBSTITUTE SENATE BILL NO. 6252,
 SUBSTITUTE SENATE BILL NO. 6264,
 SENATE BILL NO. 6293,
 SENATE BILL NO. 6362,
 SENATE BILL NO. 6373,
 SUBSTITUTE SENATE BILL NO. 6438,
 SENATE BILL NO. 6494,
 SENATE BILL NO. 6556,
 SENATE BILL NO. 6563,
 SENATE JOINT MEMORIAL NO. 8026,
 SENATE CONCURRENT RESOLUTION NO. 8428,

and the same are herewith transmitted.

Gordon A. Golob, Secretary

Representative Sayan appeared at the bar of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

SECOND READING

MOTION

Mr. Dellwo moved that the House immediately consider Engrossed Second Substitute Senate Bill No. 6724 on second reading. The motion was carried.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6724, by Committee on Ways & Means (originally sponsored by Senators Barr and Hansen)

Revising provisions on water resources.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

MOTION

Mr. Dellwo moved that the House defer further consideration of Engrossed Second Substitute Senate Bill No. 6724 and that the bill hold its place on the second reading calendar. The motion was carried.

MOTION

Mr. Dellwo moved that the House immediately consider Substitute Senate Bill No. 6157 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6157, by Committee on Education (originally sponsored by Senator Bailey)

Changing provisions relating to student learning objectives.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Peery moved adoption of the committee amendments. Representatives Peery, Betrozoff and K. Wilson spoke in favor of them, and they were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery, Dorn and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6157 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Taylor - 1.

Excused: Representative McLean - 1.

Substitute Senate Bill No. 6157 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Senate Concurrent Resolution No. 8434 on second reading. The motion was carried.

SENATE CONCURRENT RESOLUTION NO. 8434, by Senators Patterson, Anderson, Bailey, Barr, Bauer, Bender, Benitz, Bluechel, Cantu, Conner, Craswell, Deccio, DeJarnatt, Fleming, Garrett, Gaspard, Halsan, Hansen, Hayner, Johnson, Kiskaddon, Kreidler, Lee, Madsen, McCaslin, McDonald, McMullen, Metcalf, Moore, Nelson, Newhouse, Niemi, Owen, Pullen, Rasmussen, Rinehart, Saling, Sellar, Smith, Smitherman, Stratton, Talmadge, Vognild, von Reichbauer, Warnke, West, Williams, Wojahn and Zimmerman

Commemorating Elmer Huntley.

The resolution was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Prince, Walk and Nealey spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized former legislator, Mr. Elmer C. Huntley.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Engrossed Second Substitute Senate Bill No. 6724 on second reading. The motion was carried.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6724, by Committee on Ways & Means (originally sponsored by Senators Barr and Hansen)

Revising provisions on water resources.

Mr. Sutherland moved adoption of the committee amendment. Representatives Sutherland and S. Wilson spoke against adoption of the committee amendment, and it was not adopted.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland, K. Wilson, Rasmussen, Fuhrman, Nealey and S. Wilson:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 1, Laws of 1977 ex. sess. as last amended by section 1, chapter 343, Laws of 1987 and RCW 43.83B.300 are each amended to read as follows:

The legislature finds that the fundamentals of water resource policy in this state must be reviewed by the legislature to ensure that the water resources of the state are protected and fully utilized for the greatest benefit to the people of the state of Washington. The legislature

further finds that it is necessary to provide the department of ecology with emergency powers to authorize withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, and construction of facilities in relation thereto, in order to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during 1977 and during 1987.

The legislature further finds that there is a continuing agricultural water supply shortage in many areas of the state and that, in relation to the lessening of that unsatisfactory condition, there is an urgent need to both improve water supply facilities and replace other such facilities.

In order to study the fundamentals of water resource policy of the state and to provide needed capital for the planning, acquisition, construction, and improvement of water supply facilities to withdraw and distribute water to alleviate unsatisfactory water supply conditions arising from droughts occurring from time to time in the state of Washington, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of eighteen million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this section and RCW 43.83B.360 through 43.83B.375 shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

NEW SECTION. Sec. 2. A new section is added to chapter 90.54 RCW to read as follows:

(1) The director of ecology shall contract with an independent fact-finding service for the purpose of consulting with all user groups and parties interested in Washington's water resource policy, including but not limited to:

(a) The departments of ecology, agriculture, social and health services, fisheries, wildlife, and natural resources;

(b) Municipal users of water;

(c) Agricultural interests;

(d) The governor's office;

(e) Environmental interests;

(f) Interests of industrial users of water;

(g) Indian tribes;

(h) Interests of public water utilities;

(i) Interests of recreational uses other than fishing;

(j) Public and private hydropower generating utilities;

(k) Interests of sport and commercial fishing; and

(l) Interests of the forest products industry.

(2) The fact-finding service shall consult with, obtain, and document the opinions of the interested parties, and may facilitate discussions between them on the fundamentals of water resource policy and the need, if any, to change or clarify the current policy for the state. The fact-finding service shall also identify and evaluate the clarity and consistency of state water allocation laws with the current policy based on those laws.

(3) The fact-finding service shall report its findings in a written report to the joint select committee established pursuant to section 3 of this act. The report shall be submitted to the joint select committee by June 30, 1988, unless the committee provides for an extension of the due date.

(4) The fact-finding service and the joint select committee shall consider the reports and recommendations of state and federal studies pertaining to allocation, augmentation, conservation, and efficient use of the water resources of this state, including but not limited to the department of ecology's instream resources and water allocation program review. By considering these studies, the fact-finding service and the joint select committee shall not duplicate the work already completed in such studies.

(5) Until July 1, 1989, or until the legislature has passed legislation based on recommendations from the joint select committee, whichever comes first, the department of ecology:

(a) Shall not amend or alter the current guidelines, standards, or criteria governing the instream flow and water allocation elements of the state water resources program established pursuant to chapters 90.22 and 90.54 RCW and set forth in chapters 173-500 to 173-596 WAC;

(b) Shall not adopt any water reservation under RCW 90.54.050, set forth in chapters 173-500 to 173-596 WAC, or the preferred alternative in the instream resources and water allocation environmental impact statement; and

(c) For any new application for surface water received under chapter 90.03 RCW after the effective date of this act, shall not issue any permanent appropriation permits and may only issue new temporary appropriation permits on streams by utilizing (i) the existing minimum or base flows adopted pursuant to chapters 90.54 and 90.22 RCW or (ii) the case-by-case process to maintain food fish and game fish populations as provided in RCW 75.20.050. These water appropriations shall not reduce flows necessary to provide for preservation of wildlife, fish, scenic, aesthetic, recreational, water quality, other environmental values, and navigational values, as provided in RCW 90.54.020 and chapters 90.03 and 90.22 RCW. These temporary

permits shall be conditioned so that the appropriation may be altered based upon the enactment of legislation or adoption of regulations resulting from recommendations made pursuant to section 3 (3) and (4) of this act.

This subsection does not apply to any emergency water permits or transfers authorized under RCW 43.83B.300 through 43.83B.344, and shall not affect any existing water rights established pursuant to law.

(6) The department of ecology shall provide staff support in the fact-finding process.

(7) This section shall expire on June 30, 1989.

NEW SECTION, Sec. 3. A new section is added to chapter 90.54 RCW to read as follows:

(1) There is hereby created a joint select committee on water resource policy to address the findings reached by the fact-finding service pursuant to section 2 of this act. The committee shall consist of twelve voting members appointed jointly by the speaker of the house of representatives and the president of the senate. The speaker of the house of representatives and the president of the senate may each appoint nonvoting members to participate in the meetings of the joint select committee. The voting membership shall be equally divided from each major political caucus and shall, to the extent possible, represent all major water interests, including but not limited to agriculture, fisheries, municipal, environmental, recreational, and hydroelectric.

(2) The staff support shall be provided by the senate committee services and the office of program research as mutually agreed by the cochairs of the joint select committee. The cochairs shall be designated by the speaker of the house of representatives and the president of the senate.

(3) In addition to responsibilities identified in subsection (6) of this section, the purpose of the joint select committee shall be to address and recommend in a written report to the full legislature the fundamentals of water resource policy for the state of Washington. The joint select committee shall review and evaluate the report of the fact-finding service and shall hold a minimum of four public hearings throughout the state.

The committee shall recommend in its report the procedures for allocating water resources of the state, considering the findings of the fact-finding service and the present and future demands on the use of water resources. The joint select committee shall further evaluate the need to prioritize the use of the water resources of this state.

(4) The joint select committee may include in its report recommendations for revisions to existing laws to set forth the water policies of the state and may also recommend revisions to existing law to give direction to the department of ecology and other agencies and officials in carrying out the fundamental water policies of the state as adopted by the legislature.

(5) The joint select committee shall submit its written report of findings and recommendations to the 1989 legislature. A draft report shall be completed by December 1, 1988, and distributed to interested parties. The final report shall be distributed and a public hearing shall be held no later than one week prior to the first day of the 1989 legislative session.

(6) The joint select committee shall monitor the actions taken to implement the recommendations made in the written report required in subsection (5) of this section and the results of any legislation enacted affecting the fundamental water resource policies of the state. At its discretion, the joint select committee may address issues affecting the allocation, efficient use, conservation, or distribution of surface and ground water to achieve the maximum benefits to the state. The committee shall report periodically to the legislature.

(7) This section shall expire June 30, 1991.

Sec. 4. Section 3, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.030 are each amended to read as follows:

For the purpose of insuring that the department is fully advised in relation to the performance of the water resources program provided in RCW 90.54.040, and to provide information and support to the fact-finding service and the joint select committee established in sections 2 and 3 of this 1988 act, the department is directed to become informed with regard to all phases of water and related resources of the state. To accomplish this objective the department shall:

(1) Collect, organize and catalog existing information and studies available to it from all sources, both public and private, pertaining to water and related resources of the state;

(2) Develop such additional data and studies pertaining to water and related resources as are necessary to accomplish the objectives of this chapter;

(3) Determine existing and foreseeable uses of, and needs for, such waters and related resources;

(4) Develop alternate courses of action to solve existing and foreseeable problems of water and related resources and include therein, to the extent feasible, the economic and social consequences of each such course, and the impact on the natural environment.

All the foregoing shall be included in a 'water resources archive' established and maintained by the department. The department shall develop a system of cataloging, storing and retrieving the information and studies of the archive so that they may be made readily available to and effectively used not only by the department but by the public generally.

Sec. 5. Section 4, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.040 are each amended to read as follows:

(1) The department, through the adoption of appropriate rules, is directed, as a matter of high priority to insure that the waters of the state are utilized for the best interests of the people, to develop and implement in accordance with the policies of this chapter a comprehensive state water resources program which will provide a process for making decisions on future water resource allocation and use. The department may develop the program in segments so that immediate attention may be given to waters of a given physioeconomic region of the state or to specific critical problems of water allocation and use.

The current guidelines, standards, or criteria governing the elements of the water resource program established pursuant to this subsection shall not be altered or amended after the effective date of this 1988 section, in accordance with section 2(5) of this 1988 act.

(2) In relation to the management and regulatory programs relating to water resources vested in it, the department is further directed to modify existing regulations and adopt new regulations, when needed and possible, to insure that existing regulatory programs are in accord with the water resource policy of this chapter and the program established in subsection (1) of this section. The current guidelines, standards, or criteria governing the department's implementation of this subsection shall not be altered or amended after the effective date of this 1988 section, in accordance with subsection (1) of this section.

(3) The department is directed to review all statutes relating to water resources which it is responsible for implementing. When any of the same appear to the department to be ambiguous, unclear, unworkable, unnecessary, or otherwise deficient, it shall make recommendations to the legislature including appropriate proposals for statutory modifications or additions. Whenever it appears that the policies of any such statutes are in conflict with the policies of this chapter, and the department is unable to fully perform as provided in subsection (2) of this section, the department is directed to submit statutory modifications to the legislature which, if enacted, would allow the department to carry out such statutes in harmony with this chapter.

Sec. 6. Section 3, chapter 284, Laws of 1969 ex. sess. as amended by section 103, chapter 109, Laws of 1987 and by section 96, chapter 506, Laws of 1987 and RCW 90.22.010 are each reenacted and amended to read as follows:

The department of ecology may establish minimum water flows or levels for streams, lakes or other public waters for the purposes of protecting fish, game, birds or other wildlife resources, or recreational or aesthetic values of said public waters whenever it appears to be in the public interest to establish the same. In addition, the department of ecology shall, when requested by the department of fisheries or the department of wildlife to protect fish, game or other wildlife resources under the jurisdiction of the requesting state agency, or if the department of ecology finds it necessary to preserve water quality, establish such minimum flows or levels as are required to protect the resource or preserve the water quality described in the request or determination. Any request submitted by the department of fisheries or department of wildlife shall include a statement setting forth the need for establishing a minimum flow or level. When the department acts to preserve water quality, it shall include a similar statement with the proposed rule filed with the code reviser. This section shall not apply to waters artificially stored in reservoirs, provided that in the granting of storage permits by the department of ecology in the future, full recognition shall be given to downstream minimum flows, if any there may be, which have heretofore been established hereunder.

The current guidelines, standards, or criteria governing the instream flow programs established pursuant to this chapter shall not be altered or amended after the effective date of this 1988 section, in accordance with section 2(5) of this 1988 act.

Sec. 7. Section 5, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.050 are each amended to read as follows:

In conjunction with the programs provided for in RCW 90.54.040(1), whenever it appears necessary to the director in carrying out the policy of this chapter, the department may by rule adopted pursuant to chapter 34.04 RCW:

(1) Reserve and set aside waters for beneficial utilization in the future, and

(2) When sufficient information and data are lacking to allow for the making of sound decisions, withdraw various waters of the state from additional appropriations until such data and information are available.

Prior to the adoption of a rule under this section, the department shall conduct a public hearing in each county in which waters relating to the rule are located. The public hearing shall be preceded by a notice placed in a newspaper of general circulation published within each of said counties. Rules adopted hereunder shall be subject to review in accordance with the provisions of RCW 34.04.070 or 34.04.080.

No new rules or changes to existing rules to reserve or set aside water may be adopted pursuant to this section, as provided in section 2(5) of this 1988 act.

NEW SECTION. Sec. 8. Nothing in this act shall apply to or interfere with the processing or issuance of water rights in connection with the Yakima River Basin Water Enhancement Project.

NEW SECTION. Sec. 9. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Sutherland spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Ms. K. Wilson yielded to question by Mr. Vekich.

Mr. Vekich: Representative Wilson, there was a minimum flow bill up a couple of years ago, and I was confused about whether that affected water rights. Does this bill put a moratorium on water rights?

Ms. K. Wilson: Thank you, Representative Vekich. I have been waiting for two years to answer this question. Absolutely not; there are no moratoriums on the water rights in this bill.

Representatives Vekich and S. Wilson spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Sutherland yielded to question by Ms. Rayburn.

Ms. Rayburn: Thank you. I would like to ask is there anything in this legislation that would prohibit or jeopardize the progress of the Yakima enhancement?

Mr. Sutherland: No, Representative Rayburn, there isn't. If you will look on page 14 of the amendment, New Section, Section 8, specifically says that nothing in this act shall apply to or interfere with the proceeding or issuance of water rights in connection with the Yakima River Basin Water Enhancement Project.

Representatives Chandler, Belcher and Smith spoke in favor of adoption of the amendment.

The amendment was adopted.

On motion of Mr. Sutherland, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "resources;" strike the remainder of the title and insert "amending RCW 43.83B.300, 90.54.030, 90.54.040, and 90.54.050; reenacting and amending RCW 90.22.010; adding new sections to chapter 90.54 RCW; creating a new section; and declaring an emergency."

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6724 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Engrossed Second Substitute Senate Bill No. 6724 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6118, by Committee on Children & Family Services (originally sponsored by Senators Wojahn, Anderson, Fleming, Rinehart, Garrett, Talmadge, Stratton, Deccio and Brauer)

Providing for the establishment of state child care policy.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.) Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended by Committee on Ways & Means/Appropriations without amendment by Committee on Human Services. (For committee amendments, see Journal, 50th Day, February 29, 1988.)

Ms. Brekke moved that the House do not adopt the amendment by Committee on Human Services and spoke in favor of the motion. The motion was carried.

Mr. Locke moved adoption of the amendment by Committee on Ways & Means/Appropriations.

Mr. Fuhrman moved adoption of the following amendment by Representatives Fuhrman, Winsley, Sutherland and Hargrove to the committee amendment:

On page 1, line 13 of the Ways & Means/Appropriations Committee amendment, after "encourage" insert "to care for and nurture their children through the traditional methods of parental care at home. However, to the extent child care services are used, parents are encourage"

Representatives Fuhrman, Sutherland and Winsley spoke in favor of adoption of the amendment to the committee amendment, and Ms. Hine opposed it.

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine, Leonard and K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6118 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Substitute Senate Bill No. 6118 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) called on Mr. Appelwick to preside.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4750, by Representatives Ballard, Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The Museum of Flight with its recently completed Great Gallery and its historic Red Barn is a world-class air and space museum which has quickly emerged as one of the highest caliber tourist and educational attractions in the Northwest and the world; and

WHEREAS, The Museum of Flight, after just a few months from the July 1987 grand opening of the Great Gallery, attracts an unprecedented average of over two thousand visitors on a single day, one thousand of whom come from out-of-state and two hundred from out-of-country; and

WHEREAS, The Museum of Flight has the capacity to attract and accommodate conventions such as the B-17 Fiftieth Anniversary Celebration, which drew 11,000 veterans; and

WHEREAS, The new 142,816 square foot structure, dedicated and opened in July 1987, consists of the Great Gallery: 48,344 square feet; additional museum galleries: 18,800 square feet; a 268 seat theater and auditorium with 70mm projection and Dolby sound capabilities; and a library and archive facility: 10,000 square feet; and

WHEREAS, The Great Gallery currently displays thirty full-size aircraft and is capable of accommodating approximately forty-five aircraft, spacecraft and other aerospace artifacts; and

WHEREAS, The Museum of Flight boasts one of the finest aeronautical archives in the western world, offering a superb new cultural and technological resource for scholars and the general public; and

WHEREAS, This superb edifice and exhibit was completely financed by private donations of more than \$30.6 million from generous contributors from throughout the United States and from as far away as Great Britain, Europe, Canada and Australia; and

WHEREAS, The Museum of Flight with its incredible Great Gallery is a boon to our state's tourist industry, our reputation as a national center of the aerospace industry and our character for excellence; and

WHEREAS, The Museum of Flight serves our state's schools as a unique teaching and learning facility by providing exceptional opportunities for inspiring students to educational excellence; and

WHEREAS, Through its association with the Flight Research Institute, the Museum of Flight is actively involved in technological research which supports public activities and educational programs around the country; and

WHEREAS, The Museum of Flight serves as a shining symbol to the citizens and visitors of Washington State of the impact that the aerospace industry has had on the history and economic welfare of our people; and

WHEREAS, The following individuals have committed their time, energy and resources to ensure the establishment, maintenance and spectacular success of the Museum of Flight: Mrs. William M. Allen; Dr. Lou Arrisoni; Mr. Richard E. Bangert; Mr. Robert E. Bateman; Mr. William E. Boeing, Jr.; Mr. Jon G. Bowman; Mr. George C. Briggs; Mr. Robert F. Buck; Mr. Don C. Filer; Mr. Edward E. Carlson; Mr. William Clapp; Mr. Lawrence M. Colello; Mr. Richard P. Cooley; Mr. Frank Coyle; Mr. James A. Curtis; Mr. Robert R. Dickson; Mr. Virgil Fassio; Mr. William Fowler; Ms. Mary Gates; Mr. William Gerberding; Mr. Gerald Gorans; Mr. John J. Italiane; Mr. Philip G. Johnson; Mr. Mark E. Kirchner; Dr. George Koss; Mr. Jack E. Löffler; Mr. Stanley

M. Little; Mr. Howard C. Lovering; Mr. Bruce McCann; Mr. Bruce McCaw; Mr. Wells B. McCurdy; Mr. W. Howarth Meadowcroft; Mr. Orville E. Melby; Mr. Lowell Mickelwait; Mr. Kenneth Miller; Mr. Robert S. Muckleston; Mr. Harry Mullikin, Chairman; Mr. Robert D. O'Brien; Mr. Richard D. Odabashian; Mr. Harold Olsen; Mr. Charles M. Pigott; Mr. Stuart H. Prestrud; Mr. Robert E. Richardson; Mr. George S. Schuhart; Mr. Jack Shannon; Mr. David E. Skinner; Mr. Malcolm T. Stamper; Mr. Richard W. Taylor; Mr. G. Robert Truex, Jr.; Mr. D. P. Van Blaricom; Mr. George H. Weyerhæuser; Mr. T. A. Wilson; and Mr. T. Evans Wyckoff;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington, on behalf of the citizens of Washington State, commend and congratulate the founders of and contributors to the Museum of Flight for this exquisite testament to the history of man's dream to fly; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Director and Board of the Museum of Flight.

Mr. O'Brien moved adoption of the resolution. Representatives O'Brien, Ballard, Baugher, Sanders, Brough, May, Prince and Barnes spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. Appelwick presiding) called on Mr. O'Brien to preside.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives officials from the Museum of Flight, including Mr. Bob Bateman, President of the Executive Committee; Mr. Richard Bangert, Chairman of the Board; Mr. Robert Richardson, Board of Trustees; Mr. Howard Lovering, Director of the Museum of Flight; Mr. Bill Boeing, Jr., member of the Executive Committee; Mr. Bill Rademaker; Mr. and Mrs. Bob Dickson; Mr. Don Van Blaricom; Mr. Don Filer and Mr. John Italiane. The Speaker (Mr. O'Brien presiding) invited the members of the House to a reception in the Speaker Pro Tempore's Office honoring these individuals.

MOTION

Mr. Ebersole moved that the House be at recess until 1:15 p.m. The motion was carried.

AFTERNOON SESSION

The Speaker (Mr. Appelwick presiding) called the House to order at 1:15 p.m. The Clerk called the roll and all members were present except Representatives Basich, Day, Ferguson, R. King, McLean, Meyers, Sanders and Sutherland. Representative McLean was excused.

The Speaker (Mr. Appelwick presiding) called on Representative O'Brien to preside.

MOTION

Mr. Dellwo moved that the House immediately consider Engrossed Substitute Senate Bill No. 6124 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6124, by Committee on Health Care & Corrections (originally sponsored by Senators Deccio, Johnson and Smith)

Providing technical and financial assistance to assist in the delivery of rural health care systems.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Bristow moved adoption of the committee amendment.

Mr. Bristow moved adoption of the following amendment by Representative Braddock to the committee amendment:

On page 9 of the striking amendment, beginning on line 9, strike all of Sec. 6. Renumber the following section consecutively.

Mr. Bristow spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

The committee amendment as amended was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moyer and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6124 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 1; absent, 7; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungamer, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesemig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representative Belcher - 1.

Absent: Representatives Basich, Day, Ferguson, King R, Meyers, Sanders, Sutherland - 7.

Excused: Representative McLean - 1.

Engrossed Substitute Senate Bill No. 6124 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of ESSB 6124 as amended by the House.

PAUL SANDERS, 48th District.

Representative Day appeared at the bar of the House.

MOTION

Mr. Dellwo moved that the House immediately consider Substitute Senate Bill No. 6181 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6181, by Committee on Education (originally sponsored by Senators Rinehart, Kiskaddon, Gaspard, Fleming, Bailey, Bender and Garrett)

Revising the early childhood education and assistance program.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery and Betzoff spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Peery yielded to question by Mr. Lewis.

Mr. Lewis: Representative Peery, Yakima School District has a very successful early childhood program, but it is a home-based model, not a Headstart model. Does this bill in any way jeopardize alternatives to the Headstart model, such as home-based?

Mr. Peery: No.

Mr. Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6181, and the bill passed the House by the following vote: Yeas, 91; absent, 6; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, Locke, Lux, May, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Basich, Ferguson, King R, Meyers, Sanders, Sutherland - 6.

Excused: Representative McLean - 1.

Substitute Senate Bill No. 6181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of SSB 6181.

PAUL SANDERS, 48th District.

Representatives R. King, Meyers and Sutherland appeared at the bar of the House.

MOTION

Mr. Dellwo moved that the House immediately consider Engrossed Second Substitute Senate Bill No. 6235 on second reading. The motion was carried.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6235, by Committee on Ways & Means (originally sponsored by Senators Metcalf, Owen, Rasmussen and von Reichbauer; by request of Department of Ecology)

Creating the water pollution control account and authorizing financial assistance from it.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 50th Day, February 29, 1988.)

Mr. Locke moved adoption of the committee amendment. Representatives Locke and Silver spoke in favor of adoption of the committee amendment, and it was adopted.

On motion of Mr. Locke, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6235 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; absent, 3; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Basich, Ferguson, Sanders - 3.

Excused: Representative McLean - 1.

Engrossed Second Substitute Senate Bill No. 6235 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of E2SSB 6235 as amended by the House.

PAUL SANDERS, 48th District.

Representative Basich appeared at the bar of the House.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6266, by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Vognild and Barr)

Revising provisions for aquifer protection districts.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Ms. Haugen moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6266 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Ferguson, Sanders - 2.

Excused: Representative McLean - 1.

Engrossed Substitute Senate Bill No. 6266 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Ferguson and Sanders appeared at the bar of the House.

STATEMENTS FOR THE JOURNAL

It was my intent to vote in favor of ESSB 6266 as amended by the House.

PAUL SANDERS, 48th District.

It was my intention to vote for ESSB 6124 as amended by the House, SSB 6181, E2SSB 6235 as amended by the House and ESSB 6266 as amended by the House.

ROY A. FERGUSON, 48th District.

MOTION

Mr. Dellwo moved that the House defer consideration of Senate Bill No. 6305 and that the bill hold its place on the second reading calendar. The motion was carried.

SENATE BILL NO. 6313, by Senators McDonald, Gaspard, Bailey, Zimmerman, Kreidler and Lee

Providing for retirement of loans from the resource management cost account to the forest development account.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6313, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Senate Bill No. 6313, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6339, by Senators Kiskaddon, Stratton, Craswell, Wojahn, Garrett, Kreidler, Bailey and McDonald; by request of Department of Social and Health Services

Clarifying certain provisions governing the relinquishment and adoption of children.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6339, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Senate Bill No. 6339, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6342, by Committee on Energy & Utilities (originally sponsored by Senators Lee and Talmadge)

Requiring breakdown of taxes paid in utility bills.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Nelson moved adoption of the committee amendment on page 1, line 7. Representatives Nelson and Barnes spoke in favor of the amendment, and it was adopted.

Mr. Nelson moved adoption of the committee amendment on page 1, line 16. Mr. Nelson spoke in favor of the amendment, and it was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6342 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Engrossed Substitute Senate Bill No. 6342 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6357, by Committee on Economic Development & Labor (originally sponsored by Senators Lee and Smitherman; by request of Department of Labor and Industries)

Clarifying provisions relating to contractors' bonds and securities.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 43rd Day, February 22, 1988.)

Mr. Wang moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6357 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Substitute Senate Bill No. 6357 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6370, by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Correcting obsolete statutory references resulting from a devolution of power from the department of conservation.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 45th Day, February 24, 1988.)

Mr. Anderson moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6370 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Senate Bill No. 6370 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6371, by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Correcting a double amendment to the motor vehicle excise tax distribution section.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6371, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Senate Bill No. 6371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) called on Representative Walk to preside.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4732, by Representatives K. Wilson, Sprenkle, Heavey, Valle, Kremen and Braddock

WHEREAS, Cultural and educational exchanges between residents of Washington and China are beneficial in order to enhance understanding and cooperation between the two nations, to promote world peace, to facilitate trade and economic interaction, and to improve educational opportunities; and

WHEREAS, A series of joint educational activities and exchanges of students and teachers has been arranged by Dr. Frank Brouillet, Washington Superintendent of Public Instruction, and the Department of Education of Sichuan, People's Republic of China, as part of a Friendship Agreement instituted in 1982; and

WHEREAS, Three teachers from Washington and three teachers from the People's Republic of China are presently participating in a one-year teacher exchange; and

WHEREAS, Pan Li-jian is a foreign language teacher at Shih-shih Middle School No. 4 in Chengdu, China who is teaching for one year at Snohomish High School; and

WHEREAS, Hu Xi-Kui is a foreign language teacher at Chengdu No. 7 High School who is teaching for one year at Ferndale High School; and

WHEREAS, Yang Jing-juan is an English teacher at Chongqing No. 1 High School and is teaching at West Seattle High School for one year;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives extends an official welcome to Pan Li-jian, Hu Xi-Kui and Yang Jing-juan from the House of Representatives of the State of Washington, and expresses appreciation to these outstanding teachers for furthering the educational pursuits of Washington students; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Pan Li-jian, Hu Xi-Kui and Yang Jing-juan, and to the Principals of Snohomish High School, Ferndale High School and West Seattle High School.

On motion of Ms. K. Wilson, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 88-4733, by Representatives K. Wilson and Sprenkle

WHEREAS, Cultural and educational exchanges between residents of Washington and China are beneficial in order to enhance understanding and cooperation between the two nations, to promote world peace, to facilitate trade and economic interaction, and to improve educational opportunities; and

WHEREAS, A series of joint educational activities and exchanges of students and teachers has been arranged by Dr. Frank Brouillet, Washington Superintendent of Public Instruction, and the Department of Education of Sichuan, People's Republic of China, as part of a Friendship Agreement instituted in 1982; and

WHEREAS, One hundred twenty-five student members of the Snohomish High School marching band, jazz choir, Chinese language program and Chinese culture class, and seventy-five Snohomish citizens have been invited by the Chinese government and the Cities of Beijing and Chengdu to visit the People's Republic of China from March 30, 1988 until April 13, 1988 and to perform at the Great Wall of China at Shih-shih Middle School Number Four (the sister high school of Snohomish High School) and for the City of Chengdu and will receive a reciprocal visit from Chinese students in 1989;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington appoint the students and citizens of Snohomish and Snohomish High School as unofficial ambassadors from the State of Washington to the People's Republic of China from March 30, 1988 until April 13, 1988; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Snohomish High School and to the Board of County Commissioners of Snohomish County.

Ms. K. Wilson moved adoption of the resolution and spoke in favor of it. The resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 88-4744, by Representatives Hine, Valle, O'Brien, Barnes, Lux, P. King, Crane, Dellwo, Anderson, Nelson, Heavey, Leonard, Jacobsen, Sutherland, Vekich, Dorn, Rust, Rasmussen, Pruitt, Unsoeld, Fisher, R. King, Holm, Cooper, Walk, Cantwell, Peery, Wineberry, Spaniel, Belcher, Baugher, Rayburn, Day, Schoon, Brough and H. Sommers

WHEREAS, James Eddy "Ed" Munro recently passed away, leaving friends and family with warm memories of a loyal husband, loving father and grandfather, trusted friend and splendid public servant; and

WHEREAS, Ed Munro was born in Seattle and graduated from Seattle's Garfield High School and the University of Washington; and

WHEREAS, Ed Munro was a proud man of sharp wit and deep convictions; and

WHEREAS, Ed Munro served in the Washington State House of Representatives from 1954 to 1958, and was a strong force in the House as a Democrat from the thirty-first district; and

WHEREAS, Ed Munro was a member of the King County Council from 1968 until his retirement in 1974; and

WHEREAS, Ed Munro served as President of the National Association of County Officials from 1967 to 1968; and

WHEREAS, Ed Munro was appointed by President Lyndon B. Johnson to several presidential commissions, including the National Water Pollution Advisory Committee and the Presidential Commission to observe the South Vietnamese election in 1967; and

WHEREAS, Ed Munro was chairman of the King County Democratic Party from 1947 to 1951 and served as Democratic State Committeeman from 1950 to 1959; and

WHEREAS, Ed Munro was a devoted member of the King County community in all respects for his 82 years, serving as State Legislator, South District King County Commissioner and was a concerned citizen; and

WHEREAS, Munro was very proud of several accomplishments during his time in public office, including a boost in teacher salaries, a crusade for civil rights and the preservation of our parks and recreational areas; and

WHEREAS, Magnificent debating skills and a keen understanding of issues bolstered Munro's legislative effectiveness and ability to attract wide-spread bipartisan support for his ideas; and

WHEREAS, Such abilities elevated him to the position of Chairman of the House Ways and Means Committee;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the memory and deeds of James Eddy "Ed" Munro and recognize the tremendous economic, social and political benefits that, through his public service, he brought to the people of Washington; and

BE IT FURTHER RESOLVED, That the House of Representatives expresses its deep sympathy and offers condolences to his wife Virginia, his children Allan and James, and his grandchildren, friends and admirers, and hopes they are comforted by the fact that Munro's commitment to the people of King County and others statewide helped them lead happier, fuller and more meaningful lives; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to Ed Munro's wife and children by the Chief Clerk of the House of Representatives.

Ms. Hine moved adoption of the resolution. Representatives Hine, O'Brien, Valle, R. King, Anderson, Heavey, Barnes and Lux spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. Walk presiding) called on Representative O'Brien to preside.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives Mrs. Virginia Munro, wife of Mr. Ed Munro, their son Allan, and Ms. Eleanor Walker, a family friend.

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

The Speaker (Mr. O'Brien presiding) called on Representative Appelwick to preside.

SECOND READING

SENATE BILL NO. 6372, by Senators Pullen, Talmadge and McCaslin; by request of Department of Natural Resources and Statute Law Committee

Correcting obsolete statutory references involving natural resources.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Anderson moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Anderson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6372 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1:

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Senate Bill No. 6372 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6374, by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Correcting references to the state boxing commission.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6374, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Senate Bill No. 6374, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6375, by Senators Pullen, Talmadge and McCaslin; by request of Statute Law Committee

Revising references to the department of wildlife.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6375, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Baugher - 1.

Excused: Representative McLean - 1.

Senate Bill No. 6375, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6376, by Committee on Transportation (originally sponsored by Senators Nelson, McMullen, Metcalf and Bender; by request of Governor)

Extending one element of the motor vehicle excise tax.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Walk moved adoption of the committee amendment on page 1, line 24. Mr. Walk spoke in favor of adoption of the committee amendment, and it was adopted.

Mr. Walk moved adoption of the committee amendments on page 2, line 13 and page 2, line 24. Mr. Walk spoke in favor of adoption of the committee amendments, and they were adopted.

Mr. Heavey moved adoption of the following amendment by Representatives Heavey, Zellinsky, Dellwo, K. Wilson, Moyer, Scott, R. King, Valle, Barnes, Silver, Bumgarner, O'Brien, D. Sommers, S. Wilson and Day:

On page 1, after line 24, strike all material down through page 2, line 11, and insert the following:

"(4) Effective with January, 1992, motor vehicle license expirations, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise tax shall be five one-hundredths of one percent of the fair market value of such vehicle.

(5) The department of licensing and county auditors shall collect the additional tax imposed by subsections (2) ((and (3))) through (4) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

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

((6)) (7) An additional tax is imposed equal to the taxes payable under subsections (1) and (2) of this section multiplied by the rate specified in RCW 82.02.030.

((7)) (8) Washington residents, as defined in RCW 46.16.028, who license motor vehicles in another state or foreign country and avoid Washington motor vehicle excise taxes are liable for such unpaid excise taxes. The department of revenue may assess and collect the unpaid excise taxes under chapter 82.32 RCW, including the penalties and interest provided therein.

Sec. 2. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 7, chapter 9, Laws of 1987 1st ex. sess. and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licensing in the collection of the excise tax: PROVIDED, That:

(1) One hundred percent of the proceeds of the additional tax imposed by RCW 82.44.020(2) shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund;

(2) One hundred percent of the proceeds of the additional tax imposed by RCW 82.44.020(3) shall be credited by the state treasurer to the Puget Sound ferry operations account in the motor vehicle fund: ~~((and))~~

(3) One hundred percent of the proceeds of the additional tax imposed by RCW 82.44.020(4) shall be credited by the state treasurer to the motor vehicle fund and shall be used only for activities of preliminary engineering, right of way acquisition, and construction of the parallel First Avenue South Bridge, the E. B. Slough Bridge, and the North Spokane Arterial. If bonds are authorized for these purposes by the legislature, these proceeds may be pledged to pay the principal and interest on the bonds; and

(4) All revenues collected under RCW 82.44.020~~((6))~~(7) shall be credited by the state treasurer to the general fund.

Sec. 3. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 4, chapter 80, Laws of 1987, section 15, chapter 472, Laws of 1987, and by section 6, chapter 9, Laws of 1987 1st ex. sess. and RCW 82.02.030 are each reenacted and amended to read as follows:

(1) The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), 82.26.020(2), 82.27.020(5), 82.29A.030(2), and 82.44.020~~((6))~~(7) shall be seven percent; and

(2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent.

Sec. 4. Section 3, chapter 428, Laws of 1987 and section 8, chapter 9, Laws of 1987 1st ex. sess. and RCW 82.44.150 are each reenacted and amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August, and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September, and December, respectively, except for those payable under RCW 82.44.020~~((6))~~(7) and 82.44.030, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020~~((6))~~(7) and 82.44.030, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020~~((6))~~(7). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth: ~~((and))~~ a sum equal to two percent thereof shall be allocable to the county sales and use tax equalization account under RCW 82.14.200; and a sum equal to four and two-tenths percent of the special excise tax levied under RCW 35.58.273 by those municipalities authorized to levy a special excise tax at a rate not exceeding ninety-six one-hundredths of one percent on the fair market value of every motor vehicle owned by a resident of such municipality shall be deposited in the rail development account established in RCW 47.78.010.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state according to the following formula:

(a) Sixty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned ratably on the basis of population as last determined by the office of financial management.

(b) Thirty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned to cities and towns under RCW 82.14.210.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section."

Renumber the sections consecutively.

Representatives Heavey and K. Wilson spoke in favor of adoption of the amendment, and Mr. Meyers opposed it.

POINT OF INQUIRY

Mr. Heavey yielded to question by Ms. Brough.

Ms. Brough: Representative Heavey, on page 4 of this amendment, reading the language that is written here, it says "right of way acquisition, and construction of the parallel First Avenue South Bridge." My question is: Is this the First Avenue South Bridge in the unincorporated area of Federal Way? Is this the First Avenue South Bridge perhaps in the city of Seattle? Is this the First Avenue South Bridge that is plunked in the middle of the Burien area? I assume that there are other First Avenues South in this state, but those are the three that I am most familiar with.

Mr. Heavey: Representative Brough, thank you for that astute and insightful question. It is the First Avenue South Bridge that crosses the Duwamish River.

Mr. Barnes spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Heavey yielded to question by Mr. Sanders.

Mr. Sanders: Representative Heavey, this is a pretty good amendment, but I notice that the two high occupancy vehicle lanes on the Evergreen Point Bridge were omitted from this list. Was that an inadvertent oversight on your part?

Mr. Heavey: Thank you, Representative Sanders. That was not an inadvertent oversight.

Mr. D. Sommers spoke in favor of adoption of the amendment, and Representatives Walk and Chandler opposed it.

The amendment was not adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk, Schmidt, Vekich and Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6376 as amended by the House, and the bill passed the House by the following vote: Yeas, 72; nays, 25; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Chandler, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, Jones, King R, Leonard, Lewis, Locke, May, Meyers, Miller, Moyer, Nelson, O'Brien, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Taylor, Unsoeld, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Amondson, Betzoff, Brooks, Bumgarner, Butterfield, Cole, Cooper, Crane, Dorn, Fuhrman, Grant, Heavey, Holm, Jesernig, King P, Kremen, Lux, Nealey, Nutley, Padden, Patrick, Peery, Sutherland, Todd, Valle - 25.

Excused: Representative McLean - 1.

Substitute Senate Bill No. 6376 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that the House defer consideration of Senate Bill No. 6397 and that the bill hold its place on the second reading calendar. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6437, by Committee on Ways & Means (originally sponsored by Senators Deccio, Kreidler, Sellar, Fleming and Johnson)

Changing provisions relating to the investment allowance for nursing homes.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendment:

On page 1, line 12, after "facility by" strike "the" and insert "(the) any"

Mr. Braddock spoke in favor of adoption of the amendment, and it was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Locke.

Mr. Locke: Representative Braddock, you were the author of the amendment that was adopted by the House on page 1, line 12. What was the rationale for that amendment?

Mr. Braddock: Thank you, Representative Locke. The rationale is that the amendment is intended to clarify the original intent of this section of the nursing home reimbursement statute. Some confusion has been created by recent decisions of an administrative law judge in reviewing this language. The amendment clarifies the total amount of depreciation to be applied to a leased facility. The depreciation accumulated by the lessor, since the lessor purchased the facility, is to be included in the total depreciation used in calculating the lessee's reimbursement rate.

POINT OF INQUIRY

Mr. Braddock yielded to question by Ms. Silver.

Ms. Silver: In committee we understood that the reimbursement, if they owned a facility, would be the same as their leasing reimbursement. Does your amendment change that at all?

Mr. Braddock: No, it does not.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6437 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Substitute Senate Bill No. 6437 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6466, by Committee on Ways & Means (originally sponsored by Senator Vognild)

Revising retirement benefit calculation for certain county employees.

The bill was read the second time. Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 50th Day, February 29, 1988.)

Mr. Locke moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6466 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Substitute Senate Bill No. 6466 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6474, by Committee on Economic Development & Labor (originally sponsored by Senator McCaslin)

Requiring continuing education for real estate brokers and salespeople.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 43rd Day, February 22, 1988.)

Ms. Cole moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6474 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Substitute Senate Bill No. 6474 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Second Substitute Senate Bill No. 6220 on second reading. The motion was carried.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6220, by Committee on Ways & Means (originally sponsored by Senators Anderson, Halsan, Deccio, Owen, Saling, Smitherman, Stratton, DeJarnatt, Warnke, Lee, Cantu, West, McMullen, Fleming, Williams, Conner, Hayner and Garrett)

Changing provisions relating to business and industrial development corporations.

The bill was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.) Committee on Ways & Means recommendation: Majority, do pass as amended by Committee on Ways & Means without amendments by Committee on Trade & Economic Development. (For committee amendments, see Journal, 50th Day, February 29, 1988.)

Mr. Vekich moved adoption of the committee amendments by Committee on Trade & Economic Development. Representatives Vekich and Schoon spoke against adoption of the committee amendments, and they were not adopted.

Mr. Bristow moved adoption of the committee amendment by Committee on Ways & Means.

Mr. Day moved adoption of the following amendment by Representatives Vekich, Day, Kremen and Schoon to the committee amendment:

On page 33, after line 31 of the amendment, insert the following:

***NEW SECTION, Sec. 19.** A new section is added to chapter 31.24 RCW to read as follows: Industrial development corporations operating under this chapter before January 1, 1988, may continue to operate under this chapter as it existed before the effective date of this act." Renumber the remaining sections and correct any internal references accordingly.

Representatives Day and Schoon spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

Representatives Bristow and Vekich spoke in favor of the committee amendment as amended, and Mr. Schoon spoke against it.

The committee amendment as amended was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Vekich, Kremen, Schoon, Day, Doty and Hargrove spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6220 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Appelwick - 1.

Excused: Representative McLean - 1.

Engrossed Second Substitute Senate Bill No. 6220 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute Senate Bill No. 6305 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6305, by Committee on Law & Justice (originally sponsored by Senators Pullen, Talmadge, Bailey, McCaslin, Lee, Garrett, Rasmussen, Nelson and Smith)

Altering the statute of limitations for child sexual abuse.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 45th Day, February 24, 1988.)

Mr. Armstrong moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Ms. Scott moved adoption of the following amendment by Representatives Scott and Armstrong:

Strike everything after the enacting clause and insert the following:

***NEW SECTION, Sec. 1.** A new section is added to chapter 4.16 RCW to read as follows:

(1) All claims or causes of action based on intentional conduct brought by any person for recovery of damages for injury suffered as a result of childhood sexual abuse shall be commenced within three years of the act alleged to have caused the injury or condition, or three years of the time the victim discovered or reasonably should have discovered that the injury or condition was caused by said act, whichever period expires later.

(2) The victim need not establish which act in a series of continuing sexual abuse or exploitation incidents caused the injury complained of, but may compute the date of discovery from the date of discovery of the last act by the same perpetrator which is part of a common scheme or plan of sexual abuse or exploitation.

(3) The knowledge of a custodial parent or guardian shall not be imputed to a person under the age of eighteen years.

(4) For purposes of this section, 'child' means a person under the age of eighteen years.

(5) As used in this section, 'childhood sexual abuse' means any act committed by the defendant against a complainant who was less than eighteen years of age at the time of the act and which act would have been a violation of chapter 9A.44 RCW or RCW 9.68A.040 or prior laws of similar effect at the time the act was committed.

Sec. 2. Section 1, chapter 80, Laws of 1971 as last amended by section 1401, chapter 212, Laws of 1987 and RCW 4.16.350 are each amended to read as follows:

Any civil action for damages for injury occurring as a result of health care which is provided after June 25, 1976 against:

(1) A person licensed by this state to provide health care or related services, including, but not limited to, a physician, osteopathic physician, dentist, nurse, optometrist, podiatrist, chiropractor, physical therapist, psychologist, pharmacist, optician, physician's assistant, osteopathic physician's assistant, nurse practitioner, or physician's trained mobile intensive care paramedic, including, in the event such person is deceased, his estate or personal representative;

(2) An employee or agent of a person described in subsection (1) of this section, acting in the course and scope of his employment, including, in the event such employee or agent is deceased, his estate or personal representative; or

(3) An entity, whether or not incorporated, facility, or institution employing one or more persons described in subsection (1) of this section, including, but not limited to, a hospital, clinic, health maintenance organization, or nursing home; or an officer, director, employee, or agent thereof acting in the course and scope of his employment, including, in the event such officer, director, employee, or agent is deceased, his estate or personal representative;

based upon alleged professional negligence shall be commenced within three years of the act or omission alleged to have caused the injury or condition, or one year of the time the patient or his representative discovered or reasonably should have discovered that the injury or condition was caused by said act or omission, whichever period expires later, except that in no event shall an action be commenced more than eight years after said act or omission: PROVIDED, That the time for commencement of an action is tolled upon proof of fraud, intentional concealment, or the presence of a foreign body not intended to have a therapeutic or diagnostic purpose or effect.

For purposes of this section, notwithstanding RCW 4.16.190, the knowledge of a custodial parent or guardian shall be imputed to a person under the age of eighteen years, and such imputed knowledge shall operate to bar the claim of such minor to the same extent that the claim of an adult would be barred under this section. Any action not commenced in accordance with this section shall be barred.

For purposes of this section, with respect to care provided after June 25, 1976, and before August 1, 1986, the knowledge of a custodial parent or guardian shall be imputed as of April 29, 1987, to persons under the age of eighteen years.

This section does not apply to a civil action based on intentional conduct brought against those individuals or entities specified in this section by a person for recovery of damages for injury occurring as a result of childhood sexual abuse as defined in section 1(5) of this act.

NEW SECTION. Sec. 3. Sections 1 and 2 of this act apply to all causes of action commenced on or after the effective date of this act, regardless of when the cause of action may have arisen. To this extent, sections 1 and 2 of this act apply retrospectively."

Representatives Scott and Padden spoke in favor of adoption of the amendment, and it was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Scott spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6305 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien,

Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsöld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative McLean - 1.

Engrossed Substitute Senate Bill No. 6305 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

INTRODUCTION AND FIRST READING

HCR 4445 by Representatives Schoon, Sprenkle, Moyer, Brooks, Leonard, Winsley, Crane, Todd and Brough

Requesting establishment of eating disorders awareness week.

Referred to Committee on Rules.

The Speaker (Mr. Appelwick presiding) referred the resolution listed on today's introduction sheet under the fourth order of business to the committee so designated.

The Speaker (Mr. Appelwick presiding) declared the House to be at ease.

The Speaker called the House to order.

Representative Allen was excused.

MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 6536 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6536, by Committee on Economic Development & Labor (originally sponsored by Senators Anderson, Lee and Rasmussen; by request of Employment Security Department)

Limiting employer liability for unemployment benefits paid as a result of a natural disaster.

The bill was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang and R. King:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 2, Laws of 1987 and section 3, chapter 213, Laws of 1987 and RCW 50.29.020 are each amended and reenacted to read as follows:

(1) An experience rating account shall be established and maintained for each employer, except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, taxable local government employers as described in RCW 50.44.035, and those employers who are required to make payments in lieu of contributions, based on existing records of the employment security department. Benefits paid to any eligible individuals shall be charged to the experience rating accounts of each of such individual's employers during the individual's base year in the same ratio that the wages paid by each employer to the individual during the base year bear to the wages paid by all employers to that individual during that base year, except as otherwise provided in this section ((and in RCW 50.29.022)).

(2) The legislature finds that certain benefit payments, in whole or in part, should not be charged to the experience rating accounts of employers except those employers described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, taxable local government employers described in RCW 50.44.035, and those employers who are required to make payments in lieu of contributions, as follows:

(a) Benefits paid to any individuals later determined to be ineligible shall not be charged to the experience rating account of any contribution paying employer.

(b) Benefits paid to an individual under the provisions of RCW 50.12.050 shall not be charged to the account of any contribution paying employer if the wage credits earned in this state by the individual during his or her base year are less than the minimum amount necessary to qualify the individual for unemployment benefits.

(c) Benefits paid to an individual filing under the provisions of chapter 50.06 RCW shall not be charged to the experience rating account of any contribution paying employer.

(d) Benefits paid which represent the state's share of benefits payable under chapter 50.22 RCW shall not be charged to the experience rating account of any contribution paying employer.

(e) In the case of individuals who requalify for benefits under RCW 50.20.050 or 50.20.060, benefits based on wage credits earned prior to the disqualifying separation shall not be charged to the experience rating account of the contribution paying employer from whom that separation took place.

(f)(i) Benefits paid to an individual as the result of a determination by the commissioner that no stoppage of work exists, pursuant to RCW 50.20.090, shall not be charged to the experience rating account of any contribution paying employer.

(ii) Benefits paid to an individual under RCW 50.20.090(1) for weeks of unemployment ending before February 20, 1987, shall not be charged to the experience rating account of any base year employer.

(g) In the case of individuals identified under RCW 50.20.015, benefits paid with respect to a calendar quarter, which exceed the total amount of wages earned in the state of Washington in the higher of two corresponding calendar quarters included within the individual's determination period, as defined in RCW 50.20.015, shall not be charged to the experience rating account of any contribution paying employer.

(h) Beginning July 1, 1985, a contribution-paying base year employer, not otherwise eligible for relief of charges for benefits under this section, may receive such relief if:

(i) The benefit charges result from payment to an individual who last left the employ of such employer voluntarily for reasons not attributable to the employer, or was discharged for misconduct connected with his or her work; and

(ii) The employer requests relief of charges in writing within thirty days following mailing to the last known address of the notification of the initial determination of such a claim, stating the date and reason for the last leaving; and

(iii) Upon investigation of the separation, the commissioner rules that the relief should be granted.

(i) Benefits paid to an individual who does not successfully complete an approved on-the-job training program under RCW 50.12.240 shall not be charged to the experience rating account of the contribution paying employer who provided the approved on-the-job training.

(f) Benefits paid resulting from a closure or severe curtailment of operations at the employer's plant, building, work site, or facility due to damage caused by fire, flood, or other natural disaster shall not be charged to the experience rating account of the employer if:

(i) The employer petitions for relief of charges; and

(ii) The commissioner approves granting relief of charges.

Sec. 2, Section 5, chapter 205, Laws of 1984 as last amended by section 3, chapter 171, Laws of 1987 and RCW 50.29.025 are each amended to read as follows:

The contribution rate for each employer shall be determined under this section.

(1) A fund balance ratio shall be determined by dividing the balance in the unemployment compensation fund as of the June 30th immediately preceding the rate year by the total remuneration paid by all employers subject to contributions during the second calendar year preceding the rate year and reported to the department by the following March 31st. The division shall be carried to the fourth decimal place with the remaining fraction, if any, disregarded. The fund balance ratio shall be expressed as a percentage.

(2) The interval of the fund balance ratio, expressed as a percentage, shall determine which tax schedule in subsection (5) of this section shall be in effect for assigning tax rates for the rate year. The intervals for determining the effective tax schedule shall be:

Fund Balance Ratio Expressed as a Percentage	Effective Tax Schedule
3.40 and above	A
2.90 to 3.39	B
2.40 to 2.89	C
1.90 to 2.39	D
1.40 to 1.89	E
Less than 1.40	F

(3) An array shall be prepared, listing all qualified employers in ascending order of their benefit ratios. The array shall show for each qualified employer: (a) Identification number; (b) benefit ratio; (c) taxable payrolls for the four calendar quarters immediately preceding the computation date and reported to the department by the cut-off date; (d) a cumulative total of taxable payrolls consisting of the employer's taxable payroll plus the taxable payrolls of all other employers preceding him or her in the array; and (e) the percentage equivalent of the cumulative total of taxable payrolls.

(4) Each employer in the array shall be assigned to one of twenty rate classes according to the percentage intervals of cumulative taxable payrolls set forth in subsection (5) of this section: PROVIDED, That if an employer's taxable payroll falls within two or more rate classes, the

employer and any other employer with the same benefit ratio shall be assigned to the lowest rate class which includes any portion of the employer's taxable payroll.

(5) The contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect during the rate year:

Percent of Cumulative Taxable Payrolls		Rate Class	Schedule of Contribution Rates for Effective Tax Schedule					
From	To		A	B	C	D	E	F
0.00	5.00	1	0.48	0.58	0.98	1.48	1.88	2.48
5.01	10.00	2	0.48	0.78	1.18	1.68	2.08	2.68
10.01	15.00	3	0.58	0.98	1.38	1.78	2.28	2.88
15.01	20.00	4	0.78	1.18	1.58	1.98	2.48	3.08
20.01	25.00	5	0.98	1.38	1.78	2.18	2.68	3.18
25.01	30.00	6	1.18	1.58	1.98	2.38	2.78	3.28
30.01	35.00	7	1.38	1.78	2.18	2.58	2.98	3.38
35.01	40.00	8	1.58	1.98	2.38	2.78	3.18	3.58
40.01	45.00	9	1.78	2.18	2.58	2.98	3.38	3.78
45.01	50.00	10	1.98	2.38	2.78	3.18	3.58	3.98
50.01	55.00	11	2.28	2.58	2.98	3.38	3.78	4.08
55.01	60.00	12	2.48	2.78	3.18	3.58	3.98	4.28
60.01	65.00	13	2.68	2.98	3.38	3.78	4.18	4.48
65.01	70.00	14	2.88	3.18	3.58	3.98	4.38	4.68
70.01	75.00	15	3.08	3.38	3.78	4.18	4.58	4.78
75.01	80.00	16	3.28	3.58	3.98	4.38	4.68	4.88
80.01	85.00	17	3.48	3.78	4.18	4.58	4.88	4.98
85.01	90.00	18	3.88	4.18	4.58	4.88	4.98	5.18
90.01	95.00	19	4.28	4.58	4.98	5.08	5.18	5.38
95.01	100.00	20	5.40	5.40	5.40	5.40	5.40	5.40

(6) The contribution rate for each employer not qualified to be in the array shall be ((~~rate equal to the average industry tax rate as determined by the commissioner; however, the rate may not be less than one percent; PROVIDED-That~~) as follows:

(a) Employers who do not meet the definition of 'qualified employer' by reason of failure to pay contributions when due shall be assigned the contribution rate of five and four-tenths percent;

(b) The tax rate for employers newly covered under section 3 of this 1988 act and not yet qualified to be in the array shall be one percent; and

(c) For all other employers not qualified to be in the array, the contribution rate shall be a rate equal to the average industry rate as determined by the commissioner; however, the rate may not be less than one percent. Assignment of employers by the commissioner to industrial classification, for purposes of this subsection, shall be in accordance with established classification practices found in the 'Standard Industrial Classification Manual' issued by the federal office of management and budget to the third digit provided in the Standard Industrial Classification code.

Sec. 3. Section 16, chapter 35, Laws of 1945 as last amended by section 2, chapter 292, Laws of 1977 ex. sess. and RCW 50.04.150 are each amended to read as follows:

The term 'employment' shall not include service performed by individuals under eighteen years of age in agricultural labor except as otherwise provided in RCW 50.04.155.

Agricultural labor is defined as services performed:

(1) On a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wild life, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or

(2) In packing, packaging, grading, storing, or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations. The exclusions from the term 'employment' provided in this paragraph shall not be deemed to be applicable with respect to commercial packing houses, commercial storage establishments, commercial canning, commercial freezing, or any other commercial processing or with respect to services performed in connection with the cultivation, raising, harvesting and processing of oysters or raising and harvesting of mushrooms or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

NEW SECTION. Sec. 4. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is hereby declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 5. Sections 2 and 3 of this act shall take effect January 1, 1989."

POINT OF ORDER

Mr. Patrick: I request a ruling on scope and object.

SPEAKER'S RULING

The Speaker: Representative Patrick, the Speaker has examined Substitute Senate Bill No. 6536 and finds that it amends the employer experience rating chapter of the unemployment compensation laws, by adding benefits paid because of a natural disaster to the list of those items which will not be charged to the employer's experience rating account. It is a bill about how we rate employer experience rating--what is included and what is not. Amendment 270, offered by Representatives Wang and R. King, amends the definition of "employment" for unemployment compensation and the exclusion for agricultural labor to persons under eighteen years of age. I find that your point is well taken, that the amendment is outside the original scope and object of the bill.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6536, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Bristow, Grimm - 2.

Excused: Representatives Allen, McLean - 2.

Substitute Senate Bill No. 6536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6537, by Senators West, Smitherman, Lee and Anderson; by request of Employment Security Department

Limiting applicability of administrative rulings relating to individual unemployment claims to other legal actions.

The bill was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang and R. King:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 50.32 RCW to read as follows:

Any finding, determination, conclusion, declaration, or final order made by the commissioner, or his or her representative or delegate, or by an appeal tribunal, administrative law judge, reviewing officer, or other agent of the department for the purposes of Title 50 RCW, shall not be conclusive, nor binding, nor admissible as evidence in any separate action outside the scope of Title 50 RCW between an individual and the individual's present or prior employer before an arbitrator, court, or judge of this state or the United States, regardless of whether the prior action was between the same or related parties or involved the same facts or was reviewed pursuant to RCW 50.32.120.

Sec. 2. Section 5, chapter 205, Laws of 1984 as last amended by section 3, chapter 171, Laws of 1987 and RCW 50.29.025 are each amended to read as follows:

The contribution rate for each employer shall be determined under this section.

(1) A fund balance ratio shall be determined by dividing the balance in the unemployment compensation fund as of the June 30th immediately preceding the rate year by the total remuneration paid by all employers subject to contributions during the second calendar year preceding the rate year and reported to the department by the following March 31st. The division shall be carried to the fourth decimal place with the remaining fraction, if any, disregarded. The fund balance ratio shall be expressed as a percentage.

(2) The interval of the fund balance ratio, expressed as a percentage, shall determine which tax schedule in subsection (5) of this section shall be in effect for assigning tax rates for the rate year. The intervals for determining the effective tax schedule shall be:

Interval of the Fund Balance Ratio Expressed as a Percentage	Effective Tax Schedule
3.40 and above	A
2.90 to 3.39	B
2.40 to 2.89	C
1.90 to 2.39	D
1.40 to 1.89	E
Less than 1.40	F

(3) An array shall be prepared, listing all qualified employers in ascending order of their benefit ratios. The array shall show for each qualified employer: (a) identification number; (b) benefit ratio; (c) taxable payrolls for the four calendar quarters immediately preceding the computation date and reported to the department by the cut-off date; (d) a cumulative total of taxable payrolls consisting of the employer's taxable payroll plus the taxable payrolls of all other employers preceding him or her in the array; and (e) the percentage equivalent of the cumulative total of taxable payrolls.

(4) Each employer in the array shall be assigned to one of twenty rate classes according to the percentage intervals of cumulative taxable payrolls set forth in subsection (5) of this section: PROVIDED, That if an employer's taxable payroll falls within two or more rate classes, the employer and any other employer with the same benefit ratio shall be assigned to the lowest rate class which includes any portion of the employer's taxable payroll.

(5) The contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect during the rate year:

Percent of Cumulative Taxable Payrolls			Schedule of Contribution Rates for Effective Tax Schedule						
From	To	Rate Class	A	B	C	D	E	F	
0.00	5.00	1	0.48	0.58	0.98	1.48	1.88	2.48	
5.01	10.00	2	0.48	0.78	1.18	1.68	2.08	2.68	
10.01	15.00	3	0.58	0.98	1.38	1.78	2.28	2.88	
15.01	20.00	4	0.78	1.18	1.58	1.98	2.48	3.08	
20.01	25.00	5	0.98	1.38	1.78	2.18	2.68	3.18	
25.01	30.00	6	1.18	1.58	1.98	2.38	2.78	3.28	
30.01	35.00	7	1.38	1.78	2.18	2.58	2.98	3.38	
35.01	40.00	8	1.58	1.98	2.38	2.78	3.18	3.58	
40.01	45.00	9	1.78	2.18	2.58	2.98	3.38	3.78	
45.01	50.00	10	1.98	2.38	2.78	3.18	3.58	3.98	
50.01	55.00	11	2.28	2.58	2.98	3.38	3.78	4.08	
55.01	60.00	12	2.48	2.78	3.18	3.58	3.98	4.28	
60.01	65.00	13	2.68	2.98	3.38	3.78	4.18	4.48	
65.01	70.00	14	2.88	3.18	3.58	3.98	4.38	4.68	
70.01	75.00	15	3.08	3.38	3.78	4.18	4.58	4.78	
75.01	80.00	16	3.28	3.58	3.98	4.38	4.68	4.88	
80.01	85.00	17	3.48	3.78	4.18	4.58	4.88	4.98	
85.01	90.00	18	3.68	4.18	4.58	4.88	4.98	5.18	
90.01	95.00	19	4.28	4.58	4.98	5.08	5.18	5.38	
95.01	100.00	20	5.40	5.40	5.40	5.40	5.40	5.40	

(6) The contribution rate for each employer not qualified to be in the array shall be ((a rate equal to the average industry tax rate as determined by the commissioner; however, the rate may not be less than one percent: PROVIDED, That)) as follows:

(a) Employers who do not meet the definition of 'qualified employer' by reason of failure to pay contributions when due shall be assigned the contribution rate of five and four-tenths percent;

(b) The tax rate for employers newly covered under section 3 of this 1988 act and not yet qualified to be in the array shall be one percent; and

(c) For all other employers not qualified to be in the array, the contribution rate shall be a rate equal to the average industry rate as determined by the commissioner; however, the rate may not be less than one percent. Assignment of employers by the commissioner to industrial classification, for purposes of this subsection, shall be in accordance with established classification practices found in the 'Standard Industrial Classification Manual' issued by the federal office of management and budget to the third digit provided in the Standard Industrial Classification code.

Sec. 3. Section 16, chapter 35, Laws of 1945 as last amended by section 2, chapter 292, Laws of 1977 ex. sess. and RCW 50.04.150 are each amended to read as follows:

The term 'employment' shall not include service performed by individuals under eighteen years of age in agricultural labor except as otherwise provided in RCW 50.04.155.

Agricultural labor is defined as services performed:

(1) On a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wild life, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or

(2) In packing, packaging, grading, storing, or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations. The exclusions from the term 'employment' provided in this paragraph shall not be deemed to be applicable with respect to commercial packing houses, commercial storage establishments, commercial canning, commercial freezing, or any other commercial processing or with respect to services performed in connection with the cultivation, raising, harvesting and processing of oysters or raising and harvesting of mushrooms or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

NEW SECTION. Sec. 4. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is hereby declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 5. Sections 2 and 3 of this act shall take effect January 1, 1989."

POINT OF ORDER

Mr. Patrick: I request a ruling on scope and object.

SPEAKER'S RULING

The Speaker: Representative Patrick, the Speaker has examined Senate Bill No. 6537 and finds that it has to do with the admissibility of evidence in employment security hearings. Representative Wang's amendment, on the other hand, looks similar and appears to deal with the definition of employment for unemployment compensation. I find that your point is well taken, Representative Patrick, and that the amendment is outside the original scope and object of the bill.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6537, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Deliwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor,

Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Senate Bill No. 6537, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 5586, by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Tanner, West and Bauer; by request of Department of Labor and Industries)

Changing provisions relating to hours of labor.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 39th Day, February 18, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Cole and Winsley:

Strike everything after the enacting clause and insert the following:

***NEW SECTION. Sec. 1.** The legislature finds that flexible work schedules, when developed under agreements between employers and employees, are able to provide working conditions that are advantageous to both employers and employees. However, some working conditions, such as evening hours of work, expose employees to substantial danger of injury and may result in an economic burden for both employers and employees because of lost work time, wage loss, medical expenses, and payment of industrial insurance benefits. Therefore, the purpose of this act is to allow employers and employees to enter into agreements providing for hours of labor in certain employments, but to establish security requirements in employments where needed to ensure so far as possible safe working conditions for employees.

NEW SECTION. Sec. 2. A new section is added to chapter 49.28 RCW to read as follows:

Notwithstanding the provisions of RCW 49.28.010 through 49.28.060, a contractor or subcontractor in any public works contract subject to those provisions may enter into an agreement with his or her employees in which the employees work up to ten hours in a calendar day. No such agreement may provide that the employees work ten-hour days for more than four calendar days a week. Any such agreement is subject to approval by the employees. The overtime provisions of RCW 49.28.020 shall not apply to the hours, up to forty hours per week, worked pursuant to agreements entered into under this section.

NEW SECTION. Sec. 3. Any employer whose industry is defined by the United States office of management and budget in the 1972 standard industrial classification code manual as number 5411 or 5541, and who remains open for twenty-four hours per day is required to provide the following at the workplace:

(1) Equip the workplace with sound alarm equipment that signals the police or sheriff of the jurisdiction within which the workplace is located that a robbery is taking place; and

(2) Provide training for employees in robbery and violence prevention and procedures in case of robbery or other violence.

Franchisors who require franchisees to remain open twenty-four hours per day shall be liable for any costs associated with the franchisee's compliance with this section.

NEW SECTION. Sec. 4. This chapter shall be implemented and enforced by the department of labor and industries pursuant to the Washington industrial safety and health act, chapter 49.17 RCW. Any violation of this chapter or of any rule adopted under this chapter shall subject the employer to assessment of a civil penalty under chapter 49.17 RCW. For purposes of this section, each day of a continuing violation constitutes a separate violation.

NEW SECTION. Sec. 5. An employer who refuses or fails to provide the employee training required under section 3 of this act shall be liable to the employee who is not trained for a civil penalty of one hundred dollars and for costs and such reasonable attorneys' fees as may be allowed by the court.

NEW SECTION. Sec. 6. Each employer shall make, keep, preserve, and make available to the director of labor and industries such records regarding the employer's activities relating to this chapter as the director may prescribe by rule as necessary or appropriate for the enforcement of this chapter.

NEW SECTION. Sec. 7. Sections 3 through 6 of this act shall constitute a new chapter in Title 49 RCW.

POINT OF ORDER

Mr. Patrick: I request a ruling on scope and object.

SPEAKER'S RULING

The Speaker: Representative Patrick, Substitute Senate Bill No. 5586 appears to amend the law on public works contracts to authorize contractors to enter agreements with their employees for flexible work schedules up to ten hours a day. The amendment, offered by Representative Wang and others, requires certain businesses who remain open for twenty-four hours to provide worker safety equipment and training. Once again, we find that the amendment is not within the original scope and object of the bill. Your point is well taken; the amendment is out of scope and object.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5586 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Substitute Senate Bill No. 5586 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Senate Bill No. 6354 from Wednesday, March 2, 1988. The motion was carried.

SENATE BILL NO. 6354, by Senators Lee, Smitherman and McMullen; by request of Department of Labor and Industries

Changing the definition of wages for industrial insurance purposes.

The Speaker stated the question before the House to be the point of order by Mr. R. King.

SPEAKER'S RULING

The Speaker: Representative King, Senate Bill No. 6354 deals with the definition of wages for industrial insurance purposes. It amends Chapter 51.08 RCW to change the definition of monthly wages to include reported tips for the determination of industrial insurance benefits. The committee amendment adds a new section to the State Minimum Wage Act, Chapter 49.46 RCW, to provide that tips may not be included in determining a violation of the the State Minimum Wage Act. Representative King, we find that your point is well taken and the amendment is outside the original scope and object of the bill.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang, Chandler and R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6354, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Senate Bill No. 6354, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Dellwo moved that the House immediately consider Substitute Senate Bill No. 6486 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6486, by Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Metcalf and Warnke)

Creating the Washington state firearm range committee.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Sutherland moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sutherland, Doty and Baugher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6486 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 12; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Belcher, Brekke, Fisher, Hargrove, Hine, Leonard, Nelson, Rust, Unsoeld, Valle, Wang, Wineberry - 12.

Excused: Representatives Allen, McLean - 2.

Substitute Senate Bill No. 6486 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE SENATE BILL NO. 6513, by Committee on Ways & Means (originally sponsored by Senators Barr, Hansen and Metcalf; by request of Department of Ecology)

Providing for water supply emergencies.

The bill was read the second time. Committee on Agriculture & Rural Development recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Ms. Rayburn moved adoption of the committee amendment.

Mr. Meyers moved adoption of the following amendment by Representatives Meyers and Sutherland to the committee amendment:

On page 2, line 33 after "exceed" strike "five" and insert "ten"

Mr. Meyers spoke in favor of passage of the amendment to the committee amendment, and it was adopted.

Ms. Rayburn spoke in favor of the committee amendment as amended, and it was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Doty spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 6513 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Second Substitute Senate Bill No. 6513 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of Engrossed Senate Bill No. 6519 and that the bill hold its place on the second reading calendar. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6534, by Committee on Education (originally sponsored by Senator Talmadge)

Authorizing school employees to perform catheterization.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery and Butterfield spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6534, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove,

Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Rayburn - 1.

Excused: Representatives Allen, McLean - 2.

Engrossed Substitute Senate Bill No. 6534, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of Substitute Senate Bill No. 6569 and that the bill hold its place on the second reading calendar. The motion was carried.

SENATE BILL NO. 6608, by Senators Hayner, Hansen, Sellar, DeJarnatt, Bailey, Halsan, Madsen, Barr and Benitz

Increasing penalties for theft of livestock.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn, Nealey, Chandler, Brooks and Sayan spoke in favor of passage of the bill, and Mr. Wang opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6608, and the bill passed the House by the following vote: Yeas, 89; nays, 7; excused, 2.

Voting yea: Representatives Amundson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, Kremen, Leonard, Lewis, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Belcher, Cole, Fisher, King R, Locke, Lux, Wang - 7.

Excused: Representatives Allen, McLean - 2.

Senate Bill No. 6608, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of Substitute Senate Bill No. 6631 and that the bill hold its place on the second reading calendar. The motion was carried.

SENATE BILL NO. 6671, by Senator Lee

Specifying funds that may be retained for administration of the housing trust fund.

The bill was read the second time. Committee on Housing recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.) Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended by Committee on Housing.

Ms. Nutley moved adoption of the committee amendments. Representatives Nutley and J. Williams spoke in favor of adoption of the committee amendments, and they were adopted.

Ms. Nutley moved adoption of the following amendment by Representatives Nutley, J. Williams and Leonard:

On page 2, after line 15, insert the following:

*Sec. 2, Section 2, chapter 167, Laws of 1981 as amended by section 1, chapter 176, Laws of 1982 and RCW 82.45.100 are each amended to read as follows:

(1) The tax imposed under this chapter is due and payable immediately at the time of sale, and if not paid within thirty days thereafter shall bear interest at the rate of one percent per month from the time of sale until the date of payment.

(2) In addition to the interest described in subsection (1) of this section, if the payment of any tax is not received by the county treasurer within thirty days of the date due, there shall be assessed a penalty of five percent of the amount of the tax; if the tax is not received within sixty days of the date due, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within ninety days of the date due, there shall be assessed a total penalty of twenty percent of the amount of the tax. The payment of the penalty described in this subsection shall be collectible from the seller only, and RCW 82.45.070 does not apply to the penalties described in this subsection.

(3) If upon examination of any affidavits or from other information obtained by the department or its agents it appears that all or a portion of the tax is unpaid, the department shall assess against the taxpayer the additional amount found to be due plus interest and penalties as provided in subsections (1) and (2) of this section. If the department finds that all or any part of the deficiency resulted from an intent to evade the tax payable under this chapter, ((α)) an additional penalty of fifty percent of the additional tax found to be due shall be added.

((β)) (4) No assessment or refund may be made by the department more than four years after the date of sale except upon a showing of fraud or of misrepresentation of a material fact by the taxpayer or a failure by the taxpayer to record documentation of a sale or otherwise report the sale to the county treasurer.

(5) Penalties collected pursuant to subsection (2) of this section shall be deposited in the housing trust fund as described in chapter 43.185 RCW.

Renumber the sections consecutively.

Representatives Nutley and J. Williams spoke in favor of adoption of the amendment, and it was adopted.

Ms. Nutley moved adoption of the following amendment by Representatives Nutley, J. Williams and Leonard:

On page 1, after line 3, strike all material down through page 2, line 15 and insert the following:

*Sec. 1, Section 8, chapter 298, Laws of 1986 and RCW 43.185.070 are each amended to read as follows:

(1) During each calendar year in which funds are available for use by the department from the housing trust fund, as prescribed in RCW 43.185.030, the department shall announce to all known interested parties, and through major media throughout the state, a grant and loan application period of at least ninety days' duration. This announcement shall be made as often as the director deems appropriate for proper utilization of resources, but at least twice annually. The department shall then promptly grant as many applications as will utilize available funds less appropriate administrative costs of the department, not to exceed thirty-seven thousand five hundred dollars in the fiscal year ending June 30, 1988, and seventy-five thousand dollars in the fiscal year ending June 30, 1989, and not to exceed five percent of annual revenues to the fund thereafter.

(2) The department shall give first priority to applications for projects and activities which utilize existing privately owned housing stock including privately owned housing stock purchased by nonprofit public development authorities. Such projects and activities shall be evaluated under subsection (3) of this section. Second priority shall be given to activities and projects which utilize existing publicly owned housing stock. Such projects and activities shall be evaluated under subsection (3) of this section.

(3) The department shall give preference for applications based on the following criteria:

(a) The degree of leveraging of other funds that will occur;

(b) Recipient contributions to total project costs, including allied contributions from other sources such as professional, craft and trade services, and lender interest rate subsidies;

(c) Local government project contributions in the form of infrastructure improvements, and others;

(d) Projects that encourage ownership, management, and other project-related responsibility opportunities;

(e) Projects that demonstrate a strong probability of serving the original target group or income level for a period of at least fifteen years;

(f) The applicant has the demonstrated ability, stability and resources to implement the project;

(g) Projects which demonstrate serving the greatest need; and

(h) Projects that provide housing for persons and families with the lowest incomes.

Sec. 2, Section 19, chapter 222, Laws of 1951 as last amended by section 1, chapter 513, Laws of 1987 and RCW 18.85.310 are each amended to read as follows:

(1) Every licensed real estate broker shall keep adequate records of all real estate transactions handled by or through him. The records shall include, but are not limited to, a copy of the earnest money receipt, and an itemization of the broker's receipts and disbursements with each transaction. These records and all other records hereinafter specified shall be open to inspection by the director or his authorized representatives.

(2) Every real estate broker shall also deliver or cause to be delivered to all parties signing the same, at the time of signing, conformed copies of all earnest money receipts, listing agreements and all other like or similar instruments signed by the parties, including the closing statement.

(3) Every real estate broker shall also keep separate real estate fund accounts in a recognized Washington state depository authorized to receive funds in which shall be kept separate and apart and physically segregated from licensee broker's own funds, all funds or moneys of clients which are being held by such licensee broker pending the closing of a real estate sale or transaction, or which have been collected for said client and are being held for disbursement for or to said client and such funds shall be deposited not later than the first banking day following receipt thereof.

(4) Separate accounts comprised of clients' funds required to be maintained under this section, with the exception of property management trust accounts, shall be interest-bearing accounts from which withdrawals or transfers can be made without delay, subject only to the notice period which the depository institution is required to reserve by law or regulation.

(5) Every real estate broker shall maintain a pooled interest-bearing escrow account for deposit of client funds, with the exception of property management trust accounts, which are nominal ~~((or short term))~~. As used in this section, a 'nominal ~~((or short term))~~' deposit is a deposit ~~((which, if placed in a separate account, would not produce positive net interest income after payment of bank fees, or other institution fees, and other administrative expenses))~~ of not more than five thousand dollars.

The interest accruing on this account, net of any reasonable ~~((transaction costs))~~ and appropriate financial institution service charges or fees, shall be paid to the state treasurer for deposit in the Washington housing trust fund created in RCW 43.185.030. Appropriate service charges or fees are those charges made by financial institutions on other demand deposit or 'now' accounts. An agent may, but shall not be required to, notify the client of the intended use of such funds.

(6) All client funds not required to be deposited in the account specified in subsection (5) of this section shall be deposited in:

(a) A separate interest-bearing trust account for the particular client or client's matter on which the interest will be paid to the client; or

(b) ~~((A pooled interest-bearing trust account with subaccounting that will provide for computation of interest earned by each client's funds and the payment thereof to the client))~~ The pooled interest-bearing trust account specified in subsection (5) of this section if the parties to the transaction agree.

The department of licensing shall promulgate regulations which will serve as guidelines in the choice of an account specified in subsection (5) of this section or an account specified in this subsection.

(7) For an account created under subsection (5) of this section, an agent shall direct the depository institution to:

(a) Remit interest or dividends, net of any reasonable and appropriate service charges or fees, on the average monthly balance in the account, or as otherwise computed in accordance with an institution's standard accounting practice, at least quarterly, to the state treasurer for deposit in the housing trust fund created by RCW 43.185.030 and the real estate commission account created by RCW 18.85.220 as directed by RCW 18.85.315; and

(b) Transmit to the director of community development a statement showing the name of the person or entity for whom the remittance is spent, the rate of interest applied, and the amount of service charges deducted, if any, and the account balance(s) of the period in which the report is made, with a copy of such statement to be transmitted to the depositing person or firm.

(8) The director shall forward a copy of the reports required by subsection (7) of this section to the department of licensing to aid in the enforcement of the requirements of this section consistent with the normal enforcement and auditing practices of the department of licensing.

(9) This section does not relieve any real estate broker from any obligation with respect to the safekeeping of clients' funds.

(10) Any violation by a real estate broker of any of the provisions of this section, or RCW 18.85.230, shall be grounds for revocation of the licenses issued to the broker.

Sec. 3. Section 10, chapter 513, Laws of 1987 and RCW 18.85.510 are each amended to read as follows:

The broker's trust account board shall review grant and loan applications placed before it by the director for final approval pursuant to RCW 43.185.--- (RCW 18.85.505 as recodified by section 4 of this 1988 act).

The decisions of the board shall be subject to the provisions of RCW 43.185.050, 43.185.060, and 43.185.070 with regard to eligible activities, eligible recipients, and criteria for evaluation.

The broker's trust account board shall serve in an advisory capacity to the real estate commission with regard to licensee education programs established pursuant to RCW 18.85.040 and 18.85.220.

NEW SECTION. Sec. 4. RCW 18.85.505 and 18.85.510 are each recodified in chapter 43.185 RCW."

Renumber the sections consecutively.

Representatives Nutley and J. Williams spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendments to the title were adopted:

On page 1, line 2 of the title, after "43.185.070" insert ", 18.85.310, and 18.85.510; recodifying RCW 18.85.505 and 18.85.510"

On page 1, line 2 of the title, after "43.185.070" insert "and 82.45.100"

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6671 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Smith C - 1.

Excused: Representatives Allen, McLean - 2.

Senate Bill No. 6671 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Representative Wang to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6741, by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Kreidler and Sellar)

Relating to storage tanks.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. Rust moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust, Walker and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6741 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough,

Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Engrossed Substitute Senate Bill No. 6741 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6742, by Committee on Law & Justice (originally sponsored by Senators Newhouse and Deccio)

Authorizing an additional superior court judge in Yakima county.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6742, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amundson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Engrossed Substitute Senate Bill No. 6742, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 5333, by Committee on Education (originally sponsored by Senators Gaspard, Bailey, Smitherman, Johnson, Stratton, Conner, Bauer, Kiskaddon, Hayner, Bottiger and Benitz)

Giving all members on the state board of education the authority to vote.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Peery moved adoption of the committee amendments on page 1, line 16 and page 1, line 18. Representatives Peery, Taylor, Betzozoff and Cole spoke in favor of adoption of the committee amendments, and Representatives Padden, Pruitt, Hargrove and D. Sommers spoke against them.

Mr. Taylor again spoke in favor of adoption of the committee amendments.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the committee amendments on page 1, line 16 and page 1, line 18 to Substitute Senate Bill No. 5333, and the amendments were adopted by the following vote: Yeas, 64; nays, 32; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Baugher, Belcher, Betzozoff, Braddock, Brekke, Brooks, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Lux, May, Meyers, Miller, Nelson, Nutley,

O'Brien, Peery, Prince, Rasmussen, Rayburn, Rust, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Amondson, Ballard, Barnes, Basich, Baugher, Beck, Bristow, Bumgarner, Chandler, Day, Dellwo, Doty, Ferguson, Fuhrman, Hargrove, Kremen, Lewis, Locke, Moyer, Nealey, Padden, Patrick, Pruitt, Sanders, Sayan, Silver, Smith C, Sommers D, Valle, Vekich, Williams B, Winsley - 32.

Excused: Representatives Allen, McLean - 2.

STATEMENT FOR THE JOURNAL

I wish to correct my vote on the first amendments to SSB 5333. I wish to vote "yes" on those amendments.

GEORGETTE VALLE, 34th District.

Mr. Peery moved adoption of the committee amendment on page 2, beginning on line 31. Representatives Peery, Padden and Schoon spoke in favor of adoption of the amendment, and Mr. Betzoff opposed it.

The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery, Lewis and Ebersole spoke in favor of passage of the bill, and Representatives Betzoff and Taylor opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5333 as amended by the House, and the bill passed the House by the following vote: Yeas, 70; nays, 26; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Hearvey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Lewis, Locke, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Pruitt, Rasmussen, Sanders, Sayan, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Valle, Vekich, Williams B, Wilson K, Wineberry, Winsley, and Mr. Speaker - 70.

Voting nay: Representatives Baugher, Belcher, Betzoff, Braddock, Brough, Cole, Grimm, Haugen, Jacobsen, Leonard, Lux, May, Miller, Prince, Rayburn, Rust, Schmidt, Schoon, Taylor, Unsoeld, Walk, Walker, Wang, Williams J, Wilson S, Zellinsky - 26.

Excused: Representatives Allen, McLean - 2.

Substitute Senate Bill No. 5333 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of Second Substitute Senate Bill No. 5378 and that the bill hold its place on the second reading calendar. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5669, by Committee on Health Care & Corrections (originally sponsored by Senators Wojahn and Deccio)

Providing for certification of dietitians and nutritionists.

The bill was read the second time.

The Clerk read the following amendment by Representative Braddock:
On page 3, line 14, strike subsection (e)

With consent of the House, Mr. Braddock withdrew the amendment.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brooks, Day and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5669, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Engrossed Substitute Senate Bill No. 5669, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6024, by Committee on Agriculture (originally sponsored by Senators Halsan, Barr, Benitz and Hansen)

Prohibiting restriction or denial of certain agriculturally related hydraulic project permits.

The bill was read the second time.

Mr. Sutherland moved adoption of the following amendments by Representatives Sutherland, Rasmussen, Amondson, Smith and Chandler:

On page 5, line 2, after "purposes" strike all material down to and including "projects" on line 5 and insert "and that"

On page 5, line 5, after "work," insert "Approval for streambank stabilization projects shall remain in effect without need for periodic renewal if the problem causing the need for the streambank stabilization occurs on an annual or more frequent basis."

Representatives Sutherland, Chandler and Rasmussen spoke in favor of adoption of the amendments, and they were adopted.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute Senate Bill No. 6024 and that the bill hold its place on the second reading calendar. The motion was carried.

ENGROSSED SENATE BILL NO. 6093, by Senators Pullen, Talmadge, Garrett, Nelson, Johnson, Rasmussen, McMullen and von Reichbauer; by request of Department of Corrections

Providing for presentence reports on sexual offenders.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6093, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Engrossed Senate Bill No. 6093, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6101, by Senators Saling, Smitherman, Gaspard, Rinehart, West and Stratton

Changing eligibility requirements for members of the state board for community college education.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 43rd Day, February 22, 1988.)

Mr. Jacobsen moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jacobsen and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6101 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Barnes, Heavey, Miller - 3.

Excused: Representatives Allen, McLean - 2.

Senate Bill No. 6101 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 6119, by Senators Barr and Wojahn

Revising certain procedures for persons applying to be licensed practical nurses.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6119, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Engrossed Senate Bill No. 6119, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6136, by Senators Smith, DeJarnatt, Kreidler, Metcalf and Zimmerman; by request of Washington State Parks and Recreation Commission

Repealing authority for surcharges on nonresidents camping at state parks.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sutherland, Padden and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6136, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Senate Bill No. 6136, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House defer consideration of Engrossed Substitute Senate Bill No. 6148 and that the bill hold its place on the second reading calendar. The motion was carried.

SENATE BILL NO. 6227, by Senators Pullen, Talmadge and Halsan

Revising provisions on acknowledgments.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6227, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Senate Bill No. 6227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute Senate Bill No. 6148 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6148, by Committee on Law & Justice (originally sponsored by Senators Pullen, Halsan, Garrett, Johnson and Barr)

Revising certain procedures for applying for concealed pistol licenses.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 45th Day, February 24, 1988.)

Mr. Armstrong moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6148 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P., King R., Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Sommers D., Sommers H., Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, McLean - 2.

Engrossed Substitute Senate Bill No. 6148 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker (Mr. Wang presiding) announced the Speaker had signed:

SUBSTITUTE HOUSE BILL NO. 46,
HOUSE BILL NO. 280,
HOUSE BILL NO. 1300,
HOUSE BILL NO. 1330,
SUBSTITUTE HOUSE BILL NO. 1336,
HOUSE BILL NO. 1354,
HOUSE BILL NO. 1361,
SUBSTITUTE HOUSE BILL NO. 1370,
SUBSTITUTE HOUSE BILL NO. 1392,
HOUSE BILL NO. 1401,
HOUSE BILL NO. 1470,
SUBSTITUTE HOUSE BILL NO. 1472,
SUBSTITUTE HOUSE BILL NO. 1473,
HOUSE BILL NO. 1504,
HOUSE BILL NO. 1514,
HOUSE BILL NO. 1531,
HOUSE BILL NO. 1581,
SUBSTITUTE HOUSE BILL NO. 1672,
HOUSE BILL NO. 1760,
SUBSTITUTE HOUSE BILL NO. 1862,
HOUSE JOINT RESOLUTION NO. 4222,
SUBSTITUTE SENATE BILL NO. 5147,
SUBSTITUTE SENATE BILL NO. 5844,
SENATE BILL NO. 5953,

SUBSTITUTE SENATE BILL NO. 6096,
SENATE BILL NO. 6113,
SENATE BILL NO. 6143,
SENATE BILL NO. 6210,
SENATE BILL NO. 6211,
SUBSTITUTE SENATE BILL NO. 6252,
SENATE BILL NO. 6262,
SUBSTITUTE SENATE BILL NO. 6264,
SENATE BILL NO. 6293,
SENATE BILL NO. 6295,
SENATE BILL NO. 6296,
SENATE BILL NO. 6338,
SENATE BILL NO. 6362,
SENATE BILL NO. 6373,
SUBSTITUTE SENATE BILL NO. 6399,
SUBSTITUTE SENATE BILL NO. 6438,
SENATE BILL NO. 6494,
SENATE BILL NO. 6516,
SENATE BILL NO. 6556,
SENATE BILL NO. 6563,
SENATE JOINT MEMORIAL NO. 8026,
SENATE CONCURRENT RESOLUTION NO. 8428.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Friday, March 4, 1988.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

FIFTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, March 4, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Hankins, Lewis, Lux and McLean. Representatives Hankins, Lewis and McLean was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christine Gallagher and Madeline Toft. Prayer was offered by The Reverend Robert Christensen, Minister of the Olympia-Lacey Church of God.

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

MESSAGE FROM THE SENATE

March 2, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1089,
 SUBSTITUTE HOUSE BILL NO. 1329,
 HOUSE BILL NO. 1371,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1388,
 HOUSE BILL NO. 1694,
 HOUSE BILL NO. 1813.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Substitute Senate Bill No. 6024 on second reading from the previous day. (See Journal, 53rd Day, March 3, 1988.) The motion was carried.

SUBSTITUTE SENATE BILL NO. 6024, by Committee on Agriculture (originally sponsored by Senators Haisan, Barr, Benitz and Hansen)

Prohibiting restriction or denial of certain agriculturally related hydraulic project permits.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute Senate Bill No. 6024 and that the bill hold its place on the second reading calendar. The motion was carried.

Representative Lux appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 6238, by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf and Owen; by request of Department of Ecology)

Changing provisions relating to the authority of state agencies to administer part C of the federal safe drinking water act.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Ms. Rust moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6238 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Lewis, McLean - 3.

Substitute Senate Bill No. 6238 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6271, by Senators Deccio, Wojahn, Smith, Kreidler, Nelson and Johnson

Regulating care provided in the home to ill, disabled, or infirm persons.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 45th Day, February 24, 1988.) Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended by Committee on Health Care as further amended by Committee on Ways & Means/Appropriations. (For committee amendment, see Journal, 50th Day, February 29, 1988.)

Mr. Braddock moved adoption of the committee amendment by Committee on Health Care.

Mr. Braddock moved adoption of the committee amendment by Committee on Ways & Means/Appropriations to the committee amendment by Committee on Health Care and spoke in favor of it. The committee amendment to the committee amendment was adopted.

The committee amendment by Committee on Health Care as amended by Committee on Ways & Means/Appropriations was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock, Brooks and Anderson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6271 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Lewis, McLean - 3.

Senate Bill No. 6271 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6290, by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Warnke, Bluechel, Anderson, Fleming, Conner, Smitherman, West, Johnson, Gaspard and von Reichbauer; by request of Department of Trade and Economic Development)

Broadening and extending the Washington ambassador program.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wineberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6290, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Lewis, McLean - 3.

Substitute Senate Bill No. 6290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately resume consideration of Substitute Senate Bill No. 6024 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6024, by Committee on Agriculture (originally sponsored by Senators Halsan, Barr, Benitz and Hansen)

Prohibiting restriction or denial of certain agriculturally related hydraulic project permits.

Mr. Sutherland moved adoption of the following amendment by Representatives Kremen and Chandler:

On page 8, after line 2, insert the following:

***NEW SECTION.** Sec. 4. In certain agricultural areas of the state the composition of the soil and the topography combine to create flood-prone conditions. Unless accumulated sand and gravel are removed from these rivers and streams on a regular basis a heavy rainstorm may cause a disastrous flood. The practices of the department of natural resources in establishing

rates charged to commercial sand and gravel businesses cause the businesses to obtain their product from upland sources rather than from rivers and streams. As a consequence, sand and gravel accumulate in the streams and many communities are threatened with periodic, severe floods. These floods are more frequent and severe because of the accumulation of material in the rivers.

NEW SECTION. Sec. 5. The department of natural resources and the department of ecology shall study methods of diminishing flood risks by encouraging sand and gravel businesses to remove excess accumulation of materials from the beds of rivers and streams in agricultural areas. By December 1, 1989, the department of natural resources and the department of ecology shall report the results of this study to the appropriate legislative committees. In preparing the study and report, the departments shall work with the Washington association of conservation districts, the conservation commission, representation from the private sand and gravel industry, the department of fisheries, and the department of wildlife to identify alternative aquatic land management policies to diminish the risks of flooding and identify methods of adjusting sand and gravel prices annually to reflect local market conditions."

Renumber the sections consecutively and correct any internal references accordingly.

Representatives Sutherland, Kremen and Chandler spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Sutherland, the following amendments to the title were adopted:

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

On page 1, line 2 of the title, after "75.20.130" insert "; and creating new sections"

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn, Rasmussen, Nealey, Baugher and Kremen spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Rayburn yielded to question by Ms. Miller.

Ms. Miller: Representative Rayburn, I would like a further definition of how the perpetual permit would work. My concern is the ability to get into the stream outside of spawning time. Would the perpetual permit explain that at certain times in the season, when we do have spawning activity going on, you would not be able to work in the streams?

Ms. Rayburn: Thank you, I will try to answer that question. It is a very complicated piece of legislation, but the permitting process is not being usurped at all. There still will be a review, but by the consideration of this legislation they will look at seasonal needs such as high water and trees washing down the rivers. I would imagine that fish would be a part of that consideration. It does look at seasonal needs.

Representatives Miller and Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6024 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Lewis, McLean - 3.

Substitute Senate Bill No. 6024 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 6631 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6631, by Committee on Financial Institutions & Insurance (originally sponsored by Senators McCaslin and Smitherman)

Requiring that employers offer an alternative to a dental care assistance plan that limits providers.

The bill was read the second time.

Mr. Lux moved adoption of the following amendment by Representatives Lux and Braddock:

On page 2, line 3, after "coverage," insert the following:

"(3) Nothing contained in this section shall relate or apply directly or indirectly to any health care or dental care assistance plan established or maintained by any state, county, or local government agency, political subdivision, or other governmental entity."

POINT OF ORDER

Mr. Padden: I would like a ruling as to scope and object of this amendment.

SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): In reference to your point of order, Representative Padden, it appears that this amendment just limits the rights of dental service. It appears to be in order.

Representatives Lux, Braddock and Barnes spoke in favor of adoption of the amendment, and Representatives Chandler, Bristow, Betzoff, Silver, Padden, Day and Bumgarner opposed it.

Mr. Lux again spoke in favor of adoption of the amendment.

Mr. Crane demanded the previous question, and the demand was sustained.

The amendment was not adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Barnes spoke against passage of the bill, and Representatives Moyer, Chandler, Betzoff, Valle and Bumgarner spoke in favor of it. Mr. Lux again spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6631, and the bill passed the House by the following vote: Yeas, 85; nays, 9; absent, 1; excused, 3.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Betzoff, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Barnes, Belcher, Braddock, Brekke, Cole, Lux, Nelson, Pruitt, Wilson K - 9.

Absent: Representative Sprengle - 1.

Excused: Representatives Hankins, Lewis, McLean - 3.

Substitute Senate Bill No. 6631, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House be at recess until 2:00 p.m. The motion was carried.

AFTERNOON SESSION

The Speaker (Mr. O'Brien presiding) called the House to order at 2:00 p.m. The Clerk called the roll and all members were present except Representatives Basich, P. King, R. King, Lewis, McLean, Schoon and Vekich. Representatives Lewis and McLean were excused.

SENATE BILL NO. 6291, by Senators von Reichbrauer, Bender, Sellar, Johnson and Gaspard; by request of Department of Transportation

Expanding state relocation assistance and realty purchase policies.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Ms. H. Sommers moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. H. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6291 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; absent, 5; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, Kremen, Leonard, Locke, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zöllinsky, and Mr. Speaker - 91.

Absent: Representatives Basich, King P, King R, Schoon, Vekich - 5.

Excused: Representatives Lewis, McLean - 2.

Senate Bill No. 6291 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

MESSAGES FROM THE SENATE

March 3, 1988

Mr. Speaker:

The President has signed:

SENATE BILL NO. 5451,
SECOND SUBSTITUTE SENATE BILL NO. 5720,
SUBSTITUTE SENATE BILL NO. 6200,
SUBSTITUTE SENATE BILL NO. 6350,
SUBSTITUTE SENATE BILL NO. 6402,
SUBSTITUTE SENATE BILL NO. 6462,
SENATE BILL NO. 6600,
SENATE BILL NO. 6667,
SUBSTITUTE SENATE BILL NO. 6736,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

March 3, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1304,
 SUBSTITUTE HOUSE BILL NO. 1339,
 SUBSTITUTE HOUSE BILL NO. 1362,
 SUBSTITUTE HOUSE BILL NO. 1377,
 HOUSE BILL NO. 1693,
 HOUSE BILL NO. 1710,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

Representatives Basich, P. King and R. King appeared at the bar of the House.

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

INTRODUCTION AND FIRST READING

HCR 4446 by Representatives Ebersole and Ballard

Revising the cut-off date for passage of legislation.

MOTIONS

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

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Ebersole, Ballard and Grimm spoke in favor of the resolution, and it was adopted.

The Speaker called on Representative Locke to preside.

SUBSTITUTE SENATE BILL NO. 6294, by Committee on Economic Development & Labor (originally sponsored by Senators Newhouse, Vognild, Lee, Smitherman, Benitz, Saling, Deccio and Warnke; by request of Employment Security Department)

Providing funding for special employer services provided by the employment security department.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.) Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended by Committee on Commerce & Labor.

Mr. Wang moved adoption of the committee amendment.

Mr. Wang moved adoption of the following amendment by Representatives Wang and Patrick to the committee amendment:

On page 2, after line 6 of the amendment, insert the following:

*NEW SECTION. Sec. 3. A new section is added to chapter 50.13 RCW to read as follows:

- (1) If information provided to the department by another governmental agency is held private and confidential by state or federal law, the department may not release the information.
- (2) Information provided to the department by another governmental entity conditioned upon privacy and confidentiality shall be held private and confidential according to the agreement between the department and other governmental agency.
- (3) The department may hold private and confidential information obtained for statistical analysis, research, or study purposes if the information was supplied voluntarily, but conditioned upon maintaining confidentiality of the information.
- (4) Persons requesting disclosure of information held by the department under subsections (1) or (2) of this section shall request such disclosure from the providing agency rather than from the department.

Remember the remaining sections and correct any internal references accordingly.

Representatives Wang and Patrick spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

(b) For the period January 1, 1988, through December 31, 1988, the contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect:

Percent of Cumulative Taxable Payrolls		Rate Class	Schedule of Contribution Rates for Effective Tax Schedule					
From	To		A	B	C	D	E	F
0.00	5.00	1	0.46	0.56	0.96	1.46	1.86	2.46
5.01	10.00	2	0.46	0.76	1.16	1.66	2.06	2.66
10.01	15.00	3	0.56	0.96	1.36	1.76	2.26	2.86
15.01	20.00	4	0.76	1.16	1.56	1.96	2.46	3.06
20.01	25.00	5	0.96	1.36	1.76	2.16	2.66	3.16
25.01	30.00	6	1.16	1.56	1.96	2.36	2.76	3.26
30.01	35.00	7	1.36	1.76	2.16	2.56	2.96	3.36
35.01	40.00	8	1.56	1.96	2.36	2.76	3.16	3.56
40.01	45.00	9	1.76	2.16	2.56	2.96	3.36	3.76
45.01	50.00	10	1.96	2.36	2.76	3.16	3.56	3.96
50.01	55.00	11	2.26	2.56	2.96	3.36	3.76	4.06
55.01	60.00	12	2.46	2.76	3.16	3.56	3.96	4.26
60.01	65.00	13	2.66	2.96	3.36	3.76	4.16	4.46
65.01	70.00	14	2.86	3.16	3.56	3.96	4.36	4.66
70.01	75.00	15	3.06	3.36	3.76	4.16	4.56	4.76
75.01	80.00	16	3.26	3.56	3.96	4.36	4.66	4.86
80.01	85.00	17	3.46	3.76	4.16	4.56	4.86	4.96
85.01	90.00	18	3.86	4.16	4.56	4.86	4.96	5.16
90.01	95.00	19	4.26	4.56	4.96	5.06	5.16	5.36
95.01	100.00	20	5.40	5.40	5.40	5.40	5.40	5.40

(6) Before January 1, 1989, the contribution rate for each employer not qualified to be in the array shall be a rate equal to the average industry tax rate as determined by the commissioner; however, the rate may not be less than one percent: PROVIDED, That employers who do not meet the definition of 'qualified employer' by reason of failure to pay contributions when due shall be assigned the contribution rate of five and four-tenths percent. Assignment of employers by the commissioner to industrial classification, for purposes of this subsection, shall be in accordance with established classification practices found in the 'Standard Industrial Classification Manual' issued by the federal office of management and budget to the third digit provided in the Standard Industrial Classification code.

(7) Beginning January 1, 1989, the contribution rate for each employer not qualified to be in the array shall be as follows:

(a) Employers who do not meet the definition of 'qualified employer' by reason of failure to pay contributions when due shall be assigned the contribution rate of five and four-tenths percent:

(b) The tax rate for employers newly covered under section 8 of this 1988 act and not yet qualified to be in the array shall be one percent; and

(c) For all other employers not qualified to be in the array, the contribution rate shall be a rate equal to the average industry rate as determined by the commissioner; however, the rate may not be less than one percent. Assignment of employers by the commissioner to industrial classification, for purposes of this subsection, shall be in accordance with established classification practices found in the 'Standard Industrial Classification Manual' issued by the federal office of management and budget to the third digit provided in the Standard Industrial Classification code.

NEW SECTION, Sec. 7. A new section is added to chapter 50.24 RCW to read as follows:

A separate and identifiable account to provide for the financing of special employer services provided by the department is established in the administrative contingency fund. The special employer services shall consist of:

- (1) Certification of workers as defined in section 2 of this act;
- (2) Working closely with employers, employer organizations, agricultural workers, and worker organizations to predict agricultural employment supply and demand and to ensure agricultural workers are provided the full range of employment services available; and
- (3) Collection from agricultural workers, growers, worker and grower organizations, and other appropriate sources, and analysis, and dissemination, as needed, of agricultural labor market information for the decision-making process used by employers to hire agricultural workers.

Contributions to this account shall accrue and become payable by each employer, except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, taxable local government employers as described in RCW

50.44.035, and those employers who are required to make payments in lieu of contributions, at the rate of two one-hundredths of one percent. The amount of wages subject to tax shall be determined under RCW 50.24.010.

Contributions under this section shall become due and be paid by each employer under rules as the commissioner may prescribe, and shall not be deducted, in whole or in part, from the remuneration of individuals in the employ of the employer. Any deduction in violation of this section is unlawful.

In the payment of any contribution under this section, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

If the commissioner determines that federal funding has been increased to provide financing for the services described in this section and sections 1 and 2 of this act, or that state funds have been appropriated for such services in the 1988 omnibus appropriations act adopted prior to July 1, 1988, the commissioner shall direct that collection of contributions under this section be decreased or terminated.

Sec. 8. Section 16, chapter 35, Laws of 1945 as last amended by section 2, chapter 292, Laws of 1977 ex. sess. and RCW 50.04.150 are each amended to read as follows:

The term 'employment' shall not include service performed by individuals under eighteen years of age in agricultural labor except as otherwise provided in RCW 50.04.155.

Agricultural labor is defined as services performed:

(1) On a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wild life, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or

(2) In packing, packaging, grading, storing, or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations. The exclusions from the term 'employment' provided in this paragraph shall not be deemed to be applicable with respect to commercial packing houses, commercial storage establishments, commercial canning, commercial freezing, or any other commercial processing or with respect to services performed in connection with the cultivation, raising, harvesting and processing of oysters or raising and harvesting of mushrooms or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

NEW SECTION. Sec. 9. The sum of three million five hundred thousand dollars, or so much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the special employer service account of the administrative contingency fund to the employment security department for the purposes of the special employer services account under section 7 of this act. However, if federal funding is provided or increased to provide for the financing of the services specified in this act, or if the legislature appropriates funds for such services in the 1988 omnibus appropriations act adopted prior to July 1, 1988, the appropriation under this section shall be reduced by the amount that federal funding is increased specifically for such services, or by the amount of such appropriation in the 1988 omnibus appropriations act. This portion of the state appropriation under this section shall be deposited in the unemployment compensation fund.

NEW SECTION. Sec. 10. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. Sections 1 and 2 of this act are each added to chapter 50.12 RCW.

NEW SECTION. Sec. 13. The employment security department shall report on the special employer services described under sections 1, 2 and 7 of this act to the senate economic development and labor committee and the house of representatives commerce and labor committee, or appropriate successor committees, by December 1, 1988. The report shall include a discussion of alternative funding mechanisms.

NEW SECTION. Sec. 14. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except that:

(1) Sections 6 and 7 of this act shall be effective for rate years beginning January 1, 1988, and thereafter; and

(2) Section 8 of this act shall take effect January 1, 1989."

POINT OF ORDER

Mr. Patrick: Thank you, Mr. Speaker. I request a ruling on scope and object.

The Speaker (Mr. Locke presiding): With consent of the House, we will defer further consideration of Substitute Senate Bill No. 6294 while we consider the point of order raised by Mr. Patrick.

Representative Schoon appeared at the bar of the House.

SENATE BILL NO. 6297, by Senators von Reichbauer, Moore, Kreidler and Johnson; by request of Department of Labor and Industries

Revising investment policies for funds of the department of labor and industries.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6297 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Vekich - 1.

Excused: Representatives Lewis, McLean - 2.

Senate Bill No. 6297 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4760, by Representatives Wang and Fisher

WHEREAS, Bethel Schneebeck is an outstanding citizen of the State of Washington; and

WHEREAS, She was named the 1988 Washington State American Mother by the Washington State Association of American Mothers at the state capitol today; and

WHEREAS, One example of the work of the Association has been to originate the celebration of Mothers' Day throughout the United States and to serve as its official sponsor; and

WHEREAS, Bethel Schneebeck has upheld, and continues diligently to uphold, the values of the Association of American Mothers, whose primary objective is to foster the spiritual and moral development of the family and home; and

WHEREAS, Bethel Schneebeck is a most worthy recipient of the Association's award for many reasons, one being that she is a pioneer in establishing Washington State's policy of mainstreaming disabled students, primarily blind students, into public schools; and

WHEREAS, Bethel Schneebeck's youngest son, Tim, was the first blind child to attend a public school in Tacoma, Washington; and

WHEREAS, Washington's policy of mainstreaming which, due to the pioneer efforts of Bethel Schneebeck, has become a model for other states to follow, helps prepare disabled students for life in a world of nondisabled people and helps build their skills and confidence; and

WHEREAS, Bethel Schneebeck has also demonstrated her dedication to family, home and community by her service on the boards of ten nonprofit organizations including the Pantages Theatre, the Tacoma Opera Society, Balletacoma, the Women's League at the University of Puget Sound, Tacoma Community House and others, earning the titles of exemplary homemaker and professional volunteer; and

WHEREAS, She also holds an Honorary Doctorate of Arts and Humanities from the University of Puget Sound; and

WHEREAS, People fortunate enough to be members of Bethel Schneebeck's family include her husband, Edwin; her son, David, an airline Captain and his wife, Lillian; her daughter, Judith, a Physician, and her husband, Peter Bensinger; her son, Tim, owner and operator of refrigerator businesses; and four foster daughters, Gloria Heemink, Maija Culs, Ramona Conway and Alice Alt; and five grandchildren;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognizes the dedication of Bethel Schneebeck and the inspiration she gives to all mothers and to all citizens of our state, and honors her for her many contributions to the spiritual health and wealth of Washington State; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Bethel Schneebeck and to each member of her family.

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

Representative Vekich appeared at the bar of the House.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute Senate Bill No. 6344 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6344, by Committee on Agriculture (originally sponsored Senators Barr, Hansen, Bailey and Anderson; by request of Department of Agriculture)

Revising provisions relating to agriculture.

The bill was read the second time. Committee on Agriculture & Rural Development recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 50th Day, February 29, 1988.) Committee on Ways & Means recommendation: Majority, do pass as amended by Committee on Agriculture & Rural Development.

Ms. Rayburn moved adoption of the committee amendment.

Mr. Bumgarner moved adoption of the following amendment by Representatives Bumgarner, Bristow, Fuhrman, Nealey, K. Wilson, Haugen, Baugher, Smith, Chandler, Sutherland and Rayburn to the committee amendment:

On page 15, after line 28 of the amendment, insert the following:

*Sec. 12, Section 2, chapter 256, Laws of 1961 as last amended by section 15, chapter 203, Laws of 1986 and RCW 15.65.020 are each amended to read as follows:

The following terms are hereby defined:

(1) 'Director' means the director of agriculture of the state of Washington or his duly appointed representative. The phrase 'director or his designee' means the director unless, in the provisions of any marketing agreement or order, he has designated an administrator, board or other designee to act for him in the matter designated, in which case 'director or his designee' means for such order or agreement the administrator, board or other person(s) so designated and not the director.

(2) 'Department' means the department of agriculture of the state of Washington.

(3) 'Marketing order' means an order issued by the director pursuant to this chapter.

(4) 'Marketing agreement' means an agreement entered into and issued by the director pursuant to this chapter.

(5) 'Agricultural commodity' means any ((animal)) lawfully acquired bird or mammal, including those defined in 77.08 RCW which are privately owned and raised in captivity in a confined state unable to roam at will except as provided in 16.24 RCW, or any distinctive type of agricultural, horticultural, viticultural, floricultural, vegetable, or animal product, including, but not limited to, products qualifying as organic food products under chapter 15.86 RCW and private sector cultured aquatic products as defined in RCW 15.85.020 and other fish and fish products, either in its natural or processed state, including bees and honey and Christmas trees but not including timber or timber products. The director is hereby authorized to determine (on the basis of common usage and practice) what kinds, types or sub-types should be classed together as an agricultural commodity for the purposes of this chapter.

(6) 'Production area' and 'marketing area' means any area defined as such in any marketing order or agreement in accordance with RCW 15.65.350. 'Affected area' means the marketing or production area so defined in such order, agreement or proposal.

(7) 'Unit' of an agricultural commodity means a unit of volume, weight, quantity, or other measure in which such commodity is commonly measured. The director shall designate in each marketing order and agreement the unit to be used therein.

(8) 'Affected unit' means in the case of marketing agreements and orders drawn on the basis of a production area, any unit of the commodity specified in or covered by such agreement or order which is produced in such area and sold or marketed or delivered for sale or marketing; and 'affected unit' means, in the case of marketing agreements and orders drawn on the basis of marketing area, any unit of the commodity specified in or covered by such agreement or order which is stored in frozen condition or sold or marketed or delivered for sale or marketing within such marketing area: PROVIDED, That in the case of marketing agreements 'affected unit' shall include only those units which are produced by producers or handled by handlers who have assented to such agreement.

(9) 'Affected commodity' means that part or portion of any agricultural commodity which is covered by or forms the subject matter of any marketing agreement or order or proposal, and includes all affected units thereof as herein defined and no others.

(10) 'Producer' means any person engaged in the business of producing any agricultural commodity for market in commercial quantities. 'Affected producer' means any producer of an affected commodity. 'To produce' means to act as a producer. For the purposes of RCW 15.65.140 and 15.65.160 as now or hereafter amended 'producer' shall include bailees who contract to produce or grow any agricultural product on behalf of a bailor who retains title to the seed and its resulting agricultural product or the agricultural product delivered for further production or increase.

(11) 'Handler' means any person who acts, either as principal, agent or otherwise, in processing, selling, marketing or distributing an agricultural commodity or storage of a frozen agricultural commodity which was not produced by him. 'Handler' does not mean a common carrier used to transport an agricultural commodity. 'Affected handler' means any handler of an affected commodity. 'To handle' means to act as a handler.

(12) 'Producer-handler' means any person who acts both as a producer and as a handler with respect to any agricultural commodity. A producer-handler shall be deemed to be a producer with respect to the agricultural commodities which he produces, and a handler with respect to the agricultural commodities which he handles, including those produced by himself.

(13) 'Cooperative association' means any incorporated or unincorporated association of producers which conforms to the qualifications set out in the act of congress of the United States of February 18, 1922 as amended, known as the 'Capper-Volstead Act' and which is engaged in making collective sales or in marketing any agricultural commodity or product thereof or in rendering service for or advancing the interests of the producers of such commodity on a non-profit cooperative basis.

(14) 'Member of a cooperative association' means any producer who markets his product through such cooperative association and who is a voting stockholder or has a vote in the control of or is a party to a marketing agreement with such cooperative association with respect to such product.

(15) 'Producer marketing' or 'marketed by producers' means any or all operations performed by any producer or cooperative association of producers in preparing for market and marketing, and shall include: (a) selling any agricultural commodity produced by such producer(s) to any handler; (b) delivering any such commodity or otherwise disposing of it for commercial purposes to or through any handler.

(16) 'Commercial quantities' as applied to producers and/or production means such quantities per year (or other period of time) of an agricultural commodity as the director finds are not less than the minimum which a prudent man engaged in agricultural production

would produce for the purpose of making such quantity of such commodity a substantial contribution to the economic operation of the farm on which such commodity is produced. 'Commercial quantities' as applied to handlers and/or handling means such quantities per year (or other period of time) of an agricultural commodity or product thereof as the director finds are not less than the minimum which a prudent man engaged in such handling would handle for the purpose of making such quantity a substantial contribution to the handling operation in which such commodity or product thereof is so handled. In either case the director may in his discretion: (a) determine that substantial quantity is any amount above zero; and (b) apply the quantity so determined on a uniform rule applicable alike to all persons which he finds to be similarly situated.

(17) 'Commodity board' means any board established pursuant to RCW 15.65.220. 'Board' means any such commodity board unless a different board is expressly specified.

(18) 'Sell' includes offer for sale, expose for sale, have in possession for sale, exchange, barter or trade.

(19) 'Section' means a section of this chapter unless some other statute is specifically mentioned. The present includes the past and future tenses, and the past or future the present. The masculine gender includes the feminine and neuter. The singular number includes the plural and the plural includes the singular.

(20) 'Represented in a referendum' means that a written document evidencing approval or assent or disapproval or dissent is duly and timely filed with or mailed to the director by or on behalf of an affected producer and/or a volume of production of the affected commodity in a form which the director finds meets the requirement of this chapter.

(21) 'Person' as used in this chapter shall mean any person, firm, association or corporation.

Sec. 13. Section 15.66.010, chapter 11, Laws of 1961 as last amended by section 16, chapter 203, Laws of 1986 and RCW 15.66.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Director' means the director of agriculture of the state of Washington or any qualified person or persons designated by the director of agriculture to act for him concerning some matter under this chapter.

(2) 'Department' means the department of agriculture of the state of Washington.

(3) 'Marketing order' means an order issued by the director pursuant to this chapter.

(4) 'Agricultural commodity' means any ~~((animal))~~ lawfully acquired bird or mammal, including those defined in 77.08 RCW which are privately owned and raised in captivity in a confined state unable to roam at will except as provided in 16.24 RCW, or any distinctive type of agricultural, horticultural, viticultural, vegetable, and/or animal product, including, but not limited to, products qualifying as organic food products under chapter 15.86 RCW and private sector cultured aquatic products as defined in RCW 15.85.020 and other fish and fish products, within its natural or processed state, including bees and honey and Christmas trees but not including timber or timber products. The director is authorized to determine what kinds, types or sub-types should be classed together as an agricultural commodity for the purposes of this chapter.

(5) 'Producer' means any person engaged in the business of producing or causing to be produced for market in commercial quantities any agricultural commodity. For the purposes of RCW 15.66.060, 15.66.090 and 15.66.120, as now or hereafter amended 'producer' shall include bailees who contract to produce or grow any agricultural product on behalf of a bailor who retains title to the seed and its resulting agricultural product or the agricultural product delivered for further production or increase.

(6) 'Affected producer' means any producer of an affected commodity.

(7) 'Affected commodity' means any agricultural commodity for which the director has established a list of producers pursuant to RCW 15.66.060.

(8) 'Commodity commission' or 'commission' means a commission formed to carry out the purposes of this chapter under a particular marketing order concerning an affected commodity.

(9) 'Unit' means a unit of volume, quantity or other measure in which an agricultural commodity is commonly measured.

(10) 'Unfair trade practice' means any practice which is unlawful or prohibited under the laws of the state of Washington including but not limited to Titles 15, 16 and 69 RCW and chapters 9.16, 19.77, 19.80, 19.84, and 19.83 RCW, or any practice, whether concerning interstate or intrastate commerce that is unlawful under the provisions of the act of Congress of the United States, September 26, 1914, chapter 311, section 5, 38 U.S. Statutes at Large 719 as amended, known as the 'Federal Trade Commission Act of 1914', or the violation of or failure accurately to label as to grades and standards in accordance with any lawfully established grades or standards or labels.

(11) 'Person' includes any individual, firm, corporation, trust, association, partnership, society, or any other organization of individuals.

(12) 'Cooperative association' means any incorporated or unincorporated association of producers which conforms to the qualifications set out in the act of congress of the United States

of February 18, 1922, chapter 57, sections 1 and 2, 42 U.S. Statutes at Large 388 as amended, known as the 'Capper-Volstead Act' and which is engaged in making collective sales or in marketing any agricultural commodity or product thereof or in rendering service for or advancing the interests of the producers of such commodity on a nonprofit cooperative basis.

(13) 'Member of a cooperative association' or 'member' means any producer of an agricultural commodity who markets his product through such cooperative association and who is a voting stockholder of or has a vote in the control of or is under a marketing agreement with such cooperative association with respect to such product."

Renumber subsequent sections accordingly.

Representatives Bumgarner and Nealey spoke in favor of adoption of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Bumgarner yielded to question by Ms. Cole.

Ms. Cole: Representative Bumgarner, I just saw this. It just came to my desk. Does this deal with wildlife?

Mr. Bumgarner: Representative Cole, wildlife are defined as wild-ranging, non-confined animals. This would not apply to those animals. It would only apply to privately-owned, confined animals that are not able to roam freely.

Ms. Cole: Is this the same substance as a bill that we had in Natural Resources that related to wildlife?

Mr. Bumgarner: Thank you, Representative Cole. This is only a portion of the subject considered in the Natural Resources Committee.

Ms. Cole spoke against adoption of the amendment to the committee amendment.

ANNOUNCEMENT BY THE SPEAKER

The Speaker (Mr. Locke presiding) announced that further consideration of Engrossed Substitute Senate Bill No. 6344 would be deferred and that the bill would hold its place on the second reading calendar.

SENATE BILL NO. 6412, by Senators von Reichbauer and Moore

Providing for the publication of the maximum interest rate that may be charged on retail installment contracts for the purchase of motor vehicles.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6412, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Lewis, McLean - 2.

Senate Bill No. 6412, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6433, by Committee on Financial Institutions & Insurance (originally sponsored by Senators Rinehart, Johnson, Moore, Deccio and von Reichbauer)

Requiring health care insurance coverage for the food supplements necessary for the treatment of phenylketonuria.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux, May and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6433, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Sommers D., Sommers H., Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Lewis, McLean - 2.

Engrossed Substitute Senate Bill No. 6433, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6452, by Committee on Education (originally sponsored by Senators Rinehart, Bailey and Lee)

Providing for the study of American sign language to meet foreign language graduation requirements.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. Spanel moved adoption of the committee amendments. Representatives Spanel, Peery and Betrozoff spoke in favor of adoption of the committee amendments, and Mr. Barnes opposed them. The committee amendments were adopted.

Mr. Barnes moved adoption of the following amendment by Representatives Barnes, Betrozoff, Peery and Jacobsen:

On page 3, line 30, after "as" strike "an" and insert "a general undergraduate"

Mr. Barnes spoke in favor of adoption of the amendment, and it was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust, Fuhrman and Lux spoke in favor of passage of the bill, and Representatives Barnes and Schoon opposed it. Mr. Barnes again spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6452 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent, 1; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C., Sommers D., Sommers H., Spanel,

Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Allen, Barnes, Holland, Schoon - 4.

Absent: Representative Bumgarner - 1.

Excused: Representatives Lewis, McLean - 2.

Substitute Senate Bill No. 6452 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 6195 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6195, by Committee on Environment & Natural Resources (originally sponsored by Senators Vognild, Metcalf, Rasmussen, Conner, DeJarnatt, Deccio, Garrett, Madsen, Hansen and Halsan)

Establishing civil and criminal liability for hindering logging activities.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Sutherland moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove, Vekich, Rasmussen, Doty, Amondson, Chandler, Butterfield, Schoon, Hankins, Padden, Smith, Basich, Baugher, Grant and Jesernig:

On page 1, after line 26, insert the following subsection:

"(5) Any person who intentionally tries to limit the logging of old growth whether through direct or administrative means."

Renumber the remaining sections accordingly.

POINT OF ORDER

Ms. Rust: I would like to ask the Speaker to give us a scope and object ruling on this amendment.

With consent of the House, Mr. Hargrove withdrew the amendment.

POINT OF PERSONAL PRIVILEGE

Mr. Hargrove: Thank you, Mr. Speaker. The reason I introduced this amendment, that has now been withdrawn, is to bring to your attention an action that our forest board has currently taken. Recently we have decided to delay selling thirty-eight sales of old growth timber on the Olympic Peninsula. These particular sales are worth close to sixty million dollars at a time....

POINT OF ORDER

Mr. Sayan: I don't believe we are interested in a third reading speech on a withdrawn amendment.

The Speaker (Mr. Locke presiding): Representative Hargrove, the Speaker will allow a great deal of latitude on expressing a point of personal privilege, but you began your remarks by indicating the reasons for withdrawing your amendment and I ask that you confine your remarks to that point with some latitude.

POINT OF PERSONAL PRIVILEGE

Mr. Hargrove: Thank you, Mr. Speaker. I withdrew my amendment because I didn't feel that we ought to throw the Governor and the SPI and those people in jail. However, I am still concerned with the fact that sixty million dollars worth of timber will not be cut now, and we have a three hundred million dollar shortfall in the public school construction account.

The Speaker (Mr. Locke presiding): Excuse me, Representative Hargrove. The Speaker has allowed you a great deal of latitude and the Speaker finds that you are now exceeding that latitude and that this is no longer a point of personal privilege.

POINT OF PERSONAL PRIVILEGE

Mr. Amondson: Mr. Speaker, if I may, I would like to comment on the amendment that was withdrawn.

The Speaker (Mr. Locke presiding): Representative Amondson, since the amendment has been withdrawn, the Speaker finds that there is no further discussion of that amendment and that a point of personal privilege would not be in order nor any further comments.

POINT OF INFORMATION

Mr. Padden: I am trying to understand the Speaker's ruling. On one hand he allowed the gentleman from the 24th district to speak on a point of personal privilege regarding the amendment—in fact, indicated that he should restrict his remarks to why the amendment was withdrawn—and yet when the gentleman from the 20th district rose on a point of personal privilege on the same matter, the Speaker did not allow it. It would appear that the Speaker's ruling could be arbitrary and capricious. I want to inquire further as to what the rationale was and see if the Speaker would reconsider that ruling, since the gentleman from the 24th district was granted some latitude.

The Speaker (Mr. Locke presiding): Representative Padden, Representative Hargrove rose to make a point of personal privilege to explain why he was withdrawing the amendment. Since he was withdrawing the amendment, the Speaker allowed him limited latitude. When he began to exceed that latitude, Representative Hargrove was found to be out of order and no further discussion was allowed. I think the Speaker has ruled consistently and is not arbitrary and capricious.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Amondson, Hargrove and Schoon spoke in favor of passage of the bill.

The Speaker (Mr. Locke presiding) called on Representative O'Brien to preside.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6195 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Lewis, McLean - 2.

Substitute Senate Bill No. 6195 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Senate Bill No. 6519 on second reading. The motion was carried.

ENGROSSED SENATE BILL NO. 6519, by Senators Anderson, Smitherman, Deccio, Rasmussen, Hayner, Conner, Zimmerman, Craswell, Gaspard, Wojahn, Stratton, Johnson, Kiskaddon, von Reichbauer and Garrett

Changing provisions relating to the method of determining the depreciation base of certain nursing homes.

The bill was read the second time. Committee on Ways & Means/Appropriations recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 50th Day, February 29, 1988.)

Mr. Locke moved adoption of the committee amendment on page 1, line 11, and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke, Padden and Kremen spoke in favor of passage of the bill, and Mr. Locke opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6519 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 4; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D. Sommers H. Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B. Wilson K. Wilson S. Wineberry, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Barnes, Locke, Williams J. Winsley - 4.

Excused: Representatives Lewis, McLean - 2.

Engrossed Senate Bill No. 6519 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute Senate Bill No. 6160 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6160, by Committee on Education (originally sponsored by Senator Bailey)

Providing baccalaureate and masters degree equivalencies for certification of vocational instructors.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Peery moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

On motion of Mr. Peery, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Spanel and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6160 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Lewis, McLean - 2.

Engrossed Substitute Senate Bill No. 6160 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House immediately consider Senate Bill No. 6397 on second reading. The motion was carried.

SENATE BILL NO. 6397, by Senators Barr and Rasmussen

Revising provisions relating to forest fires.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Sutherland moved adoption of the committee amendment.

Ms. K. Wilson moved adoption of the following amendments by Representatives K. Wilson and Sutherland to the committee amendment:

On page 2, line 34 of the amendment, after "zone" insert "established by mutual agreement of the department and a rural fire district or a municipal fire district"

On page 3, line 15 of the amendment, after "land" strike all material through "established" on line 16 and insert "located where fire protection responsibility has not been mutually agreed upon as provided in section 2(2)"

Ms. K. Wilson spoke in favor of adoption of the amendments to the committee amendment, and they were adopted.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland and Meyers to the committee amendment:

On page 10, after line 15 of the committee amendment, strike all material through "elements." on page 12, line 3.

Mr. Sutherland spoke in favor of adoption of the amendment to the committee amendment and it was adopted.

With consent of the House, the following amendment to the committee amendment to the title was adopted:

On page 12, line 10 of the committee amendment to the title, after "76.04.610," strike "76.04.750, and 36.70.330" and insert "and 76.04.750"

With consent of the House, the committee amendment as amended to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6397 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden,

Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Velich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Belcher - 1.

Excused: Representatives Lewis, McLean - 2.

Senate Bill No. 6397 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

If I had been present on Friday, March 4, 1988, I would have cast a "Yes" vote on final passage of the following bills: SSB 6238 as amended by the House, SB 6271 as amended by the House, SSB 6290, SSB 6024 as amended by the House, and SSB 6631.

SHIRLEY HANKINS, 8th District.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Saturday, March 5, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Saturday, March 5, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Dellwo, Hankins, P. King, Lux, McLean, Todd, Vekich and Wineberry. Representatives Allen, Dellwo, Hankins, McLean, Todd and Vekich were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tara Angell and James Guarre. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

MESSAGE FROM THE SENATE

March 4, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 46,
 HOUSE BILL NO. 280,
 HOUSE BILL NO. 1300,
 HOUSE BILL NO. 1330,
 SUBSTITUTE HOUSE BILL NO. 1336,
 HOUSE BILL NO. 1354,
 HOUSE BILL NO. 1361,
 SUBSTITUTE HOUSE BILL NO. 1370,
 SUBSTITUTE HOUSE BILL NO. 1392,
 HOUSE BILL NO. 1401,
 HOUSE BILL NO. 1470,
 SUBSTITUTE HOUSE BILL NO. 1472,
 SUBSTITUTE HOUSE BILL NO. 1473,
 HOUSE BILL NO. 1504,
 HOUSE BILL NO. 1514,
 HOUSE BILL NO. 1531,
 HOUSE BILL NO. 1581,
 SUBSTITUTE HOUSE BILL NO. 1672,
 HOUSE BILL NO. 1760,
 SUBSTITUTE HOUSE BILL NO. 1862,
 HOUSE JOINT RESOLUTION NO. 4222.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

Representatives Lux, Vekich and Wineberry appeared at the bar of the House.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute Senate Bill No. 6446 on second reading. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6446, by Committee on Environment & Natural Resources (originally sponsored by Senators Rinehart, Bluechel, Kreidler, Garrett, Gaspard and Lee)

Encouraging state purchasing of recovered materials.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Ms. Rust moved adoption of the committee amendment. Ms. Rust spoke in favor of adoption of the committee amendment, and Mr. Padden opposed it. The committee amendment was adopted.

Ms. Walker moved adoption of the following amendment by Representatives Walker and Rust:

On page 3, line 5, after "Requiring a" insert "written"

Ms. Walker spoke in favor of adoption of the amendment, and it was adopted.

Mr. Pruitt moved adoption of the following amendment by Representatives Pruitt and Walker:

On page 3, line 7, after "range" strike "shall" and insert "may"

Mr. Pruitt spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Schoon.

Mr. Schoon: Representative Pruitt, in the event that the range may be stated in fifteen percent increments--fifteen percent is a substantial amount. If we put it in variable, will GSA then in their responses receive from people bidding very vague quantities? In other words, with the language in the bill as it is, that it shall be stated in fifteen percent increments, we know that it will be 0-15, 15-30, 30-45. How do you envision changing it to "may"--what kind of increments would GSA then come up with?

Mr. Pruitt: Representative Schoon, the intent of the amendment is really to give GSA the authority to be flexible in what range they do set up relating to any given product.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt, Schoon, Walker and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6446 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representative Padden - 1.

Absent: Representative King P - 1.

Excused: Representatives Allen, Dellwo, Hankins, McLean, Todd - 5.

Engrossed Substitute Senate Bill No. 6446 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8027, by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Owen, Smith and Bailey)

Urging the reduction of plastic wastes in the Pacific Ocean.

The memorial was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Rust, Vekich, Schoon, Valle, Walker, May and Lux spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Joint Memorial No. 8027, and the memorial passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative King P - 1.

Excused: Representatives Allen, Dellwo, Hankins, McLean, Todd - 5.

Substitute Senate Joint Memorial No. 8027, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Senate Bill No. 6647 on second reading. The motion was carried.

ENGROSSED SENATE BILL NO. 6647, by Senators Metcalf, Rasmussen, Conner, Barr, Owen, Nelson, Zimmerman, von Reichbauer, Vognild, Anderson, DeJarnatt, McMullen, Craswell, Kreidler and Bauer

Requiring a plan to increase salmon production one hundred percent by the year 2000.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. K. Wilson moved adoption of the committee amendment on page 1, line 17 and spoke in favor of it. The committee amendment was adopted.

Ms. K. Wilson moved adoption of the committee amendment on page 2, line 17 and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives K. Wilson and S. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6647 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D,

Sommers H. Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative King P - 1.

Excused: Representatives Allen, Dellwo, Hankins, McLean, Todd - 5.

Engrossed Senate Bill No. 6447 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4752, by Representatives Padden, Hine, Chandler, D. Sommers, Butterfield and Nutley

WHEREAS, The Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., was officially organized on April 11, 1938 in Tulsa, Oklahoma by O.C. Cash and Rupert Hall; and

WHEREAS, The Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., is celebrating its Fiftieth Anniversary in 1988; and

WHEREAS, The Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., has been dedicated to the spread of sweet harmony for the enjoyment of the people of North America this past half-century through organizing and encouraging close harmony singing groups and quartets; and

WHEREAS, The Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., has actively preserved and presented a distinctly American style of vocal music, which originated in our country in 1840; and

WHEREAS, The Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., is an international organization which embodies 36,853 men from 819 chapters in the United States and Canada and which fosters barber shop singing in Europe and Australia; and

WHEREAS, There are presently eighteen chapters of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., organized and active within the State of Washington; and

WHEREAS, The barbershop harmony singers in the State of Washington are engaged in laudable civic service and enrichment of our cultural life through the fostering of traditional values in entertainment and community endeavors;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington congratulate and commend the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., for fifty years of service, and extend its best wishes to the Society for continued prosperity and dedication in its second fifty years; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives of the State of Washington to the Chapter President of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc.

Mr. Padden moved adoption of the resolution. Representatives Padden, D. Sommers, Moyer and Butterfield spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced "The Round Trip Ticket", a barber shop quartet from the Olympia Chapter of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America. Lead, Lowell Franca; tenor, Bob Beatty; baritone, Chuck Miller and bass, John Oliver performed selections for the members of the House of Representatives.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Dellwo, P. King and Todd appeared at the bar of the House, and Representatives Jacobsen and Unsoeld were excused.

MOTION

Mr. Ebersole moved that the House immediately consider the bills listed on the concurrence calendar. The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1482 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that many persons under the age of eighteen unlawfully use intoxicating liquor and controlled substances. The use of these substances by juveniles can cause serious damage to their physical, mental, and emotional well-being, and in some instances results in life-long disabilities.

The legislature also finds that juveniles who unlawfully use alcohol and controlled substances frequently operate motor vehicles while under the influence of and impaired by alcohol or drugs. Juveniles who use these substances often have seriously impaired judgment and motor skills and pose an unduly high risk of causing injury or death to themselves or other persons on the public highways.

The legislature also finds that juveniles will be deterred from the unlawful use of alcohol and controlled substances if their driving privileges are suspended or revoked for using illegal drugs or alcohol.

NEW SECTION, Sec. 2. A new section is added to chapter 13.40 RCW to read as follows:

(1) (a) If a juvenile under eighteen years of age, but thirteen or over, is found by juvenile court to have committed an offense that is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the court shall notify the department of licensing within twenty-four hours after entry of the judgment.

(b) Except as otherwise provided in (c) of this subsection, a court, upon petition of a juvenile who has been found by the court to have committed an offense that is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, may at any time the court deems appropriate notify the department of licensing that the juvenile's driving privileges should be reinstated.

(c) The court shall not notify the department that the juvenile's driving privileges should be reinstated for a period of ninety days after the entry of the judgment if it is the first order issued with respect to the juvenile under section 7 of this act, or for a period of one year after the issuance of the order if it is the second or subsequent such order issued with respect to the juvenile.

(2) (a) If a juvenile enters into a diversion agreement with a diversion unit pursuant to RCW 13.40.080 concerning an offense that is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the diversion unit shall notify the department of licensing within twenty-four hours after the diversion agreement is signed.

(b) If a diversion unit has notified the department pursuant to (a) of this subsection, the diversion unit shall notify the department of licensing when the juvenile has completed the agreement.

NEW SECTION, Sec. 3. A new section is added to chapter 66.44 RCW to read as follows:

(1) If a juvenile under eighteen years of age, but thirteen or over, is found by a court to have committed any offense that is a violation of this chapter, the court shall notify the department of licensing within twenty-four hours after entry of the judgment.

(2) Except as otherwise provided in subsection (3) of this section, the court, upon petition of a juvenile who has been found by the court to have committed an offense that is a violation of this chapter, may notify the department of licensing that the juvenile's privilege to drive should be reinstated.

(3) The court shall not notify the department that the juvenile's driving privileges should be reinstated for a period of ninety days after the entry of the judgment if it is the first revocation with respect to the juvenile under this section or section 7 of this act, or for a period of one year after the issuance of the order if it is the second or subsequent such revocation issued with respect to the juvenile.

NEW SECTION, Sec. 4. A new section is added to chapter 69.41 RCW to read as follows:

(1) If a juvenile under eighteen years of age, but thirteen or over, is found by a court to have committed any offense that is a violation of this chapter, the court shall notify the department of licensing within twenty-four hours after entry of the judgment.

(2) Except as otherwise provided in subsection (3) of this section, the court, upon petition of a juvenile who has been found by the court to have committed an offense that is a violation of this chapter, may notify the department of licensing that the juvenile's privilege to drive should be reinstated.

(3) The court shall not notify the department that the juvenile's driving privileges should be reinstated for a period of ninety days after the entry of the judgment if it is the first revocation with respect to the juvenile under this section or section 7 of this act, or for a period of one year after the issuance of the order if it is the second or subsequent such revocation issued with respect to the juvenile.

NEW SECTION, Sec. 5. A new section is added to chapter 69.50 RCW to read as follows:

(1) If a juvenile under eighteen years of age, but thirteen or over, is found by a court to have committed any offense that is a violation of this chapter, the court shall notify the department of licensing within twenty-four hours after entry of the judgment.

(2) Except as otherwise provided in subsection (3) of this section, the court, upon petition of a juvenile who has been found by the court to have committed an offense that is a violation of this chapter, may at any time the court deems appropriate notify the department of licensing to reinstate the juvenile's privilege to drive.

(3) The court shall not notify the department that the juvenile's privilege to drive should be reinstated for a period of ninety days after the entry of the judgment if it is the first revocation issued with respect to the juvenile under this section or section 7 of this act, or for a period of one year after the entry of the judgment if it is the second or subsequent such revocation issued with respect to the juvenile.

NEW SECTION, Sec. 6. A new section is added to chapter 69.52 RCW to read as follows:

(1) If a juvenile under eighteen years of age, but thirteen or over, is found by a court to have committed any offense that is a violation of this chapter, the court shall notify the department of licensing within twenty-four hours after entry of the judgment.

(2) Except as otherwise provided in subsection (3) of this section, the court, upon petition of a juvenile who has been found by the court to have committed an offense that is a violation of this chapter, may at any time the court deems appropriate notify the department of licensing to reinstate the juvenile's privilege to drive.

(3) The court shall not notify the department that the juvenile's privilege to drive should be reinstated for a period of ninety days after the entry of the judgment if it is the first revocation issued with respect to the juvenile under this section or section 7 of this act, or for a period of one year after the entry of the judgment if it is the second or subsequent such revocation issued with respect to the juvenile.

NEW SECTION, Sec. 7. A new section is added to chapter 46.20 RCW to read as follows:

(1) In addition to any other authority to revoke driving privileges under this chapter, the department shall revoke all driving privileges of a juvenile when the department receives notice from a court pursuant to section 2, 3, 4, 5, or 6 of this act or from a diversion unit pursuant to section 2 of this act. The revocation shall be imposed without hearing.

(2) The driving privileges of the juvenile revoked under subsection (1) of this section shall be revoked in the following manner:

(a) Upon receipt of the first notice, the department shall impose a revocation for one year, or until the juvenile reaches seventeen years of age, whichever is longer.

(b) Upon receipt of a second or subsequent notice, the department shall impose a revocation for one year or until the juvenile reaches eighteen years of age, whichever is longer.

(3) If the department receives notice from a court that the juvenile's privilege to drive should be reinstated, the department shall immediately reinstate any driving privileges that have been revoked under this section.

(4) If the department receives notice pursuant to section 2(2)(b) of this act from a diversion unit that a juvenile has completed a diversion agreement for which the juvenile's driving privileges were revoked, the department shall reinstate any driving privileges revoked under this section. The department shall not reinstate driving privileges earlier than ninety days after the date the juvenile entered into a diversion agreement for the first violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW and not earlier than one year after the date the juvenile entered into a diversion agreement for a second or subsequent violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW.

Sec. 8. Section 46.04.480, chapter 12, Laws of 1961 as last amended by section 1, chapter 407, Laws of 1985 and RCW 46.04.480 are each amended to read as follows:

'Revoke,' in all its forms, means the invalidation for a period of one calendar year and thereafter until reissue: PROVIDED, That under the provisions of RCW 46.20.285, 46.20.311, section 7 of this act, or 46.61.515 and chapter 46.65 RCW the invalidation may last for a period other than one calendar year.

Sec. 9. Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 1, chapter 211, Laws of 1985 and by section 4, chapter 407, Laws of 1985 and RCW 46.20.311 are each reenacted and amended to read as follows:

(1) The department shall not suspend a driver's license or privilege to drive a motor vehicle on the public highways for a fixed period of more than one year, except as permitted under RCW 46.20.342 or 46.61.515. Whenever the license of any person is suspended by reason of a conviction, a finding that a traffic infraction has been committed, pursuant to chapter 46.29 RCW, or pursuant to RCW 46.20.291, the suspension shall remain in effect and the department shall not issue to the person any new, duplicate, or renewal license until the person pays a

reinstatement fee of twenty dollars and gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504, the reinstatement fee shall be fifty dollars.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (a) After the expiration of one year from the date on which the revoked license was surrendered to and received by the department; (b) after the expiration of the applicable revocation period provided by RCW 46.61.515(3) (b) or (c); (c) after the expiration of two years for persons convicted of vehicular homicide; (d) after the expiration of one year in cases of revocation for the first refusal within five years to submit to a chemical test under RCW 46.20.308; ~~((or))~~ (e) after the expiration of two years in cases of revocation for the second refusal within five years to submit to a chemical test under RCW 46.20.308; or (f) after the expiration of the applicable revocation period provided by section 7 of this act. After the expiration of the appropriate period, the person may make application for a new license as provided by law together with a reinstatement fee in the amount of twenty dollars, but if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reinstatement fee shall be fifty dollars. Except for a revocation under section 7 of this act, the department shall not then issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. For a revocation under section 7 of this act, the department shall not issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant that person the privilege of driving a motor vehicle on the public highways. A resident without a license or permit whose license or permit was revoked under RCW 46.20.308(6) shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(3) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020, the suspension shall remain in effect and the department shall not issue to the person any new or renewal license until the person pays a reinstatement fee of twenty dollars. If the suspension is the result of a violation of the laws of another state, province, or other jurisdiction involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, the reinstatement fee shall be fifty dollars.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

In line 1 of the title, after "juveniles;" strike the remainder of the title and insert "amending RCW 46.04.480; reenacting and amending RCW 46.20.311; adding a new section to chapter 13.40 RCW; adding a new section to chapter 66.44 RCW; adding a new section to chapter 69.41 RCW; adding a new section to chapter 69.50 RCW; adding a new section to chapter 69.52 RCW; adding a new section to chapter 46.20 RCW; creating a new section; and prescribing penalties."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to House Bill No. 1482.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1482 as amended by the Senate.

Mr. Vekich spoke against passage of the bill, and Ms. Rasmussen spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1482 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 3; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen,

Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Nelson, Vekich, Walk - 3.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

House Bill No. 1482 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 254 with the following amendments:

On page 1, after line 3, insert the following:

"Sec. 1. Section 2, chapter 121, Laws of 1965 ex. sess. as last amended by section 2, chapter 302, Laws of 1985 and RCW 46.20.021 are each amended to read as follows:

(1) No person, except as expressly exempted by this chapter, may drive any motor vehicle upon a highway in this state unless the person has a valid driver's license issued under the provisions of this chapter. A violation of this subsection is a misdemeanor and is a lesser included offense within the offenses described in RCW 46.20.342(1), 46.20.416, 46.20.420, and 46.65.090.

(2) No person shall receive a driver's license unless and until he or she surrenders to the department all valid driver's licenses in his or her possession issued to him or her by any other jurisdiction. ~~((All surrendered licenses shall be returned by))~~ The department shall establish a procedure to invalidate the surrendered photograph license and return it to the person. The invalidated license, along with the valid temporary Washington driver's license provided for in RCW 46.20.055(3), shall be accepted as proper identification. The department ((to)) shall notify the issuing department ((together with information)) that the licensee is now licensed in a new jurisdiction. No person shall be permitted to have more than one valid driver's license at any time.

(3) Any person licensed as a driver under this chapter may exercise the privilege thereby granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board, or body having authority to adopt local police regulations."

Renumber the section following consecutively.

On line 1 of the title, after "RCW" insert "46.20.021 and" and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendments to Engrossed House Bill No. 254.

Ms. Schmidt spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 254 as amended by the Senate.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 254 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk,

Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Engrossed House Bill No. 254 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 24, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 537 with the following amendment:

On page 1, line 16, after "San Juan," insert "Skagit," and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendment to Engrossed Second Substitute House Bill No. 537.

Ms. Schmidt spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 537 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 537 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 6; excused, 5.

Voting yea: Representatives Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Spanel, Sprengle, Sutherland, Taylor, Todd, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Anderson, Cole, Fisher, Heavey, Sommers H, Vekich - 6.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Engrossed Second Substitute House Bill No. 537 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 668 with the following amendments:

On page 1, line 11, after "anesthesia" insert "by persons licensed under this chapter"

On page 1, strike everything after line 13

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Engrossed House Bill No. 668. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 668 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 668 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsold - 5.

Engrossed House Bill No. 668 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 932 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Persons receiving public assistance, particularly families, frequently have great difficulty obtaining adequate housing. The department of social and health services is directed to conduct a pilot program designed to show whether the supply of housing for persons on public assistance would increase if the department made rental payments directly to landlords.

(2) The department shall solicit not fewer than three nor more than seven local governing bodies for participation in the pilot program. In implementing this program the department shall:

(a) Provide a written statement notifying the recipient of public assistance that the landlord may not legally require direct payment from the department;

(b) Upon written request of the recipient pay to the recipient's landlord as defined in RCW 59.18.030, through the local governing body, that portion that equals ninety percent of the monthly public assistance grant which is allocated for rent in the department's payment standard under RCW 74.04.770 or ninety percent of the rent, whichever is less. No direct payment shall be made for rent of premises with respect to which the landlord is not in compliance with RCW 59.18.060;

(c) Promptly terminate such payments to the landlord upon the recipient's written request, provided that the recipient gives written notice of termination of direct payments to the landlord and the local governing body;

(d) Enter into an agreement with the local governing bodies selected to participate in the pilot program for the direct payment of rent to landlords.

(3) The local governing bodies selected to participate in the pilot program shall:

(a) Administer the pilot program using existing housing assistance providers, where appropriate;

(b) Charge the landlord a monthly fee of two dollars to cover the cost of administering each direct payment made under this section, which fee shall not be charged to the tenant;

(c) Charge the landlord a fee, up to fifty dollars, to cover the cost of inspecting and certifying that the housing unit is in compliance with the housing quality standards used for the United States department of housing and urban development, section eight existing housing program.

(4) The landlords participating in the pilot program shall mail to the secretary and the local governing body, by certified mail, a copy of any notice served upon the tenant under RCW 59.12.030 or 59.18.200 which terminates the tenancy. The notice, when mailed to the secretary and the local governing body, shall constitute the landlord's request that the secretary and local governing body cease making direct payments of rent to the landlord.

(5) No recipient of public assistance shall be liable to the department of social and health services for any amount incorrectly paid to a landlord under this section. The department shall recover such overpayment from the landlord under RCW 74.04.700.

(6) The department of social and health services shall adopt rules under chapter 34.04 RCW regarding the pilot program.

(7) The secretary may include in the department's annual report to the governor and the legislature a summary of the progress and status of the pilot program. The summary shall include but need not be limited to the results of the individual projects selected, the number of persons served, and recommendations for improving the program.

(8) The secretary shall immediately take such steps as are necessary to ensure that this section is implemented on its effective date. This section shall take effect July 1, 1988.

(9) This section shall terminate June 30, 1991, unless extended by law for an additional fixed period of time."

On page 1, line 2 of the title, after "assistance;" strike the remainder of the title and insert "and creating a new section."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Nutley moved that the House do concur in the Senate amendments to House Bill No. 1482.

Ms. Nutley spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 932 as amended by the Senate.

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 932 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Substitute House Bill No. 932 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 29, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL, NO. 1271 with the following amendments:

On page 12, after line 9, insert a new section to read as follows:

"NEW SECTION. Sec. 20. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 9, after line 14, insert the following:

"NEW SECTION. Sec. 14. The correctional institutions at Shelton shall be subject to an inmate population limit of no more than one hundred thirty-three percent of the rated capacity for the entire facility."

On page 1, line 13 of the title, after "72.15.070" and before the period insert "and declaring an emergency"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Braddock moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1271 and ask the Senate to recede therefrom. The motion was carried.

SENATE AMENDMENT TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1278 with the following amendment:

On page 1, after line 12, insert the following:

"The superior court shall hold hearings under RCW 90.24.040 whenever subsequent petitions are filed with it concerning weed control on a lake over which it has continuing jurisdiction for weed control purposes. If the court finds that the weed control proposals are in the best interests of the abutting property owners, it shall determine what measures should be taken to accomplish these objectives, the probable annual cost thereof, and by its order apportion the cost among the persons whose property abuts on the lake in proportion to the lineal feet of waterfront owned by each, which sum shall constitute a lien against the real property. Payments of these sums shall be made to the county treasurer who shall place these payments into a special fund to be known as 'Lake weed removal fund.' The court shall appoint a suitable person, to be compensated by the property owners, to undertake weed control activities as decreed by the court."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendment to House Bill No. 1278.

Ms. Haugen spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1278 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1278 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

House Bill No. 1278 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 29, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1279 with the following amendments:

On page 9, after line 15, insert the following:

"Sec. 4. Section 16, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.240 are each amended to read as follows:

Upon a showing by any convicted person or the state that five years have elapsed from the establishment of such escrow account and further that no actions are pending against such convicted person pursuant to ~~((this act))~~ RCW 7.68.200 through 7.68.280, the department shall immediately pay over fifty percent of any moneys in the escrow account to such person or his legal representatives and fifty percent of any moneys in the escrow account to the fund under RCW 7.68.035(4)."

On page 1, line 2 of the title, after "RCW 9.94A.200" strike "and" and insert a comma, and after "9.94A.380" insert ", and 7.68.240"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Substitute House Bill No. 1279. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1279 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1279 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Substitute House Bill No. 1279 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1288 with the following amendment:

On page 1, line 9, after "sales" strike "to meet the needs of tourists, vacationers, or travelers" and insert "by vendors appointed under RCW 66.08.050(2) of products of their own manufacture, not to exceed one case of liquor per customer"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendment to House Bill No. 1288.

Representatives Wang and Patrick spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1288 as amended by the Senate.

Representatives Haugen, Miller, Sayan and Baugher spoke in favor of passage of the bill. Ms. Haugen again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1288 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 5; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel,

Sprenkle, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bristow, Fuhrman, Locke, Padden, Sutherland - 5.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

House Bill No. 1288 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1320 with the following amendment:

After the enacting clause, insert the following and renumber the remaining sections accordingly:

"Sec. 1. Section 1, chapter 14, Laws of 1987, and RCW 48.18.289 are each amended to read as follows:

(1) Whenever a notice of cancellation or nonrenewal or an offer to renew is (~~required to be~~) furnished to an insured (~~under~~) in accord with any provision of this chapter, a copy of such notice or offer shall be provided at the same time to the agent on the account or to the broker of record for the insured."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Lux moved that the House do concur in the Senate amendment to Substitute House Bill No. 1320.

Representatives Lux and Chandler spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1320 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1320 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Substitute House Bill No. 1320 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 26, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1332 with the following amendment:

On page 1, line 17, after "reports" strike all of the material down to and including "committee" on line 18, and insert ", or to the printing of bond certificates or bond offering disclosure documents"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. H. Sommers moved that the House do concur in the Senate amendment to House Bill No. 1332.

Ms. H. Sommers spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1332 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1332 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P. King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

House Bill No. 1332 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1383 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 4, chapter 304, Laws of 1971 ex. sess. as amended by section 15, chapter 193, Laws of 1982 and RCW 69.54.040 are each amended to read as follows:

The secretary shall establish within the department a program designed to aid and rehabilitate persons suffering from problems relating to narcotic drugs, dangerous drugs, and alcohol. Without duplicating, and in coordination with the programs established by the state superintendent of public instruction, the secretary shall establish community educational programs outside of the kindergarten through twelve programs in the schools relating to alcohol and drug use and abuse. In addition, the secretary may enter into agreements for monitoring verification of qualifications of counselors employed by approved drug treatment centers. The secretary is authorized to promulgate rules and regulations pursuant to chapter 34.04 RCW to carry out the provisions and purposes of this chapter and is authorized to contract, cooperate and coordinate with other public or private agencies or individuals for such purposes.

Sec. 2. Section 4, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.040 are each amended to read as follows:

The department, in the operation of the alcoholism program may:

- (1) Plan, establish, and maintain treatment programs as necessary or desirable;
- (2) Make contracts necessary or incidental to the performance of its duties and the execution of its powers, including contracts with public and private agencies, organizations, and individuals to pay them for services rendered or furnished to alcoholics, persons incapacitated by alcohol, or intoxicated persons, and to enter into agreements for monitoring verification of qualifications of counselors employed by approved treatment facilities;
- (3) Solicit and accept for use any gift of money or property made by will or otherwise, and any grant of money, services, or property from the federal government, the state, or any political subdivision thereof or any private source, and do all things necessary to cooperate with the federal government or any of its agencies in making an application for any grant;
- (4) Administer or supervise the administration of the provisions relating to alcoholics and intoxicated persons of any state plan submitted for federal funding pursuant to federal health, welfare, or treatment legislation;

(5) Coordinate its activities and cooperate with alcoholism programs in this and other states, and make contracts and other joint or cooperative arrangements with state, local, or private agencies in this and other states for the treatment of alcoholics, persons incapacitated by alcohol, and intoxicated persons and for the common advancement of alcoholism programs;

(6) Keep records and engage in research and the gathering of relevant statistics;

(7) Do other acts and things necessary or convenient to execute the authority expressly granted to it; and

(8) Acquire, hold, or dispose of real property or any interest therein, and construct, lease, or otherwise provide treatment facilities for alcoholics, persons incapacitated by alcohol, and intoxicated persons.

Sec. 3. Section 2, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.020 are each amended to read as follows:

For the purposes of this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) 'Alcoholic' means a person who (~~habitually lacks self-control as to the use of alcoholic beverages, or uses alcoholic beverages to the extent that his health is substantially impaired or endangered or his social or economic function is substantially disrupted~~) suffers from the disease of alcoholism, characterized by a physiological dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological and/or psychological withdrawal if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(2) 'Approved treatment facility' means a treatment agency operating under the direction and control of the department of social and health services or providing treatment under this chapter through a contract with the department under RCW 70.96A.080(6) and meeting the standards prescribed in RCW 70.96A.090(1) and approved under RCW 70.96A.090(3);

(3) 'Secretary' means the secretary of the department of social and health services;

(4) 'Department' means the department of social and health services;

(5) (~~'Director' means the director of the division of alcoholism;~~

(6)) 'Emergency service patrol' means a patrol established under RCW 70.96A.170;

(~~(7)~~) (6) 'Incapacitated by alcohol' means that a person, as a result of the use of alcohol, has his or her judgment so impaired that he or she is incapable of realizing and making a rational decision with respect to (his) the need for treatment or care and constitutes a danger to himself or herself, to any other person, or to property;

(~~(8)~~) (7) 'Incompetent person' means a person who has been adjudged incompetent by the superior court;

(~~(9)~~) (8) 'Intoxicated person' means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol;

(~~(10)~~) (9) 'Treatment' means the broad range of emergency, outpatient, intermediate, and inpatient and emergency services and care, including diagnostic evaluation, medical, psychiatric, psychological, and social service care, vocational rehabilitation and career counseling, which may be extended to alcoholics, persons incapacitated by alcohol, and intoxicated persons;

(10) 'Licensed physician' means a person licensed to practice medicine or osteopathy in the state of Washington.

Sec. 4. Section 14, chapter 122, Laws of 1972 ex. sess. as last amended by section 14, chapter 439, Laws of 1987 and RCW 70.96A.140 are each amended to read as follows:

(1) When the person in charge of a treatment facility, or his or her designee, receives information alleging that a person is incapacitated as a result of alcoholism, the person in charge, or his or her designee, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the information, may file a petition for commitment of such person with the superior court or district court. If the person in charge, or his or her designee, finds that the initial needs of such person would be better served by placement within the mental health system, the person shall be referred to an evaluation and treatment facility as defined in RCW 71.05.020. If placement in an alcohol treatment facility is deemed appropriate, the petition shall allege that: The person is an alcoholic who is incapacitated by alcohol, or that the person has twice before in the preceding twelve months been admitted for (the voluntary) detoxification or treatment for alcoholism pursuant to RCW 70.96A.110 and is in need of a more sustained treatment program, or that the person is an alcoholic who has threatened, attempted, or inflicted physical harm on another and is likely to inflict physical harm on another unless committed. A refusal to undergo treatment, by itself, does not constitute evidence of lack of judgment as to the need for treatment. The petition shall be accompanied by a certificate of a licensed physician who has examined the person within ((two)) five days before submission of the petition, unless the person whose commitment is sought has refused to submit to a medical examination, in which case the fact of refusal shall be alleged in the petition. The certificate shall set forth the licensed physician's findings in support of the allegations of the petition. A physician employed by the petitioning facility or the department is ((not)) eligible to be the certifying physician.

(2) Upon filing the petition, the court shall fix a date for a hearing no less than ~~((three))~~ two and no more than seven days after the date the petition was filed unless the person petitioned against is presently being detained ~~((by the))~~ in a facility, pursuant to RCW 70.96A.120 or 71.05.210, as now or hereafter amended, in which case the hearing shall be held within seventy-two hours of the filing of the petition: PROVIDED, HOWEVER, That the above specified seventy-two hours shall be computed by excluding Saturdays, Sundays, and holidays: PROVIDED FURTHER, That, the court may, upon motion of the person whose commitment is sought, or upon motion of petitioner with written permission of the person whose commitment is sought, or his or her counsel and, upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of the hearing, including the date fixed by the court, shall be served by the treatment facility on the person whose commitment is sought, his or her next of kin, a parent or his or her legal guardian if he or she is a minor, and any other person the court believes advisable. A copy of the petition and certificate shall be delivered to each person notified.

(3) At the hearing the court shall hear all relevant testimony, including, if possible, the testimony, which may be telephonic, of at least one licensed physician who has examined the person whose commitment is sought. The person shall be present unless the court believes that his or her presence is likely to be injurious to him or her; in this event the court may deem it appropriate to appoint a guardian ad litem to represent him or her throughout the proceeding. If deemed advisable, the court may examine the person out of courtroom. If the person has refused to be examined by a licensed physician, he or she shall be given an opportunity to be examined by a court appointed licensed physician. If he or she refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more medical evidence is necessary, the court may make a temporary order committing him or her to the department for a period of not more than five days for purposes of a diagnostic examination.

(4) If after hearing all relevant evidence, including the results of any diagnostic examination, the court finds that grounds for involuntary commitment have been established by clear, cogent, and convincing proof, it shall make an order of commitment to an approved treatment facility. It shall not order commitment of a person unless it determines that an approved treatment facility is able to provide adequate and appropriate treatment for him or her ~~((and the treatment is likely to be beneficial))~~.

(5) A person committed under this section shall remain in the facility for treatment for a period of ~~((thirty))~~ sixty days unless sooner discharged. At the end of the ~~((thirty))~~ sixty-day period, he or she shall be discharged automatically unless the facility, before expiration of the period, files a petition for his or her recommitment upon the grounds set forth in subsection (1) of this section for a further period of ninety days unless sooner discharged. If a person has been committed because he or she is an alcoholic likely to inflict physical harm on another, the facility shall apply for recommitment if after examination it is determined that the likelihood still exists.

~~(6) (A person recommitted under subsection (5) of this section who has not been discharged by the facility before the end of the ninety day period shall be discharged at the expiration of that period unless the facility, before expiration of the period, obtains a court order on the grounds set forth in subsection (1) of this section for recommitment for a further period not to exceed ninety days. If a person has been committed because he or she is an alcoholic likely to inflict physical harm on another, the facility shall apply for recommitment if after examination it is determined that the likelihood still exists. Only two recommitment orders under subsections (5) and (6) of this section are permitted.~~

~~(7))~~ Upon the filing of a petition for recommitment under subsection ~~((s))~~ (5) ~~((or (6)))~~ of this section, the court shall fix a date for hearing no less than ~~((three))~~ two and no more than seven days after the date the petition was filed: PROVIDED, That, the court may, upon motion of the person whose commitment is sought and upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of hearing, including the date fixed by the court, shall be served by the treatment facility on the person whose commitment is sought, his or her next of kin, the original petitioner under subsection (1) of this section if different from the petitioner for recommitment, one of his or her parents or his or her legal guardian if he or she is a minor, and his or her attorney and any other person the court believes advisable. At the hearing the court shall proceed as provided in subsection (3) of this section.

~~((#))~~ (7) The approved treatment facility shall provide for adequate and appropriate treatment of a person committed to its custody. A person committed under this section may be transferred from one approved public treatment facility to another if transfer is medically advisable.

~~((#))~~ (8) A person committed to the custody of a facility for treatment shall be discharged at any time before the end of the period for which he or she has been committed and he or she shall be discharged by order of the court if either of the following conditions are met:

(a) In case of an alcoholic committed on the grounds of likelihood of infliction of physical harm upon himself, herself, or another, ~~((that he or she is no longer an alcoholic or))~~ the likelihood no longer exists; or further treatment will not be likely to bring about significant improvement in the person's condition, or treatment is no longer adequate or appropriate.

(b) In case of an alcoholic committed on the grounds of the need of treatment and incapacity, that the incapacity no longer exists.

((+0)) (9) The court shall inform the person whose commitment or recommitment is sought of his or her right to contest the application, be represented by counsel at every stage of any proceedings relating to his or her commitment and recommitment, and have counsel appointed by the court or provided by the court, if he or she wants the assistance of counsel and is unable to obtain counsel. If the court believes that the person needs the assistance of counsel, the court shall require, by appointment if necessary, counsel for him or her regardless of his or her wishes. The person shall, if he or she is financially able, bear the costs of such legal service; otherwise such legal service shall be at public expense. The person whose commitment or recommitment is sought shall be informed of his or her right to be examined by a licensed physician of his or her choice. If the person is unable to obtain a licensed physician and requests examination by a physician, the court shall employ a licensed physician.

((+1)) (10) A person committed under this chapter may at any time seek to be discharged from commitment by writ of habeas corpus in a court of competent jurisdiction.

((+2)) (11) The venue for proceedings under this section is the county in which person to be committed resides or is present.

(12) When in the opinion of the professional person in charge of the facility providing involuntary treatment under this chapter, the committed patient can be appropriately served by less restrictive treatment before expiration of the period of commitment, then the less restrictive care may be required as a condition for early release for a period which, when added to the initial treatment period, does not exceed the period of commitment. If the facility designated to provide the less restrictive treatment is other than the facility providing the initial involuntary treatment, the facility so designated must agree in writing to assume such responsibility. A copy of the conditions for early release shall be given to the patient, the designated county alcoholism specialist, and the court of original commitment. The facility designated to provide less restrictive care may modify the conditions for continued release when the modifications are in the best interests of the patient. If the facility providing less restrictive care and the designated county alcoholism specialist determine that a conditionally released patient is failing to adhere to the terms and conditions of his or her release, or that substantial deterioration in the patient's functioning has occurred, then the designated county alcoholism specialist shall notify the court of original commitment and request a hearing to be held no less than two and no more than seven days after the date of the request to determine whether or not the person should be returned to more restrictive care. The designated alcoholism specialist shall file a petition with the court stating the facts substantiating the need for the hearing along with the treatment recommendations. The patient shall have the same rights with respect to notice, hearing, and counsel as for the original involuntary treatment proceedings. The issues to be determined at the hearing are whether the conditionally released patient did or did not adhere to the terms and conditions of his or her release to less restrictive care or that substantial deterioration of the patient's functioning has occurred and whether the conditions of release should be modified or the person should be returned to a more restrictive facility. The hearing may be waived by the patient and his or her counsel and his or her guardian or conservator, if any, but may not be waived unless all such persons agree to the waiver. Upon waiver, the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions."

On page 1, line 1 of the title, after "treatment;" strike the remainder of the title and insert "amending RCW 69.54.040, 70.96A.040, 70.96A.020, and 70.96A.140."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Brekke moved that the House do concur in the Senate amendments to Substitute House Bill No. 1383.

POINT OF ORDER

Mr. Padden: I would like a ruling on the scope and object as to the Senate amendments to Substitute House Bill No. 1383.

ANNOUNCEMENT BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that further consideration of the Senate amendments to Substitute House Bill No. 1383 would be deferred.

SENATE AMENDMENT TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1416 with the following amendment:

On page 2, line 9, after "condemnee" strike everything through "action" on line 11 and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Rayburn moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1416. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1416 as amended by the Senate.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1416 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavy, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Engrossed Substitute House Bill No. 1416 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1511 with the following amendments:

On page 1, beginning on line 8, strike all material through "served." on page 3, line 18

Remember the remaining sections consecutively and correct any internal references accordingly.

On page 4, beginning on line 13, strike all material through "treasurer." on page 6, line 13

Remember the remaining sections consecutively and correct any internal references accordingly.

On page 12, after line 18, insert the following:

"Sec. 15, Section 1, chapter 11, Laws of 1967 ex. sess. as last amended by section 56, chapter 469, Laws of 1985 and RCW 56.24.070 are each amended to read as follows:

((The)) Territory adjoining or in close proximity to a district may be annexed to and become a part of the district. In addition, any nonadjoining territory in a county of the fifth class or smaller composed entirely of islands may be annexed to and become part of a district operating within the county. All annexations shall be accomplished in the following manner: Twenty percent of the number of registered voters residing in the territory proposed to be annexed who voted at the last election may file a petition with the district commissioners and cause the question to be submitted to the electors of the territory whether the territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county election officer, who shall, within ten days, examine the signatures thereon and certify to the sufficiency or insufficiency thereof; and for such purpose the county election officer shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the

election officer shall transmit it, together with a certificate of sufficiency attached thereto to the sewer commissioners of the district. If there are no electors residing in the territory to be annexed, the petition may be signed by such a number as appear of record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the county legislative authority.

The county legislative authority, upon receipt of a petition certified to contain a sufficient number of signatures of electors, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the sewer commissioners, at a regular or special meeting shall cause to be published once a week for at least two weeks in a newspaper in general circulation throughout the territory proposed to be annexed a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed.

Sec. 16. Section 15, chapter 18, Laws of 1959 as amended by section 21, chapter 17, Laws of 1982 1st ex. sess. and RCW 57.24.010 are each amended to read as follows:

~~(The)~~ Territory adjoining or in close proximity to a district may be annexed to and become a part of the district. In addition, any nonadjoining territory in a county of the fifth class or smaller composed entirely of islands may be annexed to and become part of a district operating within the county. All annexations shall be accomplished in the following manner: Twenty percent of the number of registered voters residing in the territory proposed to be annexed who voted at the last election may file a petition with the district commissioners and cause the question to be submitted to the electors of the territory whether such territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county election officer of each county in which the real property proposed to be annexed is located, who shall, within ten days, examine and validate the signatures thereon and certify to the sufficiency or insufficiency thereof; and for such purpose the county election officer shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the county election officer of the county in which the real property proposed to be annexed is located shall transmit it, together with a certificate of sufficiency attached thereto to the water commissioners of the district. If there are no electors residing in the territory to be annexed, the petition may be signed by such a number as appear of record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the county legislative authority of each county in which the territory proposed to be annexed is located.

The county legislative authority, upon receipt of a petition certified to contain a sufficient number of signatures of electors, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the water commissioners, at a regular or special meeting shall cause to be published once a week for at least two weeks in a newspaper in general circulation throughout the territory proposed to be annexed a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed."

Renumber the sections consecutively.

On page 1, line 2 of the title, strike "56.08.010," and "57.08.010."

On page 1, line 3 of the title, after "56.02.070," strike "and" and after "57.02.040" insert ", 56.24.070, and 57.24.010"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1511.

Ms. Haugen spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1511 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1511 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Engrossed Substitute House Bill No. 1511 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 29, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1543 with the following amendment:

On page 1, line 18, after "examination" strike all material down to and including "me" on line 21 and insert "and completed a program of ongoing training and evaluation, approved in rule by the county medical program director and the secretary" and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Cantwell moved that the House do concur in the Senate amendment to Engrossed House Bill No. 1543.

Ms. Cantwell spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1543 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1543 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Engrossed House Bill No. 1543 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1612 with the following amendment:

On page 1, section 1, line 21, strike "traffic infraction and shall be punished by a fine of twenty-five dollars plus statutory assessments" and insert "class 4 civil infraction under chapter 7.80 RCW"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendment to Substitute House Bill No. 1612.

Ms. Schmidt spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1612 as amended by the Senate.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1612 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Substitute House Bill No. 1612 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

SENATE AMENDMENTS TO HOUSE BILL

February 29, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1618 with the following amendments:

On page 14, line 9, after "disabilities," insert "the county governing authority and"

On page 17, line 10, strike "status of the person as eligible" and insert "person's eligibility"

On page 17, strike all of section 603 and renumber the remaining sections accordingly

On page 19, line 22, after "centers are" insert "permanently"

On page 20, line 34, strike "require" and insert "engage residents in" and after "of work" insert "or work"

On page 25, line 26, strike "POWER" and insert "LIMITED AUTHORITY"

On page 26, strike all of section 715 and renumber the remaining sections accordingly

On page 26, line 13 strike "EMERGENCY"

On page 26, line 14, after "CENTER" insert "FOR DIAGNOSTIC PURPOSES"

On page 26, beginning on line 14, strike "or local government"

On page 26, beginning on line 15, strike "and without first determining whether the person is eligible for service."

On page 26, line 17, after "person" insert "eligible for services under this chapter"

On page 26, beginning on line 18, after "days" strike the remainder of the sentence and insert "for observation prior to determination of needed services, where such observation is necessary to determine the extent and necessity of services to be provided"

On page 26, line 26, after "person" and before the comma insert "or with any person"

On page 28, line 5, strike "state or local government" and insert "the state"

On page 34, line 28, strike "101 through 806" and insert "102(2)"

On page 35, beginning on line 36, strike "and other"

On page 36, beginning on line 11, strike "and other"

On page 40, line 6, strike "sections 101 through 806" and insert "section 102(7)"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Brekke moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1618.

Ms. Brekke spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1618 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1618 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Valle, Veldich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Engrossed Substitute House Bill No. 1618 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 29, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1629 with the following amendment:

On page 1, line 18, beginning with "RCW" strike all material to the end and insert "Foreign medical school graduates shall not be eligible for registration as physician assistants after July 1, 1989. Those applying on or before that date shall remain eligible to register as a physician assistant after July 1, 1989: PROVIDED, That the graduate does not violate chapter 18.130 RCW or the rules of the board. The board shall adopt rules regarding applications for registration. The rules shall include board approval of training as required in RCW 18.71.051(1) and receipt of original translated transcripts directly from the medical school."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendment to Engrossed House Bill No. 1629. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1629 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1629 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt,

Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Grant - 1.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Engrossed House Bill No. 1629 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1690 with the following amendments:

On page 1, line 7, after "review" insert "by the city"

On page 2, line 4, after "review" insert "by the city"

On page 2, after line 25, insert the following:

"Sec. 3. Section 46.44.093, chapter 12, Laws of 1961 as amended by section 55, chapter 7, Laws of 1984 and RCW 46.44.093 are each amended to read as follows:

The department of transportation or the local authority is authorized to issue or withhold such special permit at its discretion ~~((or;)),~~ although where a mobile home is being moved, the verification of a valid license under chapter 46.70 RCW as a mobile home dealer or manufacturer, or under chapter 46.76 RCW as a transporter, shall be done by the department or local government. If the permit is issued, ~~((to))~~ the department or local authority may limit the number of trips, ~~((or to))~~ establish seasonal or other time limitations within which the vehicle described may be operated on the public highways indicated, or otherwise ~~((to))~~ limit or prescribe conditions of operation of the vehicle or vehicles when necessary to assure against undue damage to the road foundation, surfaces, or structures or safety of traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to any roadway or road structure.

NEW SECTION. Sec. 4. A new section is added to chapter 46.76 RCW to read as follows:

(1) Any person or organization that transports any mobile home or other vehicle for hire shall comply with this chapter and chapter 81.80 RCW. Persons or organizations that do not have a valid permit or meet other requirements under chapter 81.80 RCW shall not be issued a transporter license or transporter plates to transport mobile homes or other vehicles. RCW 46.76.065(5) applies to persons or organizations that have transporter licenses or plates and do not meet the requirements of chapter 81.80 RCW.

(2) This section does not apply to mobile home manufacturers or dealers that are licensed and delivering the mobile home under chapter 46.70 RCW."

On page 2, after line 25, insert the following:

"Sec. 3. Section 1, chapter 153, Laws of 1980 and RCW 43.22.440 are each amended to read as follows:

(1) The legislature finds that inspections of mobile home installation are not done on a consistent basis. Mobile homes provide housing for many people in the state, and improperly installed mobile homes are a serious health and safety risk. Where possible and practical, mobile homes should be treated the same as any housing inhabited or to be inhabited by persons in this state, including housing built according to the state building code.

(2) In consultation with the ~~((governor's))~~ factory assembled structures advisory board for mobile homes, the director of labor and industries shall by rule establish ~~((minimum))~~ uniform standards for the performance and workmanship of installation service and warranty service by persons or entities engaged in performing the services within this state for all mobile homes, as defined in RCW 46.04.302. The standards shall conform, where applicable, with statutes, rules, and recommendations established under the federal national mobile home construction and safety standards act of 1974 (42 U.S.C. Sec. 5401 et seq.). These rules regarding the installation of mobile homes shall be enforced and fees charged by the counties and cities in the same manner the state building code is enforced under RCW 19.27.050. ~~((The rules may, to the extent deemed necessary by the director, provide for inspection and enforcement of the standards so established, and may permit the director to appoint an agent, or agents, as necessary to provide for the inspections and enforcement.~~

(2)) (3) In addition to and in conjunction with the remedies provided in this chapter, failure to remedy any breach of the standards and rules so established, upon adequate notice and within a reasonable time, is a violation of the consumer protection act, chapter 19.86 RCW and subject to the remedies provided in that chapter."

On page 1, line 1 of the title after "homes;" insert "amending RCW 46.44.093; adding a new section to chapter 46.76 RCW;"

On page 1, line 1 of the title, after "homes;" insert "amending RCW 43.22.440;"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Nutley moved that the House do concur in the Senate amendments to Substitute House Bill No. 1690. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1690 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1690 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; absent, 2; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Dellwo, Jesernig - 2.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

Substitute House Bill No. 1690 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1951 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 70.39 RCW to read as follows:

(1) The commission shall exempt a hospital from the rate review and approval provisions of RCW 70.39.140 if:

(a) The hospital is located within fifteen miles of one or more hospitals located in a jurisdiction that is not subject to RCW 70.39.140; and

(b) The hospital or hospitals not subject to RCW 70.39.140 have the existing capacity to absorb twenty-five percent or more of the patients served by the hospital exempted under this section.

(2) The exemption provided by this section shall not affect the exempted hospital's responsibility to make on a timely basis all filings required by the commission pursuant to this chapter. In addition, an exempted hospital shall provide on a timely basis other pertinent data that may be requested from time to time by the commission.

(3) This section shall expire June 30, 1991."

On page 1, line 1 of the title, after "review" strike the remainder of the title and insert "and approval; and adding a new section to chapter 70.39 RCW."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to House Bill No. 1951. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of House Bill No. 1951 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1951 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 3; absent, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nulley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Sommers D, Sprenkle, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Braddock, Sommers H, Spanel - 3.

Absent: Representative Schmidt - 1.

Excused: Representatives Allen, Hankins, Jacobsen, McLean, Unsoeld - 5.

House Bill No. 1951 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The House resumed consideration of Substitute House Bill No. 1383.

The Speaker stated the question before the House to be the point of order regarding the scope and object of the Senate amendments to Substitute House Bill No. 1383.

SPEAKER'S RULING

The Speaker: Substitute House Bill No. 1383 authorizes DSHS to enter into certain agreements regarding the qualification of drug and alcohol counselors. The Senate amendments deal with involuntary treatment and are nearly identical to an amendment ruled beyond the scope and object when this bill was on second reading in the House. The Speaker finds that the Senate amendments change the scope and object of the bill. Your point is well taken.

MOTION

Ms. Brekke moved that the House do not concur with the Senate amendments to Substitute House Bill No. 1383 and ask the Senate to recede therefrom. The motion was carried.

Representative Unsoeld appeared at the bar of the House.

There being no objection, the House reverted to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 6519 AS AMENDED BY THE HOUSE, by Senators Anderson, Smitherman, Deccio, Rasmussen, Hayner, Conner, Zimmerman, Craswell, Gaspard, Wojahn, Stratton, Johnson, Kiskaddon, von Reichbauer and Garrett

Changing provisions relating to the method of determining the depreciation base of certain nursing homes.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to third reading.

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Mr. Locke moved adoption of the committee amendment on page 3, line 3. (For committee amendment, see Journal, 50th Day, February 29, 1988.) Mr. Locke spoke in favor of adoption of the committee amendment, and it was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6519 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 2; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Locke, Winsley - 2.

Excused: Representatives Allen, Hankins, Jacobsen, McLean - 4.

Engrossed Senate Bill No. 6519 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Doty was excused.

On motion of Mr. Ebersole, the House reverted to the sixth order of business.

SECOND READING

MOTION

Mr. Ebersole moved that the House consider the following bills in the following order: Substitute Senate Bill No. 6569, Senate Bill No. 6578, Senate Bill No. 6523, Engrossed Senate Bill No. 6720, Senate Bill No. 6745 and Substitute Senate Bill No. 6470. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6569, by Committee on Economic Development & Labor (originally sponsored by Senators West, Warnke and Anderson)

Providing consumers with information on construction liens.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Mr. Wang moved adoption of the committee amendment.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Jones and Patrick to the committee amendment:

On page 2, line 25 of the amendment, after "effect" strike "January" and insert "July"

Mr. Wang spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

Mr. Wang spoke in favor of the committee amendment as amended, and it was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6569 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt,

Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Doty, Hankins, Jacobsen, McLean - 5.

Substitute Senate Bill No. 6569 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6578, by Senators Lee, Vognild and Warnke

Permitting certain sales of nonliquor food products by licensed wine and beer wholesalers.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6578, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Doty, Hankins, Jacobsen, McLean - 5.

Senate Bill No. 6578, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6523, by Senators Kiskaddon, Kreidler, Williams and Bauer

Permitting naturopaths to continue manual manipulation.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

On motion of Mr. Braddock, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6523 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 1; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representative Day - 1.

Excused: Representatives Allen, Doty, Hankins, Jacobsen, McLean - 5.

Senate Bill No. 6523 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 6720, by Senators Metcalf and Madsen

Providing for the management of waste tires.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. Rust moved adoption of the committee amendment.

Ms. Rasmussen moved adoption of the following amendment to the committee amendment:

Beginning on page 1, line 29 of the committee amendment, after "(1)" strike all material up to and including "following" on page 2, line 3, and insert "The waste tire advisory committee is established consisting of representatives of cities, counties, tire dealers, tire processors, the department of ecology, the department of community development, the department of transportation, and interested citizens to study and develop a report on methods to address the waste tire problem in Washington state. The governor shall appoint members to the advisory committee. The persons appointed to the committee shall elect a chairperson and shall meet at the call of the chairperson. Members of the committee shall not receive compensation but shall be reimbursed for travel expenses as provided under RCW 43.03.050 and 43.03.060.

(2) The department shall provide staff support for the committee.

(3) The committee's report shall include recommendations on the following:"

Representatives Rasmussen, Dorn, Walker and Schoon spoke in favor of adoption of the amendment to the committee amendment, and Representatives Rust and Sprenkle opposed it. Ms. Rust again spoke against adoption of the amendment to the committee amendment.

MOTION

Mr. Ebersole moved that the House defer further consideration of Engrossed Senate Bill No. 6720 and that the bill hold its place on the second reading calendar. The motion was carried.

SENATE BILL NO. 6745, by Senators Williams and Benitz

Requiring disclosure of services provided by alternate operator services companies.

The bill was read the second time.

Mr. Nelson moved adoption of the following amendments by Representatives Wineberry and Nelson:

On page 1, line 7, after "or the" strike "cost" and insert "rate, charge or fee"

On page 1, line 14, after "and" strike "cost" and insert "the rate, charge or fee"

Mr. Nelson spoke in favor of adoption of the amendments, and they were adopted.

The Clerk read the following amendment by Representatives Wineberry and Nelson:

On page 1, line 15, after "company," insert "The utilities and transportation commission shall provide that the notice be in writing and posted at the telephone utilizing alternative operator services in the hotel, motel, hospital, or at a customer-owned pay telephone. The rule shall not require that alternative operators inform the consumer of the cost for an individual call at the time the call is made unless so requested by the consumer."

With consent of the House, Mr. Nelson withdrew the amendment.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nelson and Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6745 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Doty, Hankins, Jacobsen, McLean - 5.

Senate Bill No. 6745 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6470, by Committee on Health Care & Corrections (originally sponsored by Senators Deccio, Niemi, Kreidler and Johnson; by request of Department of Licensing)

Providing a voluntary substance abuse program for health care licensees.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock and Brekke:

On page 2, line 34, after "treatment" insert "and pretreatment"

Mr. Braddock spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Braddock yielded to question by Ms. Brekke.

Ms. Brekke: The term "pretreatment records" is used within this amendment dealing with confidentiality of records. In this context what is meant by "pretreatment records"?

Mr. Braddock: In this context "pretreatment records" means records generated by monitored treatment program representatives regarding a potential patient prior to the patient entering into a formal treatment contract. Pretreatment records would include items such as phone logs, interview notes and documents and information supplied to the monitored treatment program by third parties.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6470 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, Doty, Hankins, Jacobsen, McLean - 5.

Substitute Senate Bill No. 6470 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House consider the following bills in the following order: Substitute Senate Bill No. 6294, Senate Bill No. 6515, Substitute Senate Bill No. 6512, Substitute Senate Bill No. 6498 and Substitute Senate Bill No. 6147. The motion was carried.

The House resumed consideration of Substitute Senate Bill No. 6294 from the previous day. (See Journal, 54th Day, March 4, 1988).

SUBSTITUTE SENATE BILL NO. 6294, by Committee on Economic Development & Labor (originally sponsored by Senators Newhouse, Vognild, Lee, Smitherman, Benitz, Saling, Deccio and Warnke; by request of Employment Security Department)

Providing funding for special employer services provided by the employment security department.

The Speaker stated the question before the House to be the point of order by Representative Patrick regarding the scope and object of the amendment by Representatives Wang and R. King to the committee amendment.

SPEAKER'S RULING

The Speaker: Representative Patrick, Substitute Senate Bill No. 6294 amends state unemployment compensation laws to establish a special job services program funded through a surcharge on employer rates. The program covers several areas including certification services relating to the Federal Immigration and Control Act of 1986, improved data collection and analysis of employment in the agricultural industry, and funds to increase employment services for agricultural workers "to ensure farmworkers are provided the full range of employment services available." Amendment 346 strikes and reinserts several sections of the Senate bill. In addition, it changes the definition of "employment" within the unemployment compensation law for persons employed in the agricultural industry. The Speaker finds that the scope of Substitute Senate Bill No. 6294 covers a broad range of issues on unemployment laws, especially in the area of services to farmworkers. Therefore, the Speaker finds that amendment 346 is within the scope and object of the bill. The point of order is not well taken.

The Speaker stated the question before the House to be the adoption of the amendment by Representatives Wang and R. King to the committee amendment.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Patrick demanded an oral roll call vote, and the demand was sustained.

Representatives Wang and Nutley spoke in favor of adoption of the amendment to the committee amendment, and Representatives Nealey, Chandler and Lewis opposed it.

Mr. R. King spoke in favor of adoption of the amendment to the committee amendment.

POINT OF ORDER

Ms. Brough: I would request that the Speaker remind the current speaker of Reed's Rule 224.

The Speaker: I think you are right, Representative Brough. Please try to confine your remarks to the matter before us, Representative King.

Mr. R. King continued his remarks in favor of adoption of the amendment to the committee amendment, and Ms. Cole also spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Wang and R. King to the committee amendment to Substitute Senate Bill No. 6294.

and the amendment to the committee amendment was adopted by the following vote: Yeas, 55; nays, 38; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Vaile, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Dorn, Ferguson, Fuhrman, Grant, Holland, Kremen, Lewis, May, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rasmussen, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 38.

Excused: Representatives Allen, Doty, Hankins, Jacobsen, McLean - 5.

The committee amendment as amended was adopted.

With consent of the House, the following amendments to the committee amendment to the title were adopted:

On page 10, line 10 of the title amendment, after "insert" strike the remainder of the title amendment and insert "amending RCW 50.04.070, 50.04.072, 50.16.010, 50.29.025, and 50.04.150; adding new sections to chapter 50.12 RCW; adding a new section to chapter 50.24 RCW; creating new sections; making an appropriation; providing effective dates; and declaring an emergency."

On page 10, line 12 of the title amendment, after "50.24 RCW;" insert "adding a new section to chapter 50.13 RCW;"

The committee amendment to the title as amended was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6294 as amended by the House, and the bill passed the House by the following vote: Yeas, 58; nays, 35; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Ferguson, Fuhrman, Grant, Holland, Kremen, Lewis, May, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Walker, Williams B, Williams J, Wilson S - 35.

Excused: Representatives Allen, Doty, Hankins, Jacobsen, McLean - 5.

Substitute Senate Bill No. 6294 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

If I had been present on Saturday, March 5, 1988, I would have cast a "Yes" vote on final passage of the following bills: ESSB 6446 as amended by the House, SSJM 8027, ESB 6647 as amended by the House, HB 1482 as amended by the Senate, EHB 254 as amended by the Senate, E2SHB 537 as amended by the Senate, EHB 668 as amended by the Senate, SHB 932 as amended by the Senate, HB 1278 as amended by the Senate, SHB 1279 as amended by the Senate, HB 1288 as amended by the Senate, SHB 1320 as amended by the Senate, HB 1332 as amended by the Senate, ESHB 1416 as amended by the Senate, ESHB 1511 as amended by the Senate, EHB 1543 as amended by the Senate, SHB 1612 as amended by the Senate, ESHB 1618 as amended by the Senate, EHB 1629 as amended by the Senate, SHB 1690 as amended by the Senate, HB 1951 as amended by the Senate, ESB 6519 as amended by the House, SSB 6569 as amended by the House, SB 6578, SB 6523 as amended by the House, SB 6745 as amended by the House, SSB 6470 as amended by the House.

I would have voted "No" on the amendment by Representatives Wang and R. King to the committee amendment to Substitute Senate Bill No. 6294 and on final passage of that bill.

SHIRLEY HANKINS, 8th District.

MOTION

On motion of Mr. Ebersole, the House adjourned until 1:30 p.m., Sunday, March 6, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTY-SIXTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Sunday, March 6, 1988

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Lux, McLean and Wineberry who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jayson Felber and Kellie Rust. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

MESSAGE FROM THE SENATE

March 4, 1988

Mr. Speaker:

The Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 4446,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

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

SECOND READING

MOTION

Mr. Meyers moved that the House immediately consider Substitute Senate Bill No. 6512 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6512, by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Halsan, Bailey and Rinehart)

Exempting land enrolled in the federal conservation reserve program from state property and excise taxes.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grant, Schoon and Rayburn spoke in favor of passage of the bill, and Ms. Rust opposed it.

POINT OF ORDER

Mr. Schoon: Would you please have the Representative from the 1st District address this bill and not other bills that we have had before us?

The Speaker (Mr. O'Brien presiding): Representative Rust, could you hold your remarks to the subject matter and then perhaps talk about the effects of tax exemption relative to the state revenues? I would like you to hold your remarks generally to the subject matter of the bill.

Ms. Rust continued her remarks in opposition to passage of the bill.

POINT OF ORDER

Ms. Brough: Mr. Speaker, I would suggest that it would be appropriate to remind the speaker before she is allowed to go on and on regarding a subject that has nothing to do with the bill before us, especially after it has been pointed out once before.

The Speaker (Mr. O'Brien presiding): Representative Rust has finished her remarks.

Representatives Baugher and Nealey spoke in favor of passage of the bill, and Ms. H. Sommers opposed it.

POINT OF INQUIRY

Ms. H. Sommers yielded to question by Mr. Sanders.

Mr. Sanders: Can you tell me what the amount of this tax exemption is?

Ms. H. Sommers: No, I cannot. I think that is indicative of the kind of thing that we are dealing with. We do not have before us exactly what this is costing us.

Mr. Bumgarner spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Sanders.

Mr. Sanders: Representative Grimm, can you tell us the fiscal impact of this tax exemption?

Mr. Grimm: In response to the question from the gentleman from the 48th Legislative District, the answer is that Substitute Senate Bill No. 6512 puts into statute what is currently in rule and regulation of the Department of Revenue relative to sales, business and occupation, and property taxation under the Open Space Act provisions. As a result, there is no fiscal impact that can be identified solely from this change, because the rules and regulations are, of course, promulgated under the authority of statute.

Mr. Sanders: Thank you, Representative Grimm. Is there any estimate of what this would be as a fiscal impact if we actually applied it?

Mr. Grimm: In response to your second question, the answer is I don't know.

Mr. Sanders spoke against passage of the bill, and Representatives Baugher and Nealey again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6512, and the bill passed the House by the following vote: Yeas, 79; nays, 15; excused, 4.

Voting yea: Representatives Amondson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, May, Meyers, Miller, Moyer, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D, Spanel, Sprenkle, Sutherland, Taylor, Todd, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Anderson, Armstrong, Belcher, Brekke, Fisher, Haugen, Nelson, Pruitt, Rust, Sanders, Sommers H, Unsoeld, Valle, Wang, Winsley - 15.

Excused: Representatives Allen, Lux, McLean, Wineberry - 4.

Substitute Senate Bill No. 6512, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House immediately resume consideration of Engrossed Senate Bill No. 6720 on second reading from the previous day. (See Journal, 55th Day, March 5, 1988.) The motion was carried.

ENGROSSED SENATE BILL NO. 6720, by Senators Metcalf and Madsen

Providing for the management of waste tires.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Ms. Rasmussen to the committee amendment.

Ms. Rasmussen spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

Ms. Rust spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Ms. Rust the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6720 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsöld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Lux, McLean, Wineberry - 4.

Engrossed Senate Bill No. 6720 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House immediately resume consideration of Engrossed Substitute Senate Bill No. 6344 on second reading from Friday, March 4, 1988. The motion was carried. (See Journal, 54th Day, March 4, 1988.)

ENGROSSED SUBSTITUTE SENATE BILL NO. 6344, by Committee on Agriculture (originally sponsored Senators Barr, Hansen, Bailey and Anderson; by request of Department of Agriculture)

Revising provisions relating to agriculture.

With consent of the House, the amendment by Representative Bumgarner and others to the committee amendment was withdrawn.

Representatives Rayburn and Nealey spoke in favor of adoption of the committee amendment, and it was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6344 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsöld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Lux, McLean, Wineberry - 4.

Engrossed Substitute Senate Bill No. 6344 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representative Lux appeared at the bar of the House.

MOTION

Mr. Meyers moved that the House immediately consider Senate Joint Memorial No. 8028 on second reading. The motion was carried.

SENATE JOINT MEMORIAL NO. 8028, by Senators Zimmerman and Bauer

Petitioning Congress and the Army Corps of Engineers to designate sites in the Columbia River Gorge National Scenic Area to receive spoil material to improve the recreational value of those sites.

The memorial was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Ms. Rust moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Rust and Walker spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8028 as amended by the House, and the memorial passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Krømen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Senate Joint Memorial No. 8028 as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5943, by Committee on Law & Justice (originally sponsored by Senators Nelson, Williams, Kiskaddon, Conner and Anderson)

Revising provisions on the small claims department of district court.

ANNOUNCEMENT BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that further consideration of Substitute Senate Bill No. 5943 would be deferred.

MOTION

Mr. Meyers moved that the House consider the following bills in the following order: Substitute Senate Bill No. 6128, Senate Bill No. 6245, Substitute Senate Bill No. 6404 and Substitute Senate Bill No. 6548. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6128, by Committee on Environment & Natural Resources (originally sponsored by Senators Bluechel and Bender)

Revising provisions for park and recreation service areas.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. Haugen moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

On motion of Ms. Haugen, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6128 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6128 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6245, by Senators McDonald, Gaspard, Zimmerman, Lee and Rasmussen; by request of State Treasurer

Revising provisions relating to investment of bond proceeds.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6245, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Senate Bill No. 6245, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO: 6404, by Committee on Governmental Operations (originally sponsored by Senators Lee, Halsan, Bailey and Garrett; by request of Department of Community Development)

Authorizing loans for emergency public works projects.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6404, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6404, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6548, by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Warnke, Smitherman, Rasmussen and Fleming; by request of Employment Security Department)

Authorizing fees for administration of the federal targeted jobs tax credit program.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6548, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6548, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House immediately consider Substitute Senate Bill No. 5943 on second reading. The motion was carried.

SUBSTITUTE SENATE BILL NO. 5943, by Committee on Law & Justice (originally sponsored by Senators Nelson, Williams, Kiskaddon, Conner and Anderson)

Revising provisions on the small claims department of district court.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5943, and the bill passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Heavey, Wang - 2.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 5943, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Meyers moved that the House consider the following bills in the following order: Substitute Senate Bill No. 6147, Substitute Senate Bill No. 6603, Substitute Senate Bill No. 6298, Engrossed Substitute Senate Bill No. 6308 and Substitute Senate Bill No. 6498. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6147, by Committee on Law & Justice (originally sponsored by Senators Pullen, Niemi, Rasmussen, Craswell and Nelson)

Revising the criminal definition of "substantial bodily harm."

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 45th Day, February 24, 1988.)

Mr. Armstrong moved that the House do not adopt the committee amendment. Representatives Armstrong and Padden spoke in favor of the motion, and it was carried.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6147, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6147, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6603, by Committee on Environment & Natural Resources (originally sponsored by Senators Barr and Stratton)

Revising air quality opacity limitations.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Ms. Rust moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6603 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spangle, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6603 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6298, by Committee on Governmental Operations (originally sponsored by Senators Zimmerman, Williams and Bluechel; by request of Department of Community Development)

Revising provisions on abandoned property with historical value.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. K. Wilson moved adoption of the committee amendment.

Ms. Belcher moved adoption of the following amendment to the committee amendment:

On page 8 of the amendment, line 8, after "recovered," strike all material down through "recovered." on line 14

Ms. Belcher spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

Ms. K. Wilson spoke in favor of the committee amendment as amended, and it was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6298 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6298 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6308, by Committee on Children & Family Services (originally sponsored by Senators Bailey and Kiskaddon)

Requiring the development of a juvenile court training curriculum.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 45th Day, February 24, 1988.)

Ms. Brekke moved adoption of the committee amendment.

Mr. Padden moved adoption of the following amendment by Representatives Padden and Hargrove to the committee amendment:

On page 4, line 9 of the amendment, after "by" strike "July 1, 1988." and insert "July 1, 1989; provided the curriculum is approved by the legislature."

Representatives Padden, Lewis and Hargrove spoke in favor of adoption of the amendment to the committee amendment, and Representatives Leonard, Locke, Dorn, Moyer and Brekke opposed it.

Mr. Padden again spoke in favor of adoption of the amendment to the committee amendment, and Mr. Moyer again opposed it.

The amendment to the committee amendment was not adopted.

The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6308 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Hargrove - 1.

Excused: Representatives Allen, McLean, Wineberry - 3.

Engrossed Substitute Senate Bill No. 6308 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6498, by Committee on Law & Justice (originally sponsored by Senators Nelson, Newhouse, Talmadge, Halsan and Hayner)

Reviewing and establishing standards for appointment of counsel for indigent persons.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6498, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6498, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House consider the following bills in the following order: Substitute Senate Bill No. 6115, Senate Bill No. 6418, Substitute Senate Bill No. 6670, Substitute Senate Bill No. 6703, Substitute Senate Bill No. 6217 and Substitute Senate Bill No. 6219. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6115, by Committee on Children & Family Services (originally sponsored by Senators Kiskaddon and Saling)

Providing for programs to enhance parenting skills and strengthen families.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. Brekke moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6115 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6115 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6418, by Senators Halsan and Sellar

Requiring a proposal for a senior development program for local government managers.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6418, and the bill passed the House by the following vote: Yeas, 91; nays, 4; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristol, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Beck, Doty, Fuhrman, Nealey - 4.

Excused: Representatives Allen, McLean, Wineberry - 3.

Senate Bill No. 6418, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6670, by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Owen, Warnke and Smith)

Revising provisions on public works projects involving certain trench excavations.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 26, 1988.)

Mr. Wang moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang and Patrick:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 39.04 RCW to read as follows:

On public works projects in which trench excavation will exceed a depth of four feet, any contract therefor shall require adequate safety systems for the trench excavation that meet the requirements of the Washington industrial safety and health act, chapter 49.17 RCW. This requirement shall be included in the cost estimates and bidding forms as a separate item. The costs of trench safety systems shall not be considered as incidental to any other contract item and any attempt to include the trench safety systems as an incidental cost is prohibited."

Representatives Wang and Patrick spoke in favor of adoption of the amendment, and it was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6670 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6670 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6703, by Committee on Energy & Utilities (originally sponsored by Senators Benitz and Madsen)

Changing provisions relating to underground facilities.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 45th Day, February 24, 1988.)

Mr. Nelson moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Nelson moved adoption of the following amendment by Representatives Nelson and Barnes:

On page 1, line 10, after "service," insert "One number locator service rates for cable television companies will be based on the amount of their underground facilities."

Representatives Nelson and Barnes spoke in favor of adoption of the amendment, and it was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nelson and Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6703 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6703 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6217, by Committee on Agriculture (originally sponsored by Senator Benitz)

Requiring the department of ecology to sell its interest in the Prosser well at the Washington State University research center.

The bill was read the second time. Committee on Agriculture & Rural Development recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 26, 1988.)

Ms. Rayburn moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6217 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6217 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6219, by Committee on Children & Family Services (originally sponsored by Senators Kreidler and Kiskaddon)

Changing the review standard for consent to adoption.

The bill was read the second time.

Ms. Brekke moved adoption of the following amendment by Representatives Brekke, Rayburn, Leonard and Winsley:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 17, chapter 155, Laws of 1984 and RCW 26.33.170 are each amended to read as follows:

An agency's, the department's, or a legal guardian's consent to adoption may be dispensed with if the court determines by clear, cogent and convincing evidence that the proposed adoption is in the best interests of the adoptee ~~((and that the refusal to consent to adoption is arbitrary and capricious))~~.

Sec. 2. Section 49, chapter 291, Laws of 1977 ex. sess. as amended by section 49, chapter 155, Laws of 1979 and RCW 13.34.210 are each amended to read as follows:

If, upon entering an order terminating the parental rights of a parent, there remains no parent having parental rights, the court shall commit the child to the custody of the department of social and health services or to a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption, or in the absence thereof in a licensed foster home, or take other suitable measures for the care and welfare of the child. The custodian shall have authority to consent to the adoption of the child consistent with chapter 26.33 RCW, the marriage of the child, the enlistment of the child in the armed forces of the United States, necessary surgical and other medical treatment for the child, and to consent to such other matters as might normally be required of the parent of the child.

If a child has not been adopted within six months after the date of the order and a general guardian of the child has not been appointed by the court, the child shall be returned to the court for entry of further orders for his or her care, custody, and control, and the court shall review the case every six months thereafter until a decree of adoption is entered.

NEW SECTION. Sec. 3. A new section is added to chapter 26.33 RCW to read as follows:

The legislature declares that its intent is to allow for an open adoption process when extraordinary circumstances demonstrate that some parent-child contact will best serve the child's interest and will not jeopardize the parent-child relationship established between the child and adoptive parents in the adoptive placement.

Sec. 4. Section 6, chapter 155, Laws of 1984 and RCW 26.33.060 are each amended to read as follows:

All hearings under this chapter shall be heard by the court without a jury. Unless the parties and the court agree otherwise, proceedings of contested hearings shall be recorded. The

general public shall be excluded and only those persons shall be admitted whose presence is requested by any person entitled to notice under this chapter or whom the judge finds to have a direct interest in the case or in the work of the court. Persons so admitted shall not disclose any information obtained at the hearing which would identify the individual adoptee or parent involved except in accordance with an adoption contract issued in open adoptions under section 6 of this act. The court may require the presence of witnesses deemed necessary to the disposition of the petition, including persons making any report, study, or examination which is before the court if those persons are reasonably available. A person who has executed a valid waiver need not appear at the hearing. If the court finds that it is in the child's best interest, the child may be excluded from the hearing.

Sec. 5. Section 33, chapter 155, Laws of 1984 and RCW 26.33.330 are each amended to read as follows:

(1) All records of any proceeding under this chapter shall be sealed and shall not be thereafter open to inspection by any person except upon order of the court for good cause shown or in accordance with specific terms of an open adoption order under section 6 of this act.

(2) The state registrar of vital statistics may charge a reasonable fee for the review of any of its sealed records.

NEW SECTION. Sec. 6. A new section is added to chapter 26.33 RCW to read as follows:

(1) 'Open adoption' means a written and mutually agreed upon plan for written or oral communication between an adoptive family and birth parents or between an adopted child and birth parents. The written plan may also specify a schedule of in-person visitation.

(2) In an original adoption proceeding, the court may order that an adoption be declared 'open' if the court finds that:

(a) All parties to the proceeding, including the birth parents, agree that the adoption should be declared 'open';

(b) It is in the child's best interest to have access to information about the natural parents; and

(c) The child's best interests will be served by allowing information about the child to be known by the natural parents.

(3) Any party to the proceeding may file a proposed adoption contract that shall be reviewed by the court and included in the adoption order in the discretion of the court. The adoption contract shall include:

(a) A method of initiating contact between the child and the natural parents, if such contact is agreed to;

(b) The nature of any visitation schedule or agreement between the parties, if visitation is agreed to;

(c) A statement of the child's right to refuse contact with the natural parents at any time;

(d) A method for dispute resolution in the event of difficulties in implementing the adoption contract; and

(e) A statement that all parties to the proceeding agree to the terms and conditions of the adoption contract. The contract shall be signed by all parties to the proceeding.

(4) Violation of the adoption contract shall not by itself constitute grounds for setting aside an adoption."

Representatives Brekke and Rayburn spoke in favor of adoption of the amendment, and it was adopted.

On motion of Ms. Brekke, the following amendment to the title was adopted:

In line 1 of the title, after "adoption:" strike the remainder of the title and insert "amending RCW 26.33.170, 13.34.210, 26.33.060, and 26.33.330; and adding new sections to chapter 26.33 RCW."

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6219 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Berozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt,

Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, McLean, Wineberry - 3.

Substitute Senate Bill No. 6219 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that the House consider the following bills in the following order: Engrossed Substitute Senate Bill No. 6672, Senate Bill No. 6515 and Substitute Senate Bill No. 6503. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6672, by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Conner, Warnke, Smitherman, McMullen, Deccio and Zimmerman)

Requiring the development of comprehensive international trade strategies.

The bill was read the second time.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Wang:

On page 3, after line 23, insert:

NEW SECTION, Sec. 7. (1) The Washington institute for public policy shall initiate a study to investigate the impact of the state's dependence on the military economy, investigate the state's role in the diversification of the state's economy and consider the role of international trade in the transition to and functioning of a diverse economy.

(2) The study shall focus on:

(a) Methods of utilizing the assets of military-dependent companies and their workforce to diversify such companies. The study shall examine alternative production technologies and occupations such as light rail mass transit, alternative energy, low-cost housing, international trade services and new product development.

(b) Potential markets, particularly international markets, for new technologies and products.

(c) The development of a plan to diversify the industrial base of the state's economy.

(3) The following shall provide whatever assistance is needed in the completion of the study: The department of employment security, the department of trade and economic development, and the state economic development board.

(4) The institute shall submit a final report to the legislature no later than January 1, 1989.

(5) The institute may solicit from public or private sources any funds needed, in addition to appropriated funds, to complete the study.

NEW SECTION, Sec. 8. The sum of forty thousand dollars, or so much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the general fund to the Washington institute for public policy for the purposes of section 7 of this act. The institute shall contract with Washington State University for the study."

Renumber remaining sections consecutively and correct internal references accordingly.

POINT OF ORDER

Mr. Schoon: Mr. Speaker, I would like to challenge this amendment on scope and object and would appreciate your ruling.

SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): In reference to the question of germaneness of the floor amendment, the Speaker finds that this is another study and certainly could be germane. The House will determine whether or not it wants to adopt this approach, but it spells out how the study is going to be done, how it will be initiated and covers aspects of it somewhat differently than the pending bill. But it is certainly germane.

Mr. Locke spoke in favor of adoption of the amendment.

POINT OF ORDER

Mr. Schoon: Mr. Speaker, the bill does not deal with directing the federal government to investigate federal spending. Please have the speaker direct his comments to the amendment.

The Speaker (Mr. O'Brien presiding): You are holding your remarks to the germaneness of your amendment, aren't you? We will proceed on that basis.

Mr. Locke continued his remarks in favor of adoption of the amendment, and Mr. Schoon opposed the amendment.

MOTION

Mr. Ebersole moved that the House make Second Substitute Senate Bill No. 5378 a special order of business for 4:59 p.m. today.

ROLL CALL

The Clerk called the roll on the motion by Mr. Ebersole to make Second Substitute Senate Bill No. 5378 a special order of business for 4:59 p.m. today, and the motion was carried by the following vote: Yeas, 67; nays, 28; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Winsley, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Amondson, Ballard, Barnes, Beck, Brooks, Brough, Bumgarner, Chandler, Fuhrman, Hankins, Holland, Lewis, May, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Williams B, Wilson S - 28.

Excused: Representatives Allen, McLean, Wineberry - 3.

SPECIAL ORDER OF BUSINESS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be consideration of Second Substitute Senate Bill No. 5378 on second reading, said bill having been made a special order of business at 4:59 p.m. today.

SECOND SUBSTITUTE SENATE BILL NO. 5378, by Committee on Health Care & Corrections (originally sponsored by Senators Wojahn and Kreidler)

Licensing laboratories conducting prenatal test.

The bill was read the second time.

Mr. Patrick moved adoption of the following amendment:

On page 2, line 32 after "groups" insert ", which groups shall include individuals who reject abortion and promote life-supportive solutions and methods of follow-up care and treatment in cases of abnormal test results"

Representatives Patrick and Padden spoke in favor of adoption of the amendment, and Representatives Braddock, Miller and Wang opposed it.

Mr. Patrick again spoke in favor of the amendment.

The amendment was not adopted.

Mr. Day moved adoption of the following amendment by Representatives Day, D. Sommers and Padden:

On page 3, line 15, after "rules," insert "Such information shall be given in the most timely manner to allow prenatal tests to be performed when the testing will be most accurate and present the least risk of injury to the mother and fetus."

Mr. Day spoke in favor of adoption of the amendment, and Mr. Braddock opposed it.

POINT OF INFORMATION

Ms. H. Sommers: My point of information is: Would the Speaker please clarify that this amendment was signed by Representative Duane Sommers. It does not so indicate and I would like the record to be clear that it was signed by Representative Duane Sommers, not Helen Sommers.

The Speaker (Mr. O'Brien presiding): We will make that correction.

The amendment was not adopted.

Mr. D. Sommers moved adoption of the following amendment:

On page 3, line 15 after "rules." insert "All prenatal tests shall be voluntary and shall be performed only after the patient has provided the attending physician or the person performing the test her written and signed informed consent."

Representatives D. Sommers, Braddock and Moyer spoke in favor of the amendment, and Representatives Miller and Cole opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative D. Sommers to Second Substitute Senate Bill No. 5378, and the amendment was not adopted by the following vote: Yeas, 37; nays, 58; excused, 3.

Voting yea: Representatives Amondson, Ballard, Barnes, Basich, Beck, Betrozoff, Braddock, Bristow, Butterfield, Cantwell, Chandler, Day, Doty, Ferguson, Fuhrman, Grant, Hargrove, Heavey, Holland, King P. Kremen, Locke, Moyer, Padden, Patrick, Sanders, Schoon, Silver, Smith C. Sommers D. Sutherland, Valle, Walker, Williams B, Williams J, Wilson K. Winsley - 37.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Baugher, Belcher, Brekke, Brooks, Brough, Bumgarner, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hankins, Haugen, Hine, Holm, Jacobsen, Jesernig, Jones, King R. Leonard, Lewis, Lux, May, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprenkle, Taylor, Todd, Unsoeld, Vekich, Walk, Wang, Wilson S, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Allen, McLean, Wineberry - 3.

Mr. Chandler moved adoption of the following amendment by Representatives Chandler and Padden:

On page 4, after line 26 insert:

"NEW SECTION, Sec. 9. The carrier or provider of any group disability contract, health care services contract or health maintenance agreement shall not cancel, reduce, limit or otherwise alter or change the coverage provided solely on the basis of the result of any prenatal test."

Renumber subsequent sections and correct internal references accordingly.

Representatives Chandler, Braddock and Miller spoke in favor of adoption of the amendment, and it was adopted.

Mr. Padden moved adoption of the following amendment by Representatives Padden and Vekich:

On page 4, after line 26 insert:

"NEW SECTION, Sec. 9. The carrier or provider of any group disability contract, health care services contract or health maintenance agreement shall not require any abortion on the basis of any real or suspected abnormal test result or birth defect."

Renumber subsequent sections and correct internal references accordingly.

POINT OF ORDER

Mr. Wang: Mr. Speaker, I would ask you to review whether or not this amendment falls within the scope and object of the bill.

The Speaker assumed the Chair.

SPEAKER'S RULING

The Speaker: Representative Wang, the Speaker has examined the bill which relates to prenatal testing. There is a section in the bill which deals with insurance companies and matters that they have to cover. The amendment deals in essence with the duties of an insurance company. The Speaker finds that the amendment deals also with the obligations of an insurance company, even though the amendment is drafted in the negative. I find that the amendment is within the scope and object of the bill; that your point is not well taken.

Mr. Padden spoke in favor of adoption of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on the amendment by Representatives Padden and Vekich to Second Substitute Senate Bill No. 5378, and the amendment was not adopted by the following vote: Yeas, 38; nays, 57; excused, 3.

Voting yea: Representatives Amondson, Ballard, Barnes, Basich, Beck, Bristow, Bumgarner, Butterfield, Chandler, Crane, Day, Dorn, Fuhrman, Hargrove, Heavey, Holland, Kremen, Lewis,

Locke, Moyer, Nelson, Padden, Patrick, Peery, Rasmussen, Sanders, Schoon, Silver, Smith C, Sommers D, Sutherland, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Winsley - 38.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Baugher, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Lux, May, Meyers, Miller, Nealey, Nutley, O'Brien, Prince, Pruitt, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprengle, Taylor, Todd, Unsoeld, Valle, Wang, Wilson S, Zellinsky, and Mr. Speaker - 57.

Excused: Representatives Allen, McLean, Wineberry - 3.

STATEMENT FOR THE JOURNAL

I would like the Journal to show that, if the vote was taken again, my vote would be "Yes" for the amendment by Representatives Padden and Vekich to Second Substitute Senate Bill No. 5378.

PAUL H. KING, 44th District.

Representative Brough was excused.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock, Padden, Hine, Miller and Brooks spoke in favor of passage of the bill, and Mr. Moyer opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5378 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 1; absent, 1; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Bumgamer, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representative Moyer - 1.

Absent: Representative Pruitt - 1.

Excused: Representatives Allen, Brough, McLean, Wineberry - 4.

Second Substitute Senate Bill No. 5378 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:30 a.m., Monday, March 7, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Monday, March 7, 1988

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Day, Ferguson, Locke and D. Sommers. Representative D. Sommers was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Andrea Norquist and David Cossar. Prayer was offered by Rabbi Moses Londinski from Bikur Cholim-Machzikay Hadath of Seattle.

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

MESSAGES FROM THE SENATE

March 4, 1988

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1373,
HOUSE BILL NO. 1560,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 5, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5669,
SENATE BILL NO. 6093,
SENATE BILL NO. 6119,
SENATE BILL NO. 6136,
SUBSTITUTE SENATE BILL NO. 6181,
SENATE BILL NO. 6227,
SUBSTITUTE SENATE BILL NO. 6290,
SENATE BILL NO. 6313,
SENATE BILL NO. 6339,
SENATE BILL NO. 6354,
SENATE BILL NO. 6371,
SENATE BILL NO. 6374,
SENATE BILL NO. 6375,
SENATE BILL NO. 6412,
SUBSTITUTE SENATE BILL NO. 6433,
SUBSTITUTE SENATE BILL NO. 6534,
SUBSTITUTE SENATE BILL NO. 6536,
SENATE BILL NO. 6537,
SENATE BILL NO. 6608,
SUBSTITUTE SENATE BILL NO. 6631,
SUBSTITUTE SENATE BILL NO. 6742,
SENATE CONCURRENT RESOLUTION NO. 8434,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1297 with the following amendments:

On page 8, line 2, after "(1)" strike "All" and insert "Prior to the treasurer executing and conveying the deed, all"

On page 8, line 21, after "be" strike "again assessed or"

On page 8, line 27, after "assessments" insert a comma and strike "that have been cancelled by the deed to the irrigation district, and the" and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Rayburn moved that the House do concur in the Senate amendments to Substitute House Bill No. 1297.

Representatives Rayburn and Nealey spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1297 as amended by the Senate.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1297 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; absent, 3; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers H, Spangle, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Day, Ferguson, Locke - 3.

Excused: Representative Sommers D - 1.

Substitute House Bill No. 1297 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Ferguson appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1507 with the following amendments:

On page 2, line 33, after "containers," insert "or"

On page 2, line 36, after "cocoa" strike all material down through "premises" on page 3, line 4

On page 5, line 10, after "containers," insert "or"

On page 5, line 13, after "cocoa" strike all material down through "premises" on line 17

On page 5, after line 26, insert the following:

"NEW SECTION, Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 1, 1988."

On page 5, after line 26, insert the following:

"NEW SECTION, Sec. 3. The department of revenue shall study the costs and problems imposed on retailers by modifications to the rate or base of the retail sales tax, including local

option sales taxes. The department shall report the results of the study to the ways and means committees of the senate and house of representatives by October 1, 1988."

On page 1, line 3 of the title, after "69.06.010;" strike the remainder of the title and insert "amending RCW 82.08.0293 and 82.12.0293; providing an effective date; and declaring an emergency."

On page 1, line 3 of the title, after "69.06.010;" strike "and" and after "82.12.0293" insert "; and creating a new section"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1507.

Representatives Appelwick and Taylor spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1507 as amended by the Senate.

Mr. B. Williams spoke against passage of the bill, and Mr. Appelwick spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1507 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 69; nays, 26; absent, 2; excused, 1.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, King P, Lewis, Miller, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Walker, Williams B, Williams J - 26.

Absent: Representatives Day, Locke - 2.

Excused: Representative Sommers D - 1.

Substitute House Bill No. 1507 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Day appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1333 with the following amendments:

On page 2, beginning on line 31, after "perpetrator and" strike "; (α) The" and insert "the"

On page 2, beginning on line 33, after "victim" strike all material down to and including "conduct" on line 36

On page 3, beginning on line 6, after "and" strike "; (α) The" and insert "the"

On page 3, beginning on line 8, after "victim" strike all material down to and including "conduct" on line 11

On page 3, beginning on line 17, after "and" strike "; (α) The" and insert "the"

On page 3, beginning on line 19, after "victim" strike all material down to and including "conduct" on line 22

On page 3, beginning on line 27, after "perpetrator and" strike "; (α) The" and insert "the"

On page 3, beginning on line 29, after "victim" strike all material down to and including "conduct" on line 32

On page 4, beginning on line 4, after "and" strike "; (α) The" and insert "the"

On page 4, beginning on line 6, after "victim" strike all material down to and including "conduct" on line 9

On page 4, beginning on line 15, after "and" strike "; (α) The" and insert "the"

On page 4, beginning on line 17, after "victim" strike all material down to and including "conduct" on line 20

On page 19, line 34, after "second degree" strike ";" and insert "or"

On page 19, line 34, after "first" insert "or second"

On page 19, line 34, after "first degree" strike ", or indecent liberties by forcible compulsion"

On page 22, line 12, strike "indecent liberties" and insert "~~(indecent liberties)~~ child molestation in the first or second degree"

On page 27, after line 35, insert the following:

"NEW SECTION. Sec. 21. The State of Washington Juvenile Disposition Sentencing Standards, Schedule A, is amended to include the following:

JUVENILE
DISPOSITION
OFFENSE
CATEGORY

	<u>DJR CODE</u>	<u>DESCRIPTION (RCW CITE)</u>
A-	9A44B70	Rape of a child, 1 Degree
C+	9A44B80	Rape of a child, 2 Degree
B+	9A44101	Child Molestation, 1 Degree
B+	9A44102	Child Molestation, 2 Degree

JUVENILE
DISPOSITION
CATEGORY FOR
ATTEMPT,
BAILJUMP,
CONSPIRACY OR
SOLICITATION

B+
D+
C+
C+

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to Substitute House Bill No. 1333.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1333 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1333 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Locke - 1.

Excused: Representative Sommers D - 1.

Substitute House Bill No. 1333 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1404 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes the need to increase the pool of available nursing resources to meet new demands on the health care delivery system. The more complex nature of illnesses, constraints on reimbursement pressuring accelerated treatment and earlier patient discharge, the explosion of technology, and the parameters established by

third-party payers requiring intense monitoring, may be diverting nurses from the bedside into early burnout, retirement, or employment elsewhere.

The state's nursing educational program, encompassing nursing assistants, licensed practical nurses, and licensed (registered) nurses should be better articulated for career mobility in order to make the nursing profession more attractive to individuals and for retaining qualified nurses in the health care delivery system. Barriers to licensure and employment should be eliminated to increase the number of nurses available for patient care.

The legislature declares this act is in the interest of the public health, safety, and welfare.

NEW SECTION, Sec. 2. The state board of nursing, in consultation with the state board of practical nursing, the superintendent of public instruction, vocational education agencies, the state board for community college education, and the higher education coordinating board, shall:

(1) Investigate current education programs for nurses in all settings, such as high schools, vocational-technical schools, community colleges, and universities, to identify the scope of nursing education programs in the state;

(2) Develop, for the purpose of approving nursing education programs for applicants for licensure, a model for articulation and career mobility to enable nurses at every level of the profession to progress to higher levels and advance their professional status by integrating into a recognized nursing curriculum;

(3) Develop innovative nursing education programs that include flexibility in classroom hours, in education program schedules, and through satellite locations so that individuals throughout the state have greater access to a nursing education program; and

(4) Investigate and support innovative models in clinical practice settings for the organization and delivery of nursing services.

The board of nursing shall present its final findings and recommendations to the legislature by January 1, 1989, with a work plan for this study to be submitted to the legislature in August, 1988.

NEW SECTION, Sec. 3. A new section is added to chapter 18.78 RCW to read as follows:

An applicant holding a credential in another state may be licensed by endorsement to practice in this state without examination if the board determines that the other state's credentialing standards are substantially equivalent to the standards in this state.

Sec. 4. Section 5, chapter 222, Laws of 1949, as last amended by section 129, chapter 259, Laws of 1986 and RCW 18.78.050 are each amended to read as follows:

The board shall conduct examinations for all applicants for licensure under this chapter and shall certify qualified applicants to the department of licensing for licensing. The board shall also determine and formulate what constitutes the curriculum for an approved practical nursing program preparing persons for licensure under this chapter. The board shall establish criteria for licensure by endorsement.

The board may adopt rules or issue advisory opinions in response to questions from professional health associations, health care practitioners, and consumers in this state concerning licensed practical nurse practice. The board shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice after three years inactive or lapsed status.

The board shall adopt such rules as are necessary to fulfill the purposes of this chapter pursuant to chapter 34.04 RCW.

Sec. 5. Section 15, chapter 202, Laws of 1949 as last amended by section 14, chapter 133, Laws of 1973 and RCW 18.88.150 are each amended to read as follows:

Upon board approval of the application, the department shall issue a license by endorsement to practice nursing as a registered nurse without examination to an applicant who (~~has been~~) is duly licensed as a registered nurse by examination under the laws of another state, territory or possession of the United States.

An applicant graduated from a school of nursing outside the United States and licensed by a country outside the United States shall meet all qualifications required by this chapter and by the board and shall pass examinations as determined by the board.

Sec. 6. Section 6, chapter 222, Laws of 1949 as last amended by section 8, chapter 55, Laws of 1983 and RCW 18.78.060 are each amended to read as follows:

An applicant for a license to practice nursing as a licensed practical nurse shall submit to the board written evidence, on a form provided by the board, verified under oath, that the applicant:

(1) Is at least eighteen years of age;

(2) Is of good moral character;

(3) Is of good physical and mental health;

(4) Has completed at least a tenth grade course or its equivalent, as determined by the board;

(5) Has completed an approved program of not less than nine months for the education of practical nurses, or its equivalent, as determined by the board.

To be licensed as a practical nurse, each applicant shall be required to pass an examination in such subjects as the board may determine within the scope of and commensurate

with the work to be performed by a licensed practical nurse. Upon approval by the board, the department shall issue an interim permit authorizing the applicant to practice nursing as authorized under this chapter pending notification of the results of the first licensing examination following verification of satisfactory completion of an approved program of practical nursing. Any applicant failing to pass such an examination may apply for reexamination. If the applicant fails the examination, the interim permit expires upon notification and is not renewable. Upon passing such examination as determined by the board, the director shall issue to the applicant a license to practice as a licensed practical nurse, providing the license fee is paid by the applicant and the applicant meets all other requirements of the board.

NEW SECTION. Sec. 7. Section 6 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect April 1, 1988. The director of licensing may immediately take such steps as are necessary to ensure that section 6 of this act is implemented on its effective date.

Sec. 8. Section 8, chapter 202, Laws of 1949 as last amended by section 50, chapter 287, Laws of 1984 and RCW 18.88.080 are each amended to read as follows:

The board may adopt such rules and regulations not inconsistent with the law, as may be necessary to enable it to carry into effect the provisions of this chapter. The board shall approve curricula and shall establish criteria for minimum standards for schools preparing persons for licensure under this chapter. It shall keep a record of all its proceedings and make such reports to the governor as may be required. The board shall define by regulation what constitutes specialized and advanced levels of nursing practice as recognized by the medical and nursing professions. The board may adopt regulations or issue advisory opinions in response to questions put to it by professional health associations, nursing practitioners, and consumers in this state concerning the authority of various categories of nursing practitioners to perform particular acts.

The board shall approve such schools of nursing as meet the requirements of this chapter and the board, and the board shall approve establishment of basic nursing education programs and shall establish criteria as to the need for and the size of a program and the type of program and the geographical location. The board shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice after three years (nonpracticing) inactive or lapsed status. The board shall establish criteria for licensure by endorsement. The board shall examine all applications for registration under this chapter, and shall certify to the director for licensing duly qualified applicants.

The department shall furnish to the board such secretarial, clerical and other assistance as may be necessary to effectively administer the provisions of this chapter. Each member of the board shall, in addition to travel expenses in accordance with RCW 43.03.050 and 43.03.060 while away from home, be compensated in accordance with RCW 43.03.240.

Sec. 9. Section 19, chapter 202, Laws of 1949 as last amended by section 69, chapter 7, Laws of 1985 and RCW 18.88.190 are each amended to read as follows:

Every license issued under the provisions of this chapter, whether in an active or inactive status, shall be renewed, except as hereinafter provided. ~~((The board shall by regulation establish requirements of continuing nursing education as a condition of license renewal: PROVIDED, That membership in an organization shall not be a prerequisite or condition to the fulfillment of any continuous education requirement established as provided herein: PROVIDED FURTHER, That the board shall validate all educational programs established as provided herein:))~~ At least thirty days prior to expiration, the director shall mail a notice for renewal of license to every person licensed for the current licensing period. The applicant shall return the notice to the department with a renewal fee determined by the director as provided in RCW 43.24.086 before the expiration date. Upon receipt of the notice and appropriate fee, ~~((and if requirements for continuing nursing education have been met,))~~ the department shall issue to the applicant a license which shall render the holder thereof a legal practitioner of nursing in either active or inactive status for the period stated on the license. ~~(-PROVIDED, That the requirement of continuing nursing education may for good cause shown be waived by the board. The department's costs for nurses' continuing education shall be borne from licensure fees: PROVIDED FURTHER, That the power of the board to establish continuing nursing education requirements as a condition of license renewal shall terminate on January 1, 1986, unless extended by law for an additional fixed period of time))~~

Sec. 10. Section 20, chapter 202, Laws of 1949 as last amended by section 70, chapter 7, Laws of 1985 and RCW 18.88.200 are each amended to read as follows:

Any licensee who allows his or her license to lapse by failing to renew the license, shall upon application for renewal pay a penalty determined by the director as provided in RCW 43.24.086. If the applicant fails to renew the license before the end of the current licensing period, the license shall be issued for the next licensing period by the department upon written application and fee determined by the director as provided in RCW 43.24.086. Persons on lapsed status for three or more years must provide evidence of knowledge and skill of current practice as required by the board.

Sec. 11. Section 22, chapter 202, Laws of 1949 as amended by section 20, chapter 133, Laws of 1973 and RCW 18.88.220 are each amended to read as follows:

A person licensed under the provisions of this chapter desiring to retire temporarily from the practice of nursing in this state shall send a written notice to the director.

Upon receipt of such notice the name of such person shall be placed (~~upon the nonpracticing list~~) on inactive status. While remaining on this (~~list~~) status the person (~~shall not be subject to the payment of any renewal fees and~~) shall not practice nursing in the state as provided in this chapter. When such person desires to resume practice, application for renewal of license shall be made to the board and renewal fee payable to the state treasurer. Persons on (~~nonpracticing~~) inactive status for three years or more must provide evidence of knowledge and skill of current practice as required by the board or as hereinafter in this chapter provided.

NEW SECTION. Sec. 12. A new section is added to chapter 18.78 RCW to read as follows:

An individual may place his or her license on inactive status with proper notification to the department. The holder of an inactive license shall not practice practical nursing in this state. The inactive renewal fee shall be established by the director pursuant to RCW 43.24.086. Failure to renew an inactive license shall result in cancellation in the same manner as an active license. An inactive license may be placed in an active status upon compliance with the rules established by the board.

The provisions relating to the denial, suspension, and revocation of a license shall be applicable to an inactive or lapsed license. When proceedings to suspend or revoke an inactive license have been initiated, the license shall not be reinstated until the proceedings have been completed.

NEW SECTION. Sec. 13. A new section is added to chapter 18.88 RCW to read as follows:

Upon approval by the board and following verification of satisfactory completion of an advanced formal education, the department of licensing shall issue an interim permit authorizing the applicant to practice specialized and advanced nursing practice pending notification of the results of the first certification examination. If the applicant passes the examination, the department shall grant advanced registered nurse practitioner status. If the applicant fails the examination, the interim permit shall expire upon notification and is not renewable. The holder of the interim permit is subject to chapter 18.130 RCW."

On page 1, line 1 of the title, after "nursing;" strike the remainder of the title and insert "amending RCW 18.78.050, 18.88.150, 18.88.080, 18.78.060, 18.88.190, 18.88.200, and 18.88.220; adding new sections to chapter 18.78 RCW; adding a new section to chapter 18.88 RCW; creating new sections; and providing an effective date."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1404.

Representatives Braddock and Brooks spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL, AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1404 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1404 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers H, Spaniel, Sprenkle, Sutherland, Taylor, Todd, Unsold, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Locke - 1.

Excused: Representative Sommers D - 1.

Engrossed Substitute House Bill No. 1404 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1492 with the following amendments:

On page 18, after line 9, insert the following:

"PART V

ARTS COMMISSION

Sec. 23. Section 2, chapter 125, Laws of 1967 ex. sess. as amended by section 5, chapter 317, Laws of 1985 and RCW 43.46.045 are each amended to read as follows:

The ~~((commission may))~~ governor shall select ~~((and employ))~~ a full time executive director ~~((who))~~ from a list of three names submitted by the commission by September 1, 1988, and anytime thereafter that a vacancy occurs. The executive director shall receive no other salary and shall not be otherwise gainfully employed. Subject to the provisions of chapter 41.06 RCW, the executive director may also employ such clerical and other assistants as may be reasonably required to carry out commission functions. The executive director shall serve at the pleasure of the governor."

On page 1, line 4 of the title, strike "and"

On page 1, line 5 of the title, after "76.44.020" and before the semicolon insert ", and 43.46.045"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. H. Sommers moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1492.

Representatives H. Sommers and Hankins spoke in favor of the motion, and Ms. Miller spoke against it.

ROLL CALL

The Clerk called the roll on the motion by Ms. H. Sommers to concur in the Senate amendments to Engrossed House Bill No. 1492, and the motion was carried by the following vote: Yeas, 63; nays, 33; absent, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lux, Meyers, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Allen, Amondson, Ballard, Barnes, Beck, Brooks, Brough, Bumgarner, Butterfield, Doty, Fuhrman, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Nelson, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Taylor, Unsoeld, Walker, Williams B, Williams J, Wilson S - 33.

Absent: Representative Locke - 1.

Excused: Representative Sommers D - 1.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1492 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1492 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 4; absent, 1; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Moyer, Nelson, Nutley, O'Brien, Padden, Patrick,

Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Barnes, Miller, Nealey, Sanders - 4.

Absent: Representative Locke - 1.

Excused: Representative Sommers D - 1.

Engrossed House Bill No. 1492 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Locke appeared at the bar of the House.

The Speaker assumed the Chair.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 608 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 13, Laws of 1965 as last amended by section 2, chapter 206, Laws of 1987 and by section 9, chapter 524, Laws of 1987 and RCW 26.44.020 are each reenacted and amended to read as follows:

For the purpose of and as used in this chapter:

- (1) 'Court' means the superior court of the state of Washington, juvenile department.
- (2) 'Law enforcement agency' means the police department, the prosecuting attorney, the state patrol, the director of public safety, or the office of the sheriff.
- (3) 'Practitioner of the healing arts' or 'practitioner' means a person licensed by this state to practice podiatry, optometry, chiropractic, nursing, dentistry, osteopathy and surgery, or medicine and surgery or to provide other health services. The term 'practitioner' shall include a duly accredited Christian Science practitioner: PROVIDED, HOWEVER, That a person who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner shall not be considered, for that reason alone, a neglected person for the purposes of this chapter.
- (4) 'Institution' means a private or public hospital or any other facility providing medical diagnosis, treatment or care.
- (5) 'Department' means the state department of social and health services.
- (6) 'Child' or 'children' means any person under the age of eighteen years of age.
- (7) 'Professional school personnel' shall include, but not be limited to, teachers, counselors, administrators, child care facility personnel, and school nurses.
- (8) 'Social service counselor' shall mean anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support or education of children, or providing social services to adults or families, including mental health, drug and alcohol treatment, and domestic violence programs, whether in an individual capacity, or as an employee or agent of any public or private organization or institution.
- (9) 'Psychologist' shall mean any person licensed to practice psychology under chapter 18.83 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.
- (10) 'Pharmacist' shall mean any registered pharmacist under the provisions of chapter 18.64 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.
- (11) 'Clergy' shall mean any regularly licensed or ordained minister, priest or rabbi of any church or religious denomination, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.
- (12) 'Child abuse or neglect' shall mean the injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment of a child by any person under circumstances which indicate that the child's health, welfare, and safety is harmed thereby. An abused child is a child who has been subjected to child abuse or neglect as defined herein: PROVIDED, That this subsection shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which are not proved to be injurious to the child's health, welfare, and safety: AND PROVIDED FURTHER, That nothing in this section shall be used to prohibit the reasonable use of corporal punishment as a means of discipline. No parent or guardian shall be deemed abusive or neglectful solely by reason of the parent's or child's blindness, deafness, developmental disability, or other handicap.
- (13) 'Child protective services section' shall mean the child protective services section of the department.

(14) 'Adult dependent persons not able to provide for their own protection through the criminal justice system' shall be defined as those persons over the age of eighteen years who have been found legally incompetent pursuant to chapter 11.88 RCW or found disabled to such a degree pursuant to said chapter, that such protection is indicated: PROVIDED, That no persons reporting injury, abuse, or neglect to an adult dependent person as defined herein shall suffer negative consequences if such a judicial determination of incompetency or disability has not taken place and the person reporting believes in good faith that the adult dependent person has been found legally incompetent pursuant to chapter 11.88 RCW.

(15) 'Sexual exploitation' includes: (a) Allowing, permitting, or encouraging a child to engage in prostitution by any person; or (b) allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes as those acts are defined by state law by any person.

(16) 'Negligent treatment or maltreatment' means an act or omission which evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to the child's health, welfare, and safety.

(17) 'Developmentally disabled person' means a person who has a disability defined in RCW 71.20.016.

(18) 'Child protective services' means those services provided by the department designed to protect children from child abuse and neglect and safeguard the general welfare of such children and shall include investigations of child abuse and neglect reports, including reports regarding child care centers and family child care homes, and the development, management, and provision of or referral to services to ameliorate conditions which endanger the welfare of children, the coordination of necessary programs and services relevant to the prevention, intervention, and treatment of child abuse and neglect, and services to children to ensure that each child has a permanent home. In determining whether protective services should be provided, the department shall not decline to provide such services solely because of the child's unwillingness or developmental inability to describe the nature and severity of the abuse or neglect.

(19) 'Malice' or 'maliciously' means an evil intent, wish, or design to vex, annoy, or injure another person. Such malice may be inferred from an act done in wilful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a wilful disregard of social duty.

Sec. 2. Section 3, chapter 13, Laws of 1965 as last amended by section 3, chapter 206, Laws of 1987, by section 23, chapter 512, Laws of 1987, and by section 10, chapter 524, Laws of 1987 and RCW 26.44.030 are each reenacted and amended to read as follows:

(1) When any practitioner, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, licensed or certified child care providers or their employees, employee of the department, or juvenile probation officer has reasonable cause to believe that a child or adult dependent or developmentally disabled person has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040. The report shall be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child or adult has suffered abuse or neglect.

(2) Any other person who has reasonable cause to believe that a child or adult dependent or developmentally disabled person has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(3) The department, upon receiving a report of an incident of abuse or neglect pursuant to this chapter, involving a child or adult dependent or developmentally disabled person who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to sexual abuse, shall report such incident in writing to the proper law enforcement agency.

(4) Any law enforcement agency receiving a report of an incident of abuse or neglect pursuant to this chapter, involving a child or adult dependent or developmentally disabled person who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them.

(5) Any county prosecutor or city attorney receiving a report under subsection (4) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(6) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently

receiving child protective services or department case services for the developmentally disabled. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section, with consultants designated by the department, if the department determines it is in the best interests of the child or developmentally disabled person. Information considered privileged by statute and not directly related to reports required by this section shall not be divulged without a valid written waiver of the privilege.

(7) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(8) Persons or agencies exchanging information under subsection (6) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(9) Upon receiving reports of abuse or neglect, the department or law enforcement agency may interview children. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. Parental notification of the interview shall occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation.

(10) Upon receiving a report of incidents, conditions, or circumstances of child abuse and neglect, the department shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(11) The department shall maintain investigation records and conduct timely and periodic reviews of all cases constituting abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(12) The department of social and health services shall, within funds appropriated for this purpose, use a risk assessment tool when investigating child abuse and neglect referrals. The tool shall be used, on a pilot basis, in three local office service areas. The department shall, within funds appropriated for this purpose, offer enhanced community-based services to persons who are determined not to require further state intervention.

The department shall report to the ways and means committees of the senate and house of representatives on the use of the tool by December 1, 1988. The report shall include recommendations on the continued use and possible expanded use of the tool.

(13) Upon receipt of such report the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

Sec. 3. Section 6, chapter 13, Laws of 1965 as last amended by section 9, chapter 129, Laws of 1982 and RCW 26.44.060 are each amended to read as follows:

(1) (a) Except as provided in (b) of this subsection, any person participating in good faith in the making of a report pursuant to this chapter or testifying as to alleged child abuse or neglect in a judicial proceeding shall in so doing be immune from any liability arising out of such reporting or testifying under any law of this state or its political subdivisions.

(b) A person convicted of a violation of subsection (4) of this section shall not be immune from liability under (a) of this subsection.

(2) An administrator of a hospital or similar institution or any physician licensed pursuant to chapters 18.71 or 18.57 RCW taking a child into custody pursuant to RCW 26.44.056 shall not be subject to criminal or civil liability for such taking into custody.

(3) Conduct conforming with the reporting requirements of this chapter shall not be deemed a violation of the confidential communication privilege of RCW 5.60.060 (3) and (4), 18.53.200 and 18.83.110. Nothing in this chapter shall be construed as to supersede or abridge remedies provided in chapter 4.92 RCW.

(4) A person who, intentionally and in bad faith or maliciously, knowingly makes a false report of abuse or neglect shall be guilty of a misdemeanor punishable in accordance with RCW 9A.20.021."

On page 1, line 1 of the title, after "neglect," strike the remainder of the title and insert "amending RCW 26.44.060; reenacting and amending RCW 26.44.020 and 26.44.030; and prescribing penalties."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Armstrong moved that the House do not concur in the Senate amendments to Substitute House Bill No. 608 and ask the Senate for a conference thereon.

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

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives P. King, Armstrong and Padden as conferees on Substitute House Bill No. 608.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1284 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 42.17 RCW to read as follows:

No member of the state senate or state house of representatives may accept campaign contributions during a legislative session. This prohibition does not apply to (1) extraordinary legislative sessions held after the close of the filing period for legislative office and before the general election, (2) caucuses of major political parties of the state senate or state house of representatives, or (3) a legislator whose recall is demanded.

NEW SECTION. Sec. 2. A new section is added to chapter 42.17 RCW to read as follows:

(1) At the time of filing for office, candidates for governor, state executive office other than the office of governor, state senate, or state house of representatives shall file with the secretary of state, on a form provided by the secretary of state, a statement of willingness or unwillingness to enter into an agreement to adhere to the campaign expenditure limitations set forth in subsection (2) of this section. The secretary of state shall certify whether or not all candidates for a single office have indicated a willingness to enter into the expenditure limitation agreement. If all candidates for a single office have indicated a willingness to enter into the agreement, each of those candidates shall sign and file with the secretary of state such an agreement within ten days of the secretary's certification. Candidates so agreeing shall also agree (a) to accept no campaign contributions that, in the aggregate, exceed the applicable expenditure limits and (b) to spend no more than thirty percent of the agreed-upon expenditure limit in the twenty-one day period before the general election.

(2) Candidates entering into campaign expenditure limitation agreements pursuant to subsection (1) of this section shall agree to adhere to the following campaign expenditure limitations: (a) Two million dollars for the office of governor, (b) six hundred thousand dollars for state-wide offices other than governor, (c) eighty thousand dollars for the state senate, and (d) fifty thousand dollars for the state house of representatives or twenty-five thousand dollars if the representative district consists of half of a senate district.

(3) Using information contained in candidates' reports made under RCW 42.17.080 and 42.17.090, the commission shall monitor candidates' compliance with the terms of campaign expenditure limitation agreements filed pursuant to subsection (1) of this section. The commission shall immediately notify the secretary of state of a candidate's noncompliance. Within twenty-four hours of receiving a notice of noncompliance, the secretary of state shall notify opposing candidates of the noncompliance and shall publish notice of the noncompliance in a newspaper of general circulation in the counties where each of the candidates for the relevant office resides. The published notice shall be reasonably calculated to inform voters of the candidate's noncompliance. Notice of the noncompliance shall also be posted in a conspicuous place at each polling place where the noncomplying candidate's name appears on the ballot.

Sec. 3. Section 5, chapter 59, Laws of 1969 as last amended by section 1, chapter 271, Laws of 1985 and RCW 41.04.230 are each amended to read as follows:

Any official of the state authorized to disburse funds in payment of salaries and wages of public officers or employees is authorized, upon written request of the officer or employee, to deduct from the salaries or wages of the officers or employees, the amount or amounts of subscription payments, premiums, contributions, or continuation thereof, for payment of the following:

(1) Credit union deductions: PROVIDED, That the credit union is organized solely for public employees: AND PROVIDED FURTHER, That twenty-five or more employees of a single state agency or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same credit union.

(2) Parking fee deductions: PROVIDED, That payment is made for parking facilities furnished by the agency or by the department of general administration.

(3) U.S. savings bond deductions: PROVIDED, That a person within the particular agency shall be appointed to act as trustee. The trustee will receive all contributions; purchase and deliver all bond certificates; and keep such records and furnish such bond or security as will render full accountability for all bond contributions.

(4) Board, lodging or uniform deductions when such board, lodging and uniforms are furnished by the state, or deductions for academic tuitions or fees or scholarship contributions payable to the employing institution.

(5) Dues and other fees deductions: PROVIDED, That the deduction is for payment of membership dues to any professional organization formed primarily for public employees or college and university professors: AND PROVIDED, FURTHER, That twenty-five or more employees of a single state agency, or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same professional organization.

(6) Labor or employee organization dues may be deducted in the event that a payroll deduction is not provided under a collective bargaining agreement under the provisions of RCW 41.06.150: PROVIDED, That twenty-five or more officers or employees of a single agency, or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same labor or employee organization: PROVIDED, FURTHER, That labor or employee organizations with five hundred or more members in state government may have payroll deduction for employee benefit programs.

(7) Voluntary deductions for political committees duly registered with the public disclosure commission and/or the federal election commission (~~PROVIDED, That~~) if twenty-five or more officers or employees of a single agency or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same political committee. A state employee must, on an annual basis, affirmatively approve voluntary payroll deductions for political committees. Political committees receiving payroll deductions must provide each contributor with an annual report indicating the candidates and the party affiliations of the candidates to whom the political committee has made contributions in the preceding year. The annual report must also indicate the percentage of contributions spent on the political committee's administrative expenses during the preceding year.

(8) Insurance contributions to the trustee of contracts for payment of premiums under contracts authorized by the state employees' insurance board.

Deductions from salaries and wages of public officers and employees other than those enumerated in this section or by other law, may be authorized by the director of financial management for purposes clearly related to state employment or goals and objectives of the agency and for plans authorized by the state employees' insurance board.

The authority to make deductions from the salaries and wages of public officers and employees as provided for in this section shall be in addition to such other authority as may be provided by law: PROVIDED, That the state or any department, division, or separate agency of the state shall not be liable to any insurance carrier or contractor for the failure to make or transmit any such deduction.

Sec. 4. Section 25, chapter 1, Laws of 1961 as amended by section 1, chapter 136, Laws of 1974 ex. sess. and RCW 41.06.250 are each amended to read as follows:

(1) Solicitation for or payment to any partisan, political organization or for any partisan, political purpose of any compulsory assessment or involuntary contribution is prohibited (~~PROVIDED, HOWEVER, That~~). However, officers of employee associations shall not be prohibited from soliciting dues or contributions from members of their associations if they notify the employee of the political purposes of the solicitation, as well as of the employee's right to refuse to contribute without retribution. Otherwise, no person ((shall)) may solicit on state property or property of a political subdivision of this state any contribution to be used for partisan, political purposes.

(2) Employees of the state or any political subdivision thereof ((shall)) have the right to vote and to express their opinions on all political subjects and candidates and to hold any political party office or participate in the management of a partisan, political campaign. Nothing in this section ((shall)) prohibits an employee of the state or any political subdivision thereof from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and for nonpartisan offices.

(3) A classified civil service employee shall not hold a part-time public office in a political subdivision of the state when the holding of such office is incompatible with, or substantially interferes with, the discharge of official duties in state employment.

(4) For persons employed in state agencies or agencies of any political subdivision of the state the operation of which is financed in total or primarily by federal grant-in-aid funds, political activity ((with be)) is regulated by the rules and regulations of the United States civil service commission.

(5) The provisions of this section ((shall)) supersede all statutes, charter provisions, ordinances, resolutions, regulations, and requirements promulgated by the state or any subdivision thereof, including any provision of any county charter, insofar as they may be in conflict with the provisions of this section.

NEW SECTION. Sec. 5. A new section is added to chapter 49.52 RCW to read as follows:

An employer may, upon written request of an employee, deduct from the salaries or wages of the employee, an amount for contributions to political committees or to a separate segregated fund administered by the employee's union for political activities. The employee must affirmatively approve the deductions on at least an annual basis. No officer or member of the union or political committee may solicit contributions for the political committee or the union's political fund at the employer's place of business. A person soliciting any employee on behalf of the political committee or union must inform the employee of the political purposes of the solicitation and of the employee's right to refuse to contribute without reprisal. In order to accept payroll deduction contributions, the political committee or the union must provide each contributor with a report indicating the candidates and party affiliations of the candidates to whom the political committee or union has made contributions during the preceding year. The report must also indicate what percentage of contributions have been spent on administrative expenses incurred by the political committee or union during the preceding year. Any person who violates this section is guilty of a gross misdemeanor, and shall also return to the contributor any amount contributed or received in violation of this section.

Sec. 6. Section 2, chapter 1, Laws of 1973 as last amended by section 5, chapter 34, Laws of 1984 and RCW 42.17.020 are each amended to read as follows:

(1) 'Agency' includes all state agencies and all local agencies. 'State agency' includes every state office, department, division, bureau, board, commission, or other state agency. 'Local agency' includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(2) 'Ballot proposition' means any 'measure' as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency prior to its circulation for signatures.

(3) 'Campaign depository' means a bank designated by a candidate or political committee pursuant to RCW 42.17.050.

(4) 'Campaign treasurer' and 'deputy campaign treasurer' mean the individuals appointed by a candidate or political committee, pursuant to RCW 42.17.050, to perform the duties specified in that section.

(5) 'Candidate' means any individual who seeks election to public office. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office.

(6) 'Commercial advertiser' means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(7) 'Commission' means the agency established under RCW 42.17.350.

(8) 'Compensation' unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind: PROVIDED, That for the purpose of compliance with RCW 42.17.241, the term 'compensation' shall not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while the official is engaged in the official business of the governmental entity.

(9) 'Continuing political committee' means a political committee that is an organization of continuing existence not established in anticipation of any particular election campaign.

(10) 'Contribution' includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration, but does not include interest on moneys deposited in a political committee's account, ordinary home hospitality and the rendering of (~~part-time~~) personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of twenty-five dollars personally paid for by the worker. (~~Part-time~~) Volunteer services, for the purposes of this chapter, means services ((in addition to regular full-time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends)) or labor for which the individual is not compensated by any person and performed outside of the person's normal employment hours, if any. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables

furnished in connection with the purchase of the tickets, and only the excess over the actual cost of the consumables shall be deemed a contribution.

(11) 'Elected official' means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(12) 'Election' includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters: PROVIDED, That an election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(13) 'Election campaign' means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(14) 'Expenditure' includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term 'expenditure' also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. The term 'expenditure' shall not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported, or payment of service charges against a political committee's campaign account.

(15) 'Final report' means the report described as a final report in RCW 42.17.080(2).

(16) 'Immediate family' includes the spouse, dependent children, and other dependent relatives, if living in the household.

(17) 'Legislation' means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor.

(18) 'Lobby' and 'lobbying' each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state administrative procedure acts, chapter 34.04 RCW and chapter 28B.19 RCW.

(19) 'Lobbyist' includes any person who lobbies either in his own or another's behalf.

(20) 'Lobbyist's employer' means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist.

(21) 'Person' includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(22) 'Person in interest' means the person who is the subject of a record or any representative designated by that person, except that if that person is under a legal disability, the term 'person in interest' means and includes the parent or duly appointed legal representative.

(23) 'Political advertising' includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(24) 'Political committee' means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(25) 'Public office' means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

(26) 'Public record' includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(27) 'Surplus funds' mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts incurred by the committee or candidate prior to that election. In the case of a continuing political committee, 'surplus funds' mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts when it makes its final report under RCW 42.17.065.

(28) 'Writing' means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters,

words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires.

Sec. 7. Section 1, chapter 176, Laws of 1983 as last amended by section 2, chapter 228, Laws of 1986 and RCW 42.17.105 are each amended to read as follows:

(1) Campaign treasurers shall prepare and deliver to the commission a special report regarding any contribution or expenditure which:

(a) Exceeds five hundred dollars;

(b) If a contribution, is from a single person or entity;

(c) Is received or made before a primary or general election; and

(d) Is received or made: (i) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (ii) within twenty-one days preceding that general election.

(2) Any political committee making a contribution which exceeds five hundred dollars shall also prepare and deliver to the commission the special report if the contribution is made before a primary or general election and: (a) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (b) within twenty-one days preceding that general election.

(3) Except as provided in subsection (4), the special report required by this section shall be delivered in written form, including but not limited to mailgram, telegram, or nightletter. The special report required by subsection (1) shall be delivered to the commission within forty-eight hours of the time, or on the first working day after, the contribution is received or the expenditure is made by the candidate or campaign treasurer. The special report required by subsection (2) of this section and RCW 42.17.175 shall be delivered to the commission, and the candidate or political committee to whom the contribution is made, within twenty-four hours of the time, or on the first working day after, the contribution is made.

(4) The special report may be transmitted orally by telephone to the commission to satisfy the delivery period required by subsection (3) if the written form of the report is also mailed to the commission and postmarked within the delivery period established in subsection (3).

(5) The special report shall include at least:

(a) The amount of the contribution or expenditure;

(b) The date of receipt or expenditure;

(c) If a contribution, the name and address of the donor;

(d) The name and address of the recipient; and

(e) Any other information the commission may by rule require.

(6) Contributions and expenditures reported under this section shall also be reported as required by other provisions of this chapter.

(7) The commission shall publish daily a summary of the special reports made under this section and RCW 42.17.175.

(8) It is a violation of this chapter for any person to make, or for any candidate or political committee to accept from any one person, contributions reportable under RCW 42.17.090 in the aggregate exceeding ~~((fifty))~~ thirty thousand dollars for any campaign for state-wide office or exceeding ~~((five))~~ three thousand dollars for any other campaign subject to the provisions of this chapter within twenty-one days of a general election. This subsection does not apply to contributions made by, or accepted from, a major political party as defined in RCW 29.01.090."

In line 1 of the title, after "financing;" strike the remainder of the title and insert "amending RCW 41.04.230, 41.06.250, 42.17.020, and 42.17.105; adding new sections to chapter 42.17 RCW; adding a new section to chapter 49.52 RCW; and prescribing penalties."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Fisher moved that the House do not concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1284 and ask the Senate for a conference thereon.

MOTION

Mr. Sanders moved that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1284.

Mr. Sanders spoke in favor of the motion.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1089,
HOUSE BILL NO. 1304,
SUBSTITUTE HOUSE BILL NO. 1329,
SUBSTITUTE HOUSE BILL NO. 1339,
SUBSTITUTE HOUSE BILL NO. 1362,
HOUSE BILL NO. 1371,
SUBSTITUTE HOUSE BILL NO. 1373,
SUBSTITUTE HOUSE BILL NO. 1377,
SUBSTITUTE HOUSE BILL NO. 1388,
HOUSE BILL NO. 1560,
HOUSE BILL NO. 1693,
HOUSE BILL NO. 1694,
HOUSE BILL NO. 1710,
HOUSE BILL NO. 1813,
HOUSE CONCURRENT RESOLUTION NO. 4446,
SENATE BILL NO. 5451,
SUBSTITUTE SENATE BILL NO. 5669,
SECOND SUBSTITUTE SENATE BILL NO. 5720,
SENATE BILL NO. 6093,
SENATE BILL NO. 6119,
SENATE BILL NO. 6136,
SUBSTITUTE SENATE BILL NO. 6181,
SUBSTITUTE SENATE BILL NO. 6200,
SENATE BILL NO. 6227,
SUBSTITUTE SENATE BILL NO. 6290,
SENATE BILL NO. 6313,
SENATE BILL NO. 6339,
SUBSTITUTE SENATE BILL NO. 6350,
SENATE BILL NO. 6354,
SENATE BILL NO. 6371,
SENATE BILL NO. 6374,
SENATE BILL NO. 6375,
SUBSTITUTE SENATE BILL NO. 6402,
SENATE BILL NO. 6412,
SUBSTITUTE SENATE BILL NO. 6433,
SUBSTITUTE SENATE BILL NO. 6462,
SUBSTITUTE SENATE BILL NO. 6534,
SUBSTITUTE SENATE BILL NO. 6536,
SENATE BILL NO. 6537,
SENATE BILL NO. 6600,
SENATE BILL NO. 6608,
SUBSTITUTE SENATE BILL NO. 6631,
SENATE BILL NO. 6667,
SUBSTITUTE SENATE BILL NO. 6736,
SUBSTITUTE SENATE BILL NO. 6742,
SENATE CONCURRENT RESOLUTION NO. 8434.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representative D. Sommers appeared at the bar of the House.

The Speaker stated the question before the House to be the motion by Mr. Sanders that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1284.

Mr. Sanders again spoke in favor of the motion, and Ms. Fisher spoke against it.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Mr. Lewis spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Mr. Sanders that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1284, and the motion was lost by the following vote: Yeas, 43; nays, 55.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Baugher, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Grant, Hankins, Hargrove, Holland, Jesernig, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley - 43.

The Speaker stated that, by its action, the House did not concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1284.

MOTION

Ms. Fisher moved that the House ask the Senate for a conference on Engrossed Second Substitute House Bill No. 1284. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Appelwick, Fisher and Sanders as conferees on Engrossed Second Substitute House Bill No. 1284.

Representative Belcher was excused.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1396 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 51.32.060, chapter 23, Laws of 1961 as last amended by section 5, chapter 58, Laws of 1986 and by section 1, chapter 59, Laws of 1986 and RCW 51.32.060 are each reenacted and amended to read as follows:

(1) When the supervisor of industrial insurance shall determine that permanent total disability results from the injury, the worker shall receive monthly during the period of such disability:

((+)) (a) If married at the time of injury, sixty-five percent of his or her wages but not less than two hundred fifteen dollars per month.

((+)) (b) If married with one child at the time of injury, sixty-seven percent of his or her wages but not less than two hundred fifty-two dollars per month.

((+)) (c) If married with two children at the time of injury, sixty-nine percent of his or her wages but not less than two hundred eighty-three dollars.

((+)) (d) If married with three children at the time of injury, seventy-one percent of his or her wages but not less than three hundred six dollars per month.

((+)) (e) If married with four children at the time of injury, seventy-three percent of his or her wages but not less than three hundred twenty-nine dollars per month.

((+)) (f) If married with five or more children at the time of injury, seventy-five percent of his or her wages but not less than three hundred fifty-two dollars per month.

((+)) (g) If unmarried at the time of the injury, sixty percent of his or her wages but not less than one hundred eighty-five dollars per month.

((+)) (h) If unmarried with one child at the time of injury, sixty-two percent of his or her wages but not less than two hundred twenty-two dollars per month.

((+)) (i) If unmarried with two children at the time of injury, sixty-four percent of his or her wages but not less than two hundred fifty-three dollars per month.

((+)) (j) If unmarried with three children at the time of injury, sixty-six percent of his or her wages but not less than two hundred seventy-six dollars per month.

((+)) (k) If unmarried with four children at the time of injury, sixty-eight percent of his or her wages but not less than two hundred ninety-nine dollars per month.

((+)) (l) If unmarried with five or more children at the time of injury, seventy percent of his or her wages but not less than three hundred twenty-two dollars per month.

((+)) (2) For any period of time where both husband and wife are entitled to compensation as temporarily or totally disabled workers, only that spouse having the higher wages of the two shall be entitled to claim their child or children for compensation purposes.

((+)) (3) In case of permanent total disability, if the character of the injury is such as to render the worker so physically helpless as to require the hiring of the services of an attendant, the department shall make monthly payments to such attendant for such services as long as such requirement continues, but such payments shall not obtain or be operative while the

worker is receiving care under or pursuant to the provisions of chapter 51.36 RCW and RCW 51.04.105.

((+5)) (4) Should any further accident result in the permanent total disability of an injured worker, he or she shall receive the pension to which he or she would be entitled, notwithstanding the payment of a lump sum for his or her prior injury.

((+5)) (5) In no event shall the monthly payments provided in this section exceed ~~(seventy-five)~~ one hundred percent of the average monthly wage in the state as computed under the provisions of RCW 51.08.018, except that this limitation shall not apply to the payments provided for in subsection ((+4)) (3) of this section.

((+7)) (6) In the case of new or reopened claims, if the supervisor of industrial insurance determines that, at the time of filing or reopening, the worker is voluntarily retired and is no longer attached to the work force, benefits shall not be paid under this section.

((+8)) (7) The benefits provided by this section are subject to modification under RCW 51.32.067.

Sec. 2. Section 51.32.050, chapter 23, Laws of 1961 as last amended by section 3, chapter 58, Laws of 1986 and RCW 51.32.050 are each amended to read as follows:

(1) Where death results from the injury the expenses of burial not to exceed two thousand dollars shall be paid.

(2) (a) Where death results from the injury, a surviving spouse of a deceased worker eligible for benefits under this title shall receive monthly for life or until remarriage payments according to the following schedule:

(i) If there are no children of the deceased worker, sixty percent of the wages of the deceased worker but not less than one hundred eighty-five dollars;

(ii) If there is one child of the deceased worker and in the legal custody of such spouse, sixty-two percent of the wages of the deceased worker but not less than two hundred twenty-two dollars;

(iii) If there are two children of the deceased worker and in the legal custody of such spouse, sixty-four percent of the wages of the deceased worker but not less than two hundred fifty-three dollars;

(iv) If there are three children of the deceased worker and in the legal custody of such spouse, sixty-six percent of the wages of the deceased worker but not less than two hundred seventy-six dollars;

(v) If there are four children of the deceased worker and in the legal custody of such spouse, sixty-eight percent of the wages of the deceased worker but not less than two hundred ninety-nine dollars; or

(vi) If there are five or more children of the deceased worker and in the legal custody of such spouse, seventy percent of the wages of the deceased worker but not less than three hundred twenty-two dollars.

(b) Where the surviving spouse does not have legal custody of any child or children of the deceased worker or where after the death of the worker legal custody of such child or children passes from such surviving spouse to another, any payment on account of such child or children not in the legal custody of the surviving spouse shall be made to the person or persons having legal custody of such child or children. The amount of such payments shall be five percent of the monthly benefits payable as a result of the worker's death for each such child but such payments shall not exceed twenty-five percent. Such payments on account of such child or children shall be subtracted from the amount to which such surviving spouse would have been entitled had such surviving spouse had legal custody of all of the children and the surviving spouse shall receive the remainder after such payments on account of such child or children have been subtracted. Such payments on account of a child or children not in the legal custody of such surviving spouse shall be apportioned equally among such children.

(c) Payments to the surviving spouse of the deceased worker shall cease at the end of the month in which remarriage occurs: PROVIDED, That ~~((the))~~ a monthly payment shall be made to the child or children of the deceased worker ~~((shall))~~ from the month following such remarriage ~~((be))~~ in a sum equal to five percent of the wages of the deceased worker for one child and a sum equal to five percent for each additional child up to a maximum of five such children. Payments to such child or children shall be apportioned equally among such children. Such sum shall be in place of any payments theretofore made for the benefit of or on account of any such child or children. If the surviving spouse does not have legal custody of any child or children of the deceased worker, or if after the death of the worker, legal custody of such child or children passes from such surviving spouse to another, any payment on account of such child or children not in the legal custody of the surviving spouse shall be made to the person or persons having legal custody of such child or children.

(d) In no event shall the monthly payments provided in subsection (2) of this section exceed ~~((seventy-five))~~ one hundred percent of the average monthly wage in the state as computed under RCW 51.08.018.

(e) In addition to the monthly payments provided for in (2)(a) through (2)(c) of this section, a surviving spouse or child or children of such worker if there is no surviving spouse, or dependent parent or parents, if there is no surviving spouse or child or children of any such

deceased worker shall be forthwith paid the sum of one thousand six hundred dollars, any such children, or parents to share and share alike in said sum.

(f) Upon remarriage of a surviving spouse the monthly payments for the child or children shall continue as provided in this section, but the monthly payments to such surviving spouse shall cease at the end of the month during which remarriage occurs. However, after September 8, 1975, an otherwise eligible surviving spouse of a worker who died at any time prior to or after September 8, 1975, shall have an option of:

(1) Receiving, once and for all, a lump sum of seventy-five hundred dollars or fifty percent of the then remaining annuity value of his or her pension, whichever is the lesser: PROVIDED, That if the injury occurred prior to July 1, 1971, the remarriage benefit lump sum, available shall be as provided in the remarriage benefit schedules then in effect; or

(2) If a surviving spouse does not choose the option specified in (2)(f)(1) of this section to accept the lump sum payment, the remarriage of the surviving spouse of a worker shall not bar him or her from claiming the lump sum payment authorized in (2)(f)(1) of this section during the life of the remarriage, or shall not prevent subsequent monthly payments to him or to her if the remarriage has been terminated by death or has been dissolved or annulled by valid court decree provided he or she has not previously accepted the lump sum payment.

(g) If the surviving spouse during the remarriage should die without having previously received the lump sum payment provided in (2)(f)(1) of this section, his or her estate shall be entitled to receive the sum of seventy-five hundred dollars or fifty percent of the then remaining annuity value of his or her pension whichever is the lesser.

(h) The effective date of resumption of payments under (2)(f)(2) of this section to a surviving spouse based upon termination of a remarriage by death, annulment, or dissolution shall be the date of the death or the date the judicial decree of annulment or dissolution becomes final and when application for the payments has been received.

(i) If it should be necessary to increase the reserves in the reserve fund or to create a new pension reserve fund as a result of the amendments in chapter 45, Laws of 1975-76 2nd ex. sess., the amount of such increase in pension reserve in any such case shall be transferred to the reserve fund from the supplemental pension fund.

(3) If there is a child or children and no surviving spouse of the deceased worker or the surviving spouse is not eligible for benefits under this title, a sum equal to thirty-five percent of the wages of the deceased worker shall be paid monthly for one child and a sum equivalent to fifteen percent of such wage shall be paid monthly for each additional child, the total of such sum to be divided among such children, share and share alike: PROVIDED, That benefits under this subsection or subsection (4) shall not exceed sixty-five percent of the wages of the deceased worker at the time of his or her death or ~~((seventy-five))~~ one hundred percent of the average monthly wage in the state as defined in RCW 51.08.018, whichever is the lesser of the two sums.

(4) In the event a surviving spouse receiving monthly payments dies, the child or children of the deceased worker shall receive the same payment as provided in subsection (3) of this section.

(5) If the worker leaves no surviving spouse or child, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty percent of the average monthly support actually received by such dependent from the worker during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed sixty-five percent of the wages of the deceased worker at the time of the death or ~~((seventy-five))~~ one hundred percent of the average monthly wage in the state as defined in RCW 51.08.018, whichever is the lesser of the two sums. If any dependent is under the age of eighteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent reaches the age of eighteen years except such payments shall continue until the dependent reaches age twenty-three while permanently enrolled at a full time course in an accredited school. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened.

(6) For claims filed prior to July 1, 1986, if the injured worker dies during the period of permanent total disability, whatever the cause of death, leaving a surviving spouse, or child, or children, the surviving spouse or child or children shall receive benefits as if death resulted from the injury as provided in subsections (2) through (4) of this section. Upon remarriage or death of such surviving spouse, the payments to such child or children shall be made as provided in subsection (2) of this section when the surviving spouse of a deceased worker remarries.

(7) For claims filed on or after July 1, 1986, every worker who becomes eligible for permanent total disability benefits shall elect an option as provided in RCW 51.32.067.

Sec. 3. Section 2, chapter 59, Laws of 1986 and RCW 51.32.090 are each amended to read as follows:

(1) When the total disability is only temporary, the schedule of payments contained in ~~((subsections (1) through (13) of))~~ RCW 51.32.060 ~~((as amended))~~ (1) and (2) shall apply, so long as the total disability continues.

(2) Any compensation payable under this section for children not in the custody of the injured worker as of the date of injury shall be payable only to such person as actually is providing the support for such child or children pursuant to the order of a court of record providing for support of such child or children.

(3) As soon as recovery is so complete that the present earning power of the worker, at any kind of work, is restored to that existing at the time of the occurrence of the injury, the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable unless the loss of earning power shall exceed five percent. However, during the period a worker returns to light-duty work, receives disability leave supplement payments pursuant to RCW 41.04.500 through 41.04.530, and is otherwise eligible for compensation under this section, the worker shall continue to receive such compensation at the rate provided under RCW 51.32.060 (1) (~~through (13))~~) and (2).

(4) Whenever an employer requests that a worker who is entitled to temporary total disability under this chapter be certified by a physician as able to perform available work other than his or her usual work, the employer shall furnish to the physician, with a copy to the worker, a statement describing the available work in terms that will enable the physician to relate the physical activities of the job to the worker's disability. The physician shall then determine whether the worker is physically able to perform the work described. If the worker is released by his or her physician for said work, and the work thereafter comes to an end before the worker's recovery is sufficient in the judgment of his or her physician to permit him or her to return to his or her usual job, or to perform other available work, the worker's temporary total disability payments shall be resumed. Should the available work described, once undertaken by the worker, impede his or her recovery to the extent that in the judgment of his or her physician he or she should not continue to work, the worker's temporary total disability payments shall be resumed when the worker ceases such work.

Once the worker returns to work under the terms of this subsection, he or she shall not be assigned by the employer to work other than the available work described without the worker's written consent, or without prior review and approval by the worker's physician.

In the event of any dispute as to the worker's ability to perform the available work offered by the employer, the department shall make the final determination.

(5) No worker shall receive compensation for or during the day on which injury was received or the three days following the same, unless his or her disability shall continue for a period of fourteen consecutive calendar days from date of injury: PROVIDED, That attempts to return to work in the first fourteen days following the injury shall not serve to break the continuity of the period of disability if the disability continues fourteen days after the injury occurs.

(6) Should a worker suffer a temporary total disability and should his or her employer at the time of the injury continue to pay him or her the wages which he or she was earning at the time of such injury, such injured worker shall not receive any payment provided in subsection (1) of this section during the period his or her employer shall so pay such wages. This limitation does not apply to disability leave supplement payments made pursuant to RCW 41.04.500 through 41.04.530.

(7) In no event shall the monthly payments provided in this section exceed (~~seventy-five~~) one hundred percent of the average monthly wage in the state as computed under the provisions of RCW 51.08.018.

(8) If the supervisor of industrial insurance determines that the worker is voluntarily retired and is no longer attached to the work force, benefits shall not be paid under this section.

Sec. 4. Section 51.32.090, chapter 23, Laws of 1961 as last amended by section 3, chapter 59, Laws of 1986 and by section 3 of this 1988 act and RCW 51.32.090 are each reenacted to read as follows:

(1) When the total disability is only temporary, the schedule of payments contained in RCW 51.32.060 (1) and (2) shall apply, so long as the total disability continues.

(2) Any compensation payable under this section for children not in the custody of the injured worker as of the date of injury shall be payable only to such person as actually is providing the support for such child or children pursuant to the order of a court of record providing for support of such child or children.

(3) As soon as recovery is so complete that the present earning power of the worker, at any kind of work, is restored to that existing at the time of the occurrence of the injury, the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable unless the loss of earning power shall exceed five percent.

(4) Whenever an employer requests that a worker who is entitled to temporary total disability under this chapter be certified by a physician as able to perform available work other than his or her usual work, the employer shall furnish to the physician, with a copy to the worker, a statement describing the available work in terms that will enable the physician to relate the physical activities of the job to the worker's disability. The physician shall then determine whether the worker is physically able to perform the work described. If the worker

is released by his or her physician for said work, and the work thereafter comes to an end before the worker's recovery is sufficient in the judgment of his or her physician to permit him or her to return to his or her usual job, or to perform other available work, the worker's temporary total disability payments shall be resumed. Should the available work described, once undertaken by the worker, impede his or her recovery to the extent that in the judgment of his or her physician he or she should not continue to work, the worker's temporary total disability payments shall be resumed when the worker ceases such work.

Once the worker returns to work under the terms of this subsection, he or she shall not be assigned by the employer to work other than the available work described without the worker's written consent, or without prior review and approval by the worker's physician.

In the event of any dispute as to the worker's ability to perform the available work offered by the employer, the department shall make the final determination.

(5) No worker shall receive compensation for or during the day on which injury was received or the three days following the same, unless his or her disability shall continue for a period of fourteen consecutive calendar days from date of injury: PROVIDED, That attempts to return to work in the first fourteen days following the injury shall not serve to break the continuity of the period of disability if the disability continues fourteen days after the injury occurs.

(6) Should a worker suffer a temporary total disability and should his or her employer at the time of the injury continue to pay him or her the wages which he or she was earning at the time of such injury, such injured worker shall not receive any payment provided in subsection (1) of this section during the period his or her employer shall so pay such wages.

(7) In no event shall the monthly payments provided in this section exceed one hundred percent of the average monthly wage in the state as computed under the provisions of RCW 51.08.018.

(8) If the supervisor of industrial insurance determines that the worker is voluntarily retired and is no longer attached to the work force, benefits shall not be paid under this section.

Sec. 5. Section 51.32.180, chapter 23, Laws of 1961 as last amended by section 53, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.180 are each amended to read as follows:

Every worker who suffers disability from an occupational disease in the course of employment under the mandatory or elective adoption provisions of this title, or his or her family and dependents in case of death of the worker from such disease or infection, shall receive the same compensation benefits and medical, surgical and hospital care and treatment as would be paid and provided for a worker injured or killed in employment under this title (~~PROVIDED, HOWEVER, That~~), except as follows: (a) This section and RCW 51.16.040 shall not apply where the last exposure to the hazards of the disease or infection occurred prior to January 1, 1937; and (b) for claims filed on or after July 1, 1988, the rate of compensation for occupational diseases shall be established as of the date the disease requires medical treatment or becomes totally or partially disabling, whichever occurs first, and without regard to the date of the contraction of the disease or the date of filing the claim.

Sec. 6. Section 51.32.080, chapter 23, Laws of 1961 as last amended by section 2, chapter 58, Laws of 1986 and RCW 51.32.080 are each amended to read as follows:

(1) For the permanent partial disabilities here specifically described, the injured worker shall receive compensation as follows:

LOSS BY AMPUTATION

Of leg above the knee joint with short thigh stump (3" or less below the tuberosity of ischium)	\$54,000.00
Of leg at or above knee joint with functional stump	48,600.00
Of leg below knee joint	43,200.00
Of leg at ankle (Syme)	37,800.00
Of foot at mid-metatarsals	18,900.00
Of great toe with resection of metatarsal bone	11,340.00
Of great toe at metatarsophalangeal joint	6,804.00
Of great toe at interphalangeal joint	3,600.00
Of lesser toe (2nd to 5th) with resection of metatarsal bone	4,140.00
Of lesser toe at metatarsophalangeal joint	2,016.00
Of lesser toe at proximal interphalangeal joint	1,494.00
Of lesser toe at distal interphalangeal joint	378.00
Of arm at or above the deltoid insertion or by disarticulation at the shoulder	54,000.00
Of arm at any point from below the deltoid insertion to below the elbow joint at the insertion of the biceps tendon	51,300.00
Of arm at any point from below the elbow joint distal to the insertion of the biceps tendon to and including mid-metacarpal amputation of the hand	48,600.00
Of all fingers except the thumb at metacarpophalangeal joints	29,160.00
Of thumb at metacarpophalangeal joint or with resection of carpo-metacarpal bone	19,440.00
Of thumb at interphalangeal joint	9,720.00

Of index finger at metacarpophalangeal joint or with resection of metacarpal bone	12,150.00
Of index finger at proximal interphalangeal joint	9,720.00
Of index finger at distal interphalangeal joint	5,346.00
Of middle finger at metacarpophalangeal joint or with resection of metacarpal bone	9,720.00
Of middle finger at proximal interphalangeal joint	7,776.00
Of middle finger at distal interphalangeal joint	4,374.00
Of ring finger at metacarpophalangeal joint or with resection of metacarpal bone	4,860.00
Of ring finger at proximal interphalangeal joint	3,888.00
Of ring finger at distal interphalangeal joint	2,430.00
Of little finger at metacarpophalangeal joint or with resection of metacarpal bone	2,430.00
Of little finger at proximal interphalangeal joint	1,944.00
Of little finger at distal interphalangeal joint	972.00

MISCELLANEOUS

Loss of one eye by enucleation	21,600.00
Loss of central visual acuity in one eye	18,000.00
Complete loss of hearing in both ears	43,200.00
Complete loss of hearing in one ear	7,200.00

(2) Compensation for amputation of a member or part thereof at a site other than those above specified, and for loss of central visual acuity and loss of hearing other than complete, shall be in proportion to that which such other amputation or partial loss of visual acuity or hearing most closely resembles and approximates. Compensation for any other permanent partial disability not involving amputation shall be in the proportion which the extent of such other disability, called unspecified disability, shall bear to that above specified, which most closely resembles and approximates in degree of disability such other disability, compensation for any other unspecified permanent partial disability shall be in an amount as measured and compared to total bodily impairment: PROVIDED, That in order to reduce litigation and establish more certainty and uniformity in the rating of unspecified permanent partial disabilities, the department shall enact rules having the force of law classifying such disabilities in the proportion which the department shall determine such disabilities reasonably bear to total bodily impairment. In enacting such rules, the department shall give consideration to, but need not necessarily adopt, any nationally recognized medical standards or guides for determining various bodily impairments. For purposes of calculating monetary benefits, the amount payable for total bodily impairment shall be deemed to be ninety thousand dollars: PROVIDED, (~~That compensation for unspecified permanent partial disabilities involving injuries to the back that do not have marked objective clinical findings to substantiate the disability shall be determined at an amount equal to seventy-five percent of the monetary value of such disability as related to total bodily impairment. PROVIDED FURTHER:~~) That the total compensation for all unspecified permanent partial disabilities resulting from the same injury shall not exceed the sum of ninety thousand dollars (~~except that the total compensation for all unspecified permanent partial disabilities involving injuries to the back that do not have marked objective clinical findings to substantiate the disability and resulting from the same injury shall not exceed the sum of sixty-seven thousand five hundred dollars~~): PROVIDED FURTHER, That in case permanent partial disability compensation is followed by permanent total disability compensation, any portion of the permanent partial disability compensation which exceeds the amount that would have been paid the injured worker if permanent total disability compensation had been paid in the first instance, shall be deducted from the pension reserve of such injured worker and his or her monthly compensation payments shall be reduced accordingly.

(3) Should a worker receive an injury to a member or part of his or her body already, from whatever cause, permanently partially disabled, resulting in the amputation thereof or in an aggravation or increase in such permanent partial disability but not resulting in the permanent total disability of such worker, his or her compensation for such partial disability shall be adjudged with regard to the previous disability of the injured member or part and the degree or extent of the aggravation or increase of disability thereof.

(4) When the compensation provided for in subsections (1) and (2) exceeds three times the average monthly wage in the state as computed under the provisions of RCW 51.08.018, payment shall be made in monthly payments in accordance with the schedule of temporary total disability payments set forth in RCW 51.32.090 until such compensation is paid to the injured worker in full, except that the first monthly payment shall be in an amount equal to three times the average monthly wage in the state as computed under the provisions of RCW 51.08.018, and interest shall be paid at the rate of eight percent on the unpaid balance of such compensation commencing with the second monthly payment: PROVIDED, That upon application of the injured worker or survivor the monthly payment may be converted, in whole or in part, into a lump sum payment, in which event the monthly payment shall cease in whole or in part. Such conversion may be made only upon written application of the injured worker or survivor to the

department and shall rest in the discretion of the department depending upon the merits of each individual application: PROVIDED FURTHER, That upon death of a worker all unpaid installments accrued shall be paid according to the payment schedule established prior to the death of the worker to the widow or widower, or if there is no widow or widower surviving, to the dependent children of such claimant, and if there are no such dependent children, then to such other dependents as defined by this title.

Sec. 7. Section 2, chapter 286, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 203, Laws of 1983 and RCW 51.32.075 are each amended to read as follows:

The compensation or death benefits payable pursuant to the provisions of this chapter for temporary total disability, permanent total disability, or death arising out of injuries or occupational diseases shall be adjusted as follows:

(1) On July 1, 1982, there shall be an adjustment for those whose right to compensation was established on or after July 1, 1971, and before July 1, 1982. The adjustment shall be determined by multiplying the amount of compensation to which they are entitled by a fraction, the denominator of which shall be the average monthly wage in the state under RCW 51.08.018 for the fiscal year in which such person's right to compensation was established, and the numerator of which shall be the average monthly wage in the state under RCW 51.08.018 on July 1, 1982.

(2) In addition to the adjustment established by subsection (1) of this section, there shall be another adjustment on July 1, 1983, for those whose right to compensation was established on or after July 1, 1971, and before July 1983, which shall be determined by multiplying the amount of compensation to which they are entitled by a fraction, the denominator of which shall be the average monthly wage in the state under RCW 51.08.018 for the fiscal year in which such person's right to compensation was established, and the numerator of which shall be the average monthly wage in the state under RCW 51.08.018 on July 1, 1983.

(3) In addition to the adjustments under subsections (1) and (2) of this section, further adjustments shall be made beginning on July 1, 1984, and on each July 1st thereafter for those whose right to compensation was established on or after July 1, 1971. The adjustment shall be determined by multiplying the amount of compensation to which they are entitled by a fraction, the denominator of which shall be the average monthly wage in the state under RCW 51.08.018 for the fiscal year in which such person's right to compensation was established, and the numerator of which shall be the average monthly wage in the state under RCW 51.08.018 on July 1st of the year in which the adjustment is being made. The department or self-insurer shall adjust the resulting compensation rate to the nearest whole cent, not to exceed the average monthly wage in the state as computed under RCW 51.08.018.

Sec. 8. Section 51.44.080, chapter 23, Laws of 1961 as last amended by section 29, chapter 43, Laws of 1972 ex. sess. and RCW 51.44.080 are each amended to read as follows:

The department shall notify the state treasurer from time to time, of such transfers as a whole from the state fund to the reserve fund and the interest or other earnings of the reserve fund shall become a part of the reserve fund itself. As soon as possible after June 30th of each year the state insurance commissioner shall expert the reserve fund to ascertain its standing as of June 30th of that year and the relation of its outstanding annuities at their then value (~~on the bases currently employed for new cases~~) to the cash on hand or at interest belonging to the fund. He shall promptly report the result of his examination to the department and to the state treasurer in writing not later than September 30th following. If the report shows that there was on said June 30th, in the reserve fund in cash or at interest, a greater sum than the then annuity value of the outstanding pension obligations, the surplus shall be forthwith turned over to the state fund but, if the report shows the contrary condition of the reserve fund, the deficiency shall be forthwith made good out of the state fund.

Sec. 9. Section 10, chapter 14, Laws of 1980 as last amended by section 2, chapter 339, Laws of 1985 and RCW 51.32.095 are each amended to read as follows:

(1) One of the primary purposes of this title is to enable the injured worker to become employable at gainful employment. To this end, the department or self-insurers shall utilize the services of individuals and organizations, public or private, whose experience, training, and interests in vocational rehabilitation and retraining qualify them to lend expert assistance to the supervisor of industrial insurance in such programs of vocational rehabilitation as may be reasonable to make the worker employable consistent with his or her physical and mental status. Where, after evaluation and recommendation by such individuals or organizations and prior to final evaluation of the worker's permanent disability and in the sole opinion of the supervisor or supervisor's designee, whether or not medical treatment has been concluded, vocational rehabilitation is both necessary and likely to enable the injured worker to become employable at gainful employment, the supervisor or supervisor's designee may, in his or her sole discretion, pay or, if the employer is a self-insurer, direct the self-insurer to pay the cost as provided in subsection (3) of this section.

(2) When in the sole discretion of the supervisor or the supervisor's designee vocational rehabilitation is both necessary and likely to make the worker employable at gainful employment, then the following order of priorities shall be used:

(a) Return to the previous job with the same employer;

(b) Modification of the previous job with the same employer including transitional return to work:

(c) A new job with the same employer in keeping with any limitations or restrictions:

(d) Modification of a new job with the same employer including transitional return to work;

(e) Modification of the previous job with a new employer:

~~((e))~~ (f) A new job with a new employer or self-employment based upon transferable skills:

~~((f))~~ (g) Modification of a new job with a new employer;

(h) A new job with a new employer or self-employment involving on-the-job training:

~~((g))~~ (i) Short-term retraining and job placement.

(3) Costs for vocational rehabilitation benefits allowed by the supervisor or supervisor's designee under subsection (1) of this section may include the cost of books, tuition, fees, supplies, equipment, transportation, child or dependent care, and other necessary expenses for any such worker in an amount not to exceed three thousand dollars in any fifty-two week period, and the cost of continuing the temporary total disability compensation under RCW 51.32.090 while the worker is actively and successfully undergoing a formal program of vocational rehabilitation. Such expenses may include training fees for on-the-job training and the cost of furnishing tools and other equipment necessary for self-employment or reemployment: PROVIDED, That such compensation or payment of retraining with job placement expenses may not be authorized for a period of more than fifty-two weeks: PROVIDED FURTHER, That such period may, in the sole discretion of the supervisor after his or her review, be extended for an additional fifty-two weeks or portion thereof by written order of the supervisor.

In cases where the worker is required to reside away from his or her customary residence, the reasonable cost of board and lodging shall also be paid. Said costs shall be chargeable to the employer's cost experience or shall be paid by the self-insurer as the case may be.

(4) The department shall establish criteria to monitor the quality and effectiveness of rehabilitation services provided by the individuals and organizations used under subsection (1) of this section. The state fund shall make referrals for vocational rehabilitation services based on these performance criteria.

(5) The department shall engage in, where feasible and cost-effective, a cooperative program with the state employment security department to provide job placement services under this section.

(6) The benefits in this section shall be provided for the injured workers of self-insured employers. Self-insurers shall report both benefits provided and benefits denied under this section in the manner prescribed by the department by rule adopted under chapter 34.04 RCW. The director may, in his or her sole discretion and upon his or her own initiative or at any time that a dispute arises under this section, promptly make such inquiries as circumstances require and take such other action as he or she considers will properly determine the matter and protect the rights of the parties.

(7) The benefits provided for in this section are available to any otherwise eligible worker regardless of the date of industrial injury. However, claims shall not be reopened solely for vocational rehabilitation purposes.

Sec. 10. Section 13, chapter 63, Laws of 1982 as amended by section 3, chapter 70, Laws of 1983 and RCW 51.32.250 are each amended to read as follows:

Modification of the injured worker's previous job or modification of a new job is recognized as a desirable method of returning the injured worker to ~~((suitable))~~ gainful employment. In order to assist employers in meeting the costs of job modification, and to encourage employers to modify jobs to accommodate retaining or hiring workers with disabilities resulting from work-related injury, the supervisor or the supervisor's designee, in his or her discretion, may pay job modification costs in an amount not to exceed five thousand dollars per worker per job modification. This payment is intended to be a cooperative participation with the employer and funds shall be taken from the appropriate account within the second injury fund.

The benefits provided for in this section are available to any otherwise eligible worker regardless of the date of industrial injury.

Sec. 11. Section 51.32.160, chapter 23, Laws of 1961 as last amended by section 4, chapter 59, Laws of 1986 and RCW 51.32.160 are each amended to read as follows:

If aggravation, diminution, or termination of disability takes place ~~((or be discovered after the rate of compensation shall have been established or compensation terminated, in any case)),~~ the director ~~((-through and by means of the division of industrial insurance;))~~ may, upon the application of the beneficiary, made within seven years ~~((after the establishment or termination of such compensation))~~ from the date the first closing order becomes final, or at any time upon his or her own motion, readjust ((for further application)) the rate of compensation in accordance with the rules in this section provided for the same, or in a proper case terminate the payment: PROVIDED, That the director may, upon application of the worker made at any time, provide proper and necessary medical and surgical services as authorized under RCW 51.36.010. 'Closing order' as used in this section means an order based on factors which include medical recommendation, advice, or examination. Applications for benefits where the claim has been closed without medical recommendation, advice, or examination are not subject to

the seven year limitation of this section. The preceding sentence shall not apply to any closing order issued prior to July 1, 1981. First closing orders issued between July 1, 1981, and July 1, 1985, shall, for the purposes of this section only, be deemed issued on July 1, 1985. The time limitation of this section shall be ten years in claims involving loss of vision or function of the eyes. If an order denying an application to reopen filed on or after July 1, 1988, is not issued within ninety days of receipt of such application by the self-insured employer or the department, such application shall be deemed granted. However, for good cause, the department may extend the time for making the final determination on the application for an additional sixty days.

If a worker receiving a pension for total disability returns to gainful employment for wages, the director may suspend or terminate the rate of compensation established for the disability without producing medical evidence that shows that a diminution of the disability has occurred.

No act done or ordered to be done by the director, or the department prior to the signing and filing in the matter of a written order for such readjustment shall be ground for such readjustment.

Sec. 2. Section 5, chapter 14, Laws of 1980 and RCW 51.08.178 are each amended to read as follows:

(1) For the purposes of this title, the monthly wages the worker was receiving from all employment at the time of injury shall be the basis upon which compensation is computed unless otherwise provided specifically in the statute concerned. In cases where the worker's wages are not fixed by the month, they shall be determined by multiplying the daily wage the worker was receiving at the time of the injury:

- (a) By five, if the worker was normally employed one day a week;
- (b) By nine, if the worker was normally employed two days a week;
- (c) By thirteen, if the worker was normally employed three days a week;
- (d) By eighteen, if the worker was normally employed four days a week;
- (e) By twenty-two, if the worker was normally employed five days a week;
- (f) By twenty-six, if the worker was normally employed six days a week;
- (g) By thirty, if the worker was normally employed seven days a week.

The term 'wages' shall include the reasonable value of board, housing, fuel, or other consideration of like nature received from the employer as part of the contract of hire, but shall not include overtime pay(~~(-tips or gratuities))~~ except in cases under subsection (2) of this section. However, tips shall also be considered wages only to the extent such tips are reported to the employer for federal income tax purposes. The daily wage shall be the hourly wage multiplied by the number of hours the worker is normally employed. The number of hours the worker is normally employed shall be determined by the department in a fair and reasonable manner, which may include averaging the number of hours worked per day.

(2) In cases where (a) the worker's employment is exclusively seasonal in nature or (b) the worker's current employment or his or her relation to his or her employment is essentially part-time or intermittent, the monthly wage shall be determined by dividing by twelve the total wages earned, including overtime, from all employment in any twelve successive calendar months preceding the injury which fairly represent the claimant's employment pattern.

(3) If, within the twelve months immediately preceding the injury, the worker has received from the employer at the time of injury a bonus as part of the contract of hire, the average monthly value of such bonus shall be included in determining the worker's monthly wages.

(4) In cases where a wage has not been fixed or cannot be reasonably and fairly determined, the monthly wage shall be computed on the basis of the usual wage paid other employees engaged in like or similar occupations where the wages are fixed.

Sec. 13. Section 46, chapter 289, Laws of 1971 ex. sess. as last amended by section 1, chapter 55, Laws of 1986 and RCW 51.32.055 are each amended to read as follows:

(1) One purpose of this title is to restore the injured worker as near as possible to the condition of self-support as an able-bodied worker. Benefits for permanent disability shall be determined under the director's supervision only after the injured worker's condition becomes fixed.

(2) All determinations of permanent disabilities shall be made by the department. Either the worker, employer, or self-insurer may make a request or such inquiry may be initiated by the director on his or her own motion. Such determinations shall be required in every instance where permanent disability is likely to be present. All medical reports and other pertinent information in the possession of or under the control of the employer or self-insurer shall be forwarded to the director with such requests.

(3) A request for determination of permanent disability shall be examined by the department and an order shall issue in accordance with RCW 51.52.050.

(4) The department may require that the worker present himself or herself for a special medical examination by a physician, or physicians, selected by the department, and the department may require that the worker present himself or herself for a personal interview. In such event the costs of such examination or interview, including payment of any reasonable travel expenses, shall be paid by the department or self-insurer as the case may be.

(5) The director may establish a medical bureau within the department to perform medical examinations under this section. Physicians hired or retained for this purpose shall be grounded in industrial medicine and in the assessment of industrial physical impairment. Self-insurers shall bear a proportionate share of the cost of such medical bureau in a manner to be determined by the department.

(6) Where dispute arises from the handling of any claims prior to the condition of the injured worker becoming fixed, the worker, employer, or self-insurer may request the department to resolve the dispute or the director may initiate an inquiry on his or her own motion. In such cases the department shall proceed as provided in this section and an order shall issue in accordance with RCW 51.52.050.

(7) (a) In the case of claims accepted by self-insurers after June 30, 1986, and before July 1, ~~((1988))~~ 1990, which involve only medical treatment and/or the payment of temporary disability compensation under RCW 51.32.090 and which at the time medical treatment is concluded do not involve permanent disability, if the claim is one with respect to which the department has not intervened under subsection (6) of this section, and the injured worker has returned to work with the self-insured employer of record, such claims may be closed by the self-insurer, subject to reporting of claims to the department in a manner prescribed by department rules adopted under chapter 34.04 RCW.

(b) All determinations of permanent disability for claims accepted by self-insurers after June 30, 1986, and before July 1, ~~((1988))~~ 1990, shall be made by the self-insured section of the department under subsections (1) through (4) of this section.

(c) Upon closure of claims under (a) of this subsection the self-insurer shall enter a written order, communicated to the worker and the department self-insurance section, which contains the following statement clearly set forth in bold face type: 'This order constitutes notification that your claim is being closed with medical benefits and temporary disability compensation only as provided, and with the condition you have returned to work with the self-insured employer. If for any reason you disagree with the conditions or duration of your return to work or the medical benefits or the temporary disability compensation that has been provided, you may protest in writing to the department of labor and industries, self-insurance section, within sixty days of the date you received this order.' In the event the department receives such a protest the self-insurer's closure order shall be held in abeyance. The department shall review the claim closure action and enter a determinative order as provided for in RCW 51.52.050.

(d) If within two years of claim closure the department determines that the self-insurer has made payment of benefits because of clerical error, mistake of identity, or innocent misrepresentation, or the department discovers a violation of the conditions of claim closure, the department may require the self-insurer to correct the benefits paid or payable. This paragraph shall not limit in any way the application of RCW 51.32.240.

(8) In the case of claims accepted by self-insurers after June 30, ~~((1988))~~ 1990, which involve only medical treatment and which do not involve payment of temporary disability compensation under RCW 51.32.090 and which at the time medical treatment is concluded do not involve permanent disability, such claims may be closed by the self-insurers subject to reporting of claims to the department in a manner prescribed by department rules promulgated pursuant to chapter 34.04 RCW. Upon such closure the self-insurers shall enter a written order, communicated to the worker, which contains the following statement clearly set forth in bold-face type: 'This order constitutes notification that your claim is being closed with medical benefits only, as provided. If for any reason you disagree with this closure, you may protest in writing to the Department of Labor and Industries, Olympia, within 60 days of the date you received this order. The department will then review your claim and enter a further determinative order.' In the event the department receives such a protest it shall review the claim and enter a further determinative order as provided for in RCW 51.52.050.

Sec. 14. Section 2, chapter 55, Laws of 1986 (uncodified) is amended to read as follows:

The department of labor and industries shall conduct a study of the program established by section 1 of this act. The study shall be funded by a special assessment on all self-insured employers. The study and the special assessment shall be conducted under department rules adopted pursuant to chapter 34.04 RCW. The department shall make periodic reports on the study to the joint select committee on industrial insurance, or to the commerce and labor committees of the senate and house of representatives, or the appropriate successor committees, and to the workers' compensation advisory committee. The initial report shall be made by January 1, 1987, with quarterly reports made thereafter. A final report shall be made to the legislature at the commencement of the 1988 regular legislative session.

This section shall expire on July 1, ~~((1988))~~ 1990.

NEW SECTION, Sec. 15. A new section is added to chapter 51.32 RCW to read as follows:

The increases in benefits in RCW 51.32.050, 51.32.060, 51.32.090, and 51.32.180, contained in chapter ... (EHB 1396), Laws of 1988 do not affect a retrospective rating agreement entered into by any employer with the department before July 1, 1988.

NEW SECTION, Sec. 16. The department shall adopt a rule pursuant to chapter 34.04 RCW that claims based on mental conditions or mental disabilities caused by stress do not fall within the definition of occupational disease in RCW 51.08.140.

NEW SECTION. Sec. 17. Section 4 of this act shall take effect on June 30, 1989. Sections 1, 2, 3, and 6 of this act shall take effect on July 1, 1988."

On page 1, line 1 of the title, after "benefits;" strike the remainder of the title and insert "amending RCW 51.32.050, 51.32.180, 51.32.080, 51.32.090, 51.32.075, 51.44.080, 51.32.095, 51.32-.250, 51.32.160, 51.08.178, and 51.32.055; amending section 2, chapter 55, Laws of 1986 (uncodified); reenacting and amending RCW 51.32.060; reenacting RCW 51.32.090; adding a new section to chapter 51.32 RCW; creating a new section; and providing effective dates." and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1396.

Representatives Wang, Patrick and Chandler spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1396 as amended by the Senate.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Patrick.

Mr. Patrick: Representative Wang, is it the intent that the language on page 22, beginning on line 28, which establishes the wage base on any twelve successive calendar months preceding the injury which fairly represents the claimant's employment pattern, mean the claimant's current employment pattern?

Mr. Wang: The answer is "Yes."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1396 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzloff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Belcher - 1.

Engrossed House Bill No. 1396 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1312 with the following amendments:

Strike everything after the enacting clause and insert the following:

"PART I

GENERAL GOVERNMENT

Sec. 101. Section 103, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ~~(1,800,000)~~
1,915,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The legislative budget committee shall conduct an analysis of what improvements can be made in state-wide common school-related information, including:

- (a) Data collection and dissemination goals, policies, procedures, and management;
- (b) Duplication of services provided and programs delivered among local districts, educational service districts, the superintendent of public instruction, and, where possible, the private sector; and

(2) The legislative budget committee shall report its findings and recommendations under subsection (1) of this section to the senate and house of representatives ways and means committees at the beginning of the 1989 legislative session. Recommendations shall include, but not be limited to:

- (a) Ways to reduce reporting and paperwork at the local district level;
- (b) Consolidation of reports, where practical;
- (c) Ways to reduce duplication of effort and program delivery; and
- (d) Other potential cost efficiencies.

(3) \$35,000 of the general fund appropriation is provided solely for the purpose of creating a temporary legislative committee to review the salary survey methodology and make recommendations for improvements. The committee shall be composed of representatives of the legislative budget committee, the office of financial management, and the ways and means committees of the senate and house of representatives and shall contract with an independent consultant to conduct the review.

Sec. 102. Section 104, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ 2,503,000

The appropriation in this section is subject to the following conditions and limitations: The committee shall conduct a study of the common school state-wide data reporting system, including information on class size in kindergarten through twelfth grade (~~(\$100,000 of the general fund appropriation is provided solely to contract with the institute of public policy and management of the University of Washington to conduct research associated with the study. The institute shall work closely with the superintendent of public instruction and the office of financial management to)~~ and prepare a report to the legislature by December 1, 1988, regarding its findings and recommendations.

Sec. 103. Section 107, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((+6,678,000))~~
10,924,000

The appropriation in this section is subject to the following conditions and limitations: ~~((+))~~ \$3,337,000 is provided solely for the indigent appeals program.

Sec. 104. Section 109, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ~~((+2,013,000))~~
12,458,000

Sec. 105. Section 110, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation \$ ~~((21,736,000))~~
23,857,000
Public Safety and Education Account Appropriation \$ ~~((+8,828,000))~~
21,178,000
Total Appropriation \$ ~~((40,564,000))~~
45,035,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,162,000 of the general fund appropriation is provided solely for the continuation of the treatment alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties.

(2) \$296,000 of the general fund appropriation is provided solely for allocation to the superior court of Thurston county to relieve the impact of litigation involving the state of Washington.

(3) ~~\$(50,000)~~ 130,000 of the public safety and education account appropriation is provided solely for the administrator for the courts to initiate measures to prevent gender and minority bias in the courts. Such measures shall include but not be limited to:

- (a) A study of the status of women and minorities as litigants, attorneys, judges, and court employees;
- (b) Recommendations for implementing reform; and
- (c) Providing attitude awareness training for judges and legal professionals.

(4) \$260,000 of the general fund appropriation is provided solely for the Snohomish County prosecution diversion program.

(5) \$150,000 of the general fund appropriation is provided solely for the administrator for the courts to contract for the performance of a two-year demonstration project to determine the effectiveness of alternative dispute resolution using the model center approach adopted by the legislature in chapter 7.75 RCW. The project shall be conducted in King and Snohomish counties by centers established under chapter 7.75 RCW as nonprofit corporations having broadly representative boards of directors and which are organized exclusively, as set forth in their articles of incorporation and bylaws, for the resolution of disputes and whose plans of operation have been approved pursuant to RCW 7.75.020 before the effective date of this section. The project shall be conducted in accordance with chapter 7.75 RCW. The focus of the project shall be to provide an alternative forum for the resolution of disputes for the purposes of reducing social tensions which lead to crime, promoting lasting settlements in which all parties to a dispute can be winners, settling disputes more quickly and less expensively than through the judicial process, and helping to reduce congestion in the court systems as contemplated in the court improvement act of 1984. Seventy-five thousand dollars of the appropriation shall be made available for a project in Snohomish county subject to commitments from Snohomish county and the city of Everett to each match the state appropriation. Seventy-five thousand dollars of the appropriation shall be made available for a project in King county subject to commitments from King county and the city of Seattle to each match the state appropriation. The state administrator for the courts shall submit a report to the judiciary committees of the senate and the house of representatives on the results of the project by December 1, 1989.

(6) \$70,000 of the public safety and education account appropriation is provided solely to implement the provisions of Substitute Senate Bill No. 6498. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(7) A maximum of \$2,200,000 of the public safety and education account may be spent on enhancements to the judicial information system including: (a) Development of an information center; (b) implementation of a data administration model; (c) provision of personal computer installations and support services in courts not served by the mainframe system; and (d) planning activities associated with the feasibility of the enhancements listed under (a), (b), and (c) of this subsection as well as planning activities to evaluate the use of local area networks. The funding provided in this subsection is contingent on the administrator for the courts completing by July 1, 1988, a feasibility study in accordance with department of information services procedures and guidelines. It is the intent of the legislature that upon completion of the feasibility study the office of the administrator for the courts will present the study for review by and consultation with the department of information services, the office of financial management, and the legislative evaluation and accountability program committee prior to implementation.

Sec. 106. Section 114, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((6,374,666))
		6,457,000
Archives and Records Management Account Appropriation	\$	2,116,000
Total Appropriation	\$	((8,490,666))
		8,573,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,021,000 of the general fund appropriation is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(2) \$1,661,000 of the general fund appropriation is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(3) \$60,000 of the archives and records management account appropriation is provided solely for a project that will evaluate the need for, and potential archival requirements of, storage of data contained in magnetic media (tapes and disks). Implementation of an archival program for magnetic media shall not begin prior to approval of the findings and recommendations of the project by the office of financial management.

(4) \$83,000 of the general fund appropriation is provided solely for advertising Washington state's March 8, 1988, precinct caucuses.

Sec. 107. Section 120, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	5,143,000
Legal Services Revolving Fund Appropriation	\$	46,142,000
Total Appropriation	\$	51,285,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$840,000 of the legal services revolving fund appropriation is provided solely to support additional attorneys to defend an increased number of cases expected from an increase in the number of industrial appeals board staff.

(2) \$10,233,000 of the legal services revolving fund appropriation is provided solely for legal services augmentation; of which a maximum of \$3,933,000, including the state-wide salary increase allocation, is for salary increases consistent with the Price Waterhouse recommendation of March 19, 1987, for assistant attorneys general, ~~\$(5,600,000)~~ 3,295,000 is for additional funding for the defense of tort actions, ~~\$(400,000)~~ 700,000 is for increased legal services for the department of corrections and the indeterminate sentence review board, ~~\$(200,000)~~ 675,000 is for increased legal services for the department of ~~(ecology, \$200,000 is for increased legal services for the department of transportation, and)~~ social and health services, ~~\$(500,000)~~ 1,230,000 is for increased legal services for the department of licensing, and \$400,000 is provided solely for implementation of an attorney time accounting and billing system.

(3) Pursuant to chapter 365, Laws of 1985, the attorney general shall transmit to the judiciary committees of the senate and house of representatives and the human rights commission by January 1, 1988, and by January 1 of every year thereafter a progress report which states the agency's progress in meeting its affirmative action goals and timetables. The agency's goals for assistant attorneys general and other exempt employees shall be based on the percentage of each and every minority group's representation in the state labor force population.

(4) No part of the appropriations provided in this section may be used to move any attorney co-located with an agency for which the attorney provides legal services away from the agency without prior approval of the agency and the office of financial management.

(5) The legal services revolving fund program shall be split into an agency legal services program and a torts program beginning July 1, 1989. The agency request budget for the 1989-91 biennium shall be presented using this program structure and expenditure history, consistent with LEAP requirements, no later than July 1, 1988.

Sec. 108. Section 121, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	(10,201,000)
		18,031,000
General Fund Appropriation—Federal	\$	60,000
Motor Vehicle Fund Appropriation	\$	100,000
Medical Aid Fund Appropriation	\$	98,000
Local Jail Improvement and Construction Fund Appropriation	\$	780,000
Total Appropriation	\$	(19,319,000)
		19,069,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund—state appropriation is provided solely for the services of an actuarial consultant.

~~((4)) \$250,000 of the general fund—state appropriation is provided solely for one-time costs of establishing a state-wide inventory of school facilities, using surveys conducted by qualified engineers and architects. The inventory shall be developed jointly and in cooperation with the state board of education and the superintendent of public instruction and shall be designed to yield consistent and easily accessible information intended to facilitate administrative decisions on school construction projects and analysis of long-term facilities needs.~~

(5)) (2) \$205,000, of which \$145,000 is from the general fund—state appropriation, is provided solely for the purposes of implementing the agency's responsibilities under Substitute House Bill No. 738. If Substitute House Bill No. 738 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

((6)) (3) The office of financial management, in cooperation with the state board for community college education, shall study the cost of community college faculty salary increments, including savings from full time faculty turnover, identify the faculty salary increment policy at each college district, and report the findings and recommendations to the 1989 regular session of the legislature.

Sec. 109. Section 124, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

Department of Personnel Service Fund Appropriation	\$	13,618,000
State Employees' Insurance Fund Appropriation	\$	2,164,000
Total Appropriation	\$	15,782,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$150,000 of the state employees' insurance fund appropriation is provided solely for the revision of the automated insurance eligibility system.

(2) All funds appropriated under this section for lease or lease development office space may be used to lease new office space only if the lease is for a period not exceeding three years and does not extend beyond June 30, 1991.

Sec. 110. Section 131, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,312,000)) 8,278,000
General Fund Appropriation—Federal	\$	1,623,000
General Fund Appropriation—Private/Local	\$	93,000
<u>Motor Vehicle Fund Appropriation</u>	\$	303,000
Motor Transport Account Appropriation	\$	10,925,000
General Administration Facilities and Services Revolving Fund Appropriation	\$	19,562,000
Total Appropriation	\$	((40,515,000)) 40,784,000

The appropriations in this section are subject to the following conditions and limitations: The motor vehicle fund appropriation is provided solely for risk management activities related to the motor vehicle fund.

Sec. 111. Section 136, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense Fund Appropriation

\$	20,666,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) \$554,000 is provided solely for the purposes of Engrossed Substitute Senate Bill No. 5150.

(2) Not more than \$877,000 of this appropriation may be expended for the expenses of the office of the state actuary, including interagency reimbursements for services and statutory reports.

(3) All funds appropriated under this section for lease or lease development office space may be used to lease new office space only if the lease is for a period not exceeding three years and does not extend beyond June 30, 1991.

PART II

HUMAN SERVICES

Sec. 201. Section 201, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation	\$	((59,605,000)) 62,559,000
<u>Public Safety and Education Account Appropriation</u>	\$	100,000
Total Appropriation	\$	62,659,000

The appropriations in this subsection ((ts)) are subject to the following conditions and limitations:

((ft)) (a) \$2,071,000 of the general fund appropriation is provided solely for the support of the office of the director of community services.

((te)) (b) \$200,000 of the general fund appropriation is provided solely for the notification of victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

((re)) (c) A maximum of \$285,000 of the general fund appropriation may be spent for the replacement of used equipment within the community services division.

(d) \$100,000 of the public safety and education account appropriation is provided solely for training community corrections officers in the identification and prevention of child abuse by offenders under their supervision.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation	\$	((269,024,000)) 273,129,000
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The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$1,725,000 is provided solely for the implementation of the sex offender treatment program within the division of prisons.

(b) \$1,049,000 is provided solely for the operation of the new in-patient floor at the Monroe reformatory hospital.

(c) \$5,369,000 is provided solely for the support of the office of the director of the division of prisons.

(d) A maximum of \$1,898,000 may be spent for the replacement of used equipment within the institutional services division.

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation	\$	((17,961,000)) 17,331,000
Institutional Impact Account Appropriation	\$	317,000
Total Appropriation	\$	((18,278,000)) 17,648,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department shall report to the ways and means committees of the senate and house of representatives on January 1, 1988, and January 1, 1989, regarding its progress toward employing more minorities and women in top-level management positions.

(b) A maximum of \$1,258,000 of the general fund appropriation may be transferred to the tort claims revolving fund for tort claims against the department. The department shall develop a report, including brief descriptions and estimated amounts of all outstanding tort claims. The report is due to the ways and means committees of the senate and house of representatives on January 1, 1988. During the 1987-89 biennium, the department shall report on a quarterly basis the tort claim payments resulting from settlements and court judgments. New claims against the state shall be included in the quarterly updates.

((4)) (c) A maximum of \$150,000 may be spent for the replacement of used equipment within the administration division.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation \$ ~~(2,268,000)~~
2,218,000

The appropriation in this subsection is subject to the following conditions and limitations: A maximum of \$500,000 may be spent for the replacement of used equipment within the institutional industries division.

Sec. 202. Section 202, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) Appropriations made in this act to the department of social and health services shall be initially allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, nor shall allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that will require expenditure of state general fund moneys except as expressly authorized in this act, unless the services were provided on March 1, 1987. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act, and an equal amount of appropriated state general fund moneys shall lapse. As used in this subsection, 'unrestricted federal moneys' includes block grants and other funds that federal law does not require to be spent on explicitly defined projects or matched on a formula basis by state funds.

(3) The department of social and health services is authorized to expend federal funds made available by the federal immigration reform and control act, P.L. 99-603, for the purposes contained in that act.

((5)) (4) If Engrossed Senate Bill No. 5097 is enacted by June 30, 1987, the department shall administer the lifeline fund established under the bill and shall recover its administrative costs from the fund. Payments to local exchange companies shall not exceed amounts available in the lifeline fund.

((6)) (5) The department shall implement the plan for performance-based contracts developed under sections 203(6) and 204(1)(c), chapter 6, Laws of 1985 ex. sess., whereby a portion of vendor payments for private group care and other community residential placements shall reflect achievement of client outcome standards. The department shall report on implementation of the plan to the ways and means committees of the senate and house of representatives by December 15, 1987, and December 15, 1988.

((7)) (6) The appropriations in sections 203, 208, 210, 213, 214, and 215 of this act shall be expended as provided in each section, except that the department may expend money, appropriated for other purposes, for the family independence program only after approval by the director of financial management. The director of financial management shall notify the ways and means committees of the senate and house of representatives regarding deviation from the legislative program appropriation levels.

(7) The department of social and health services shall study the cost effectiveness of adopting a hospice benefit for Title XIX recipients. The department shall report by November 1, 1988, to the health care and ways and means committees of both houses of the legislature on the results of the study.

Sec. 203. Section 203, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM

General Fund Appropriation—State \$ ~~(165,009,000)~~
180,838,000
 General Fund Appropriation—Federal \$ ~~(58,552,000)~~
59,297,000
Public Safety and Education Account Appropriation \$ 400,000

Total Appropriation \$ ~~(223,561,000)~~
 240,535,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988. Department contracts for group home services, therapeutic day care, seasonal day care, and domestic violence shelters shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning September 1, 1987, and \$5.15 per hour beginning September 1, 1988.

(2) \$7,500,000 of the general fund—state appropriation is provided solely for the improvement of services to protect children. \$5,035,000 of the amount provided in this subsection is provided solely for increased child protective services and child welfare casework staff, necessary support and supervisory staff, and assistant attorneys general to provide legal services for child protective services cases. The department shall conduct intensive recruitment and priority hiring of qualified multi-ethnic casework staff. \$40,000 of the amount provided in this subsection is provided solely for training for child protective services and child welfare staff who investigate and serve child abuse and neglect cases. \$2,425,000 of the amount provided in this subsection is provided solely to implement the provisions of Engrossed Second Substitute House Bill No. 586 which establish a pilot project in order to guide the state in developing a comprehensive system of children and family services. If the bill is not enacted by June 30, 1987, this amount shall lapse. The department shall report to the ways and means and human services committees of the senate and house of representatives on implementation of this section by January 15, 1988. The report shall include the following information:

(a) The effectiveness of providing additional casework, support staff, and other services provided in this section in reducing and refocusing the workload of child protective services caseworkers;

(b) The impact on caseloads of hiring child protective services support staff, including clerical support, assistant attorneys general, eligibility determination specialists, and public health nurses; and

(c) The number and classifications of staff and the level and types of additional services for which the moneys in this section are used.

(3) \$1,000,000 of the general fund—state appropriation is provided solely for the expansion of therapeutic day care.

(4) \$2,160,000 of the general fund—state appropriation is provided solely for public health nurses to provide prevention and early intervention services for the protection of children, and to assist in the investigation of low-risk child abuse and neglect referrals.

(5) \$600,000 of the general fund—state appropriation is provided solely to increase private agency fees in connection with foster care placements, effective July 1, 1987.

(6) \$400,000 of the general fund—state appropriation is provided solely for expansion of current contracted community services to prevent the occurrence or recurrence of family conflict, abuse, or out-of-home placements.

(7) \$1,000,000 of the general fund—state appropriation is provided solely for training and support for families providing foster care services.

(8) ~~\$(300,000)~~ 310,000 of the general fund—state appropriation is provided solely to fund counseling, education, and support for victims of sexual abuse. A maximum of \$10,000 of the amount provided in this subsection may be spent for counseling for teenaged parents who are victims of sexual and physical abuse. The department shall contract for the counseling to be provided to participants in school-sponsored teen parent programs.

(9) \$500,000 of the general fund—state appropriation is provided solely to increase contracted Indian child welfare services.

(10) \$1,298,000 of the general fund—state appropriation is provided solely for financial eligibility workers to ensure that every child in foster care who is eligible for federal financial participation under Title IV, Part B, or Title IV, Part E of the federal social security act is identified. Any federal moneys generated by this activity in excess of the amount appropriated in this section shall be expended for foster care services and a like amount of state moneys shall lapse.

(11) \$93,000 of the general fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6013. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(12) A maximum of \$332,000, of which \$275,000 is from the general fund—state appropriation, and 7.8 full time equivalent staff may be transferred from the division of children and family services to the administration and supporting services program to consolidate the social service payment system. If this transfer affects the comparability of historical expenditure information at the program, category, or budget-unit level, the department shall reconstruct historical data for the preceding six years.

(13) \$125,000 is provided solely for the purpose of implementing Engrossed Second Substitute Senate Bill No. 5252. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(14) \$9,000,000 of the general fund—state appropriation is provided solely for foster care services and services designed to reduce the number of children requiring family or group foster care, and to expedite the process of returning children home from placement. Not more than \$2,450,000 of the amount provided in this subsection may be spent for increased recruitment efforts and services to family foster care providers; additional child welfare caseworkers and support staff to provide intensive case services designed to reunify families and prevent out-of-home placement; managed health care services for children in foster care; and other services meeting the goals of this subsection. Of the amount provided in this subsection, \$550,000 is provided solely to expand the homebuilders program to provide assistance to families. Beginning July 1, 1988, the department shall expand the current homebuilders program in Spokane county and shall create new homebuilders programs in Kitsap and Whitman counties. Beginning January 1, 1989, homebuilders programs shall be established in Thurston and Skagit counties. The department shall submit a progress report to the appropriate committees of the legislature by January 1, 1989, describing the efforts taken to implement projects to reduce the number of children requiring foster care and to expedite the return to home process. The report shall include a description of the projects initiated, the cost of each project, and a preliminary assessment of their effectiveness. In addition, \$3,000,000 of the amount provided in this subsection for foster care services shall not be available for expenditure until the progress report has been submitted to the legislature. The department shall also prepare a report which examines the entire foster care rate structure, including provisions for respite or day care services, costs of private agency management of children in care, and the criteria for special and exceptional rates. The department shall coordinate with appropriate legislative fiscal and policy staff in preparing the report and shall submit its findings and recommendations to the legislature by December 1, 1988.

(15) \$2,500,000 of the general fund—state appropriation is provided solely to increase the level of funding for day care services. The department is authorized to implement regulations for the employment day care program requiring that waiting lists be established if necessary to ensure that employment day care services are provided within allotted funds.

(16) \$1,064,000, of which \$200,000 is from the general fund—state appropriation, is provided solely to increase services in the women, infants, and children program.

(17) \$1,300,000 of the general fund—state appropriation is provided solely for the department to contract with the office of the administrator for the courts to establish local citizen substitute care review panels for juveniles necessary to implement Engrossed Substitute House Bill No. 1586. If the bill is not enacted by June 30, 1988, this subsection shall be null and void.

(18) \$200,000 of the general fund—state appropriation is provided solely for the department to develop and provide day care providers and foster parents with an educational program on positive discipline, and training in recognizing and reporting child abuse. Implementation of the program shall begin on July 1, 1988.

(19) \$400,000 of the public safety and education account appropriation is provided solely for training programs under chapter 70.125 RCW for criminal justice, medical, and child protective services personnel regarding victims of sexual abuse. Training programs under this subsection shall focus on the following:

(a) Training child protective service workers on recognition of signs of potential sexual abuse and on medical techniques available to confirm abuse or establish legal evidence, and developing policies and procedures for use by such workers in responding to claims or reports of sexual abuse;

(b) Developing regional medical expertise on identification, verification and retention of evidence in cases of child sexual abuse; and

(c) Providing prosecutors, public defenders, judges, and other criminal justice personnel with information on available medical techniques for confirming abuse or establishing legal evidence.

Sec. 204. Section 204, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(27,968,666)
		26,847,000
General Fund Appropriation—Federal	\$	78,000
Total Appropriation	\$	(28,066,666)
		26,925,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988. Privately contracted group home providers shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning September 1, 1987, and \$5.15 per hour beginning September 1, 1988.

(b) The seven state-operated group homes shall collectively average 100 youths in residential status per month. Residential status includes youths in actual residence, those on leave

up to 14 days, and those in the process of being transferred or paroled. If the average number of youths in residential status falls below 100 per month, the general fund—state support shall be reduced by an average monthly amount per resident as determined by the office of financial management.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(44,385,000)
		44,285,000
General Fund Appropriation—Federal	\$	890,000
Total Appropriation	\$	(45,275,000)
		45,175,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$536,000 of the general fund—state appropriation is provided solely for the implementation of a mentally ill offender unit at Echo Glen children's center.

(b) The department shall develop a ten-year plan to include operating and capital costs of using Green Hill school to house level I and the more serious level II offenders. The plan may include other viable options to handle the increasing numbers of violent offenders entering the juvenile rehabilitation institutions. The plan shall be presented to the ways and means committees of the senate and house of representatives by January 15, 1988.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	2,788,000
Sec. 205, Section 205, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:		

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(118,388,000)
		113,421,000
General Fund Appropriation—Federal	\$	(40,736,000)
		41,442,000
General Fund Appropriation—Local	\$	1,580,000
Total Appropriation	\$	(160,706,000)
		156,443,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988. Community mental health centers and residential services providers shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning September 1, 1987, and \$5.15 per hour beginning September 1, 1988.

(b) \$2,690,000, of which \$2,383,000 is from the general fund—state appropriation is provided solely for the Kitsap mental health services residential treatment alternative project. The state reimbursement rate shall not exceed \$200 per client day and treatment for individual clients shall not exceed 180 days. All eligible involuntary treatment referrals shall be made to the project. No involuntary treatment referrals of Kitsap county residents may be made to Western state hospital, with the exception of persons who meet all the following criteria, as established by a licensed psychiatrist and involving consultation with a state certificated geriatric mental health specialist: (i) Diagnosis of organic mental disorder (nontransient); (ii) established behavior abnormalities directly associated with the organic disorder; (iii) admittance to the residential treatment center at least twice during the prior six-month period; (iv) expulsion from two or more residential placements during the prior six-month period resulting from behaviors directly associated with the presence of the established organic mental disorder; and (v) denial of admission by all appropriate residential settings in the Puget Sound area. The maximum reimbursement rate to Kitsap county hospitals shall be \$250 per day per patient. Within the amount provided in this subsection, in an effort to reduce commitments to psychiatric hospitals and evaluation and treatment facilities, \$500,000, of which \$443,000 is from the general fund—state appropriation, is provided solely for a Kitsap mental health services outreach case management team. The services provided shall include participation with the court in formulation of conditions of conditional release and less restrictive alternative placement, participation in development of an individualized treatment plan with the treatment team, assistance with housing, financial management, medication management, nutrition, system advocacy, mental health services and monitoring the person receiving treatment to ensure that the person abides by the requirements of the person's individualized treatment plan. The case managers shall be mental health professionals, or shall be supervised by mental health professionals as defined in RCW 71.05.020(11). Kitsap mental health services shall participate in the state and county client tracking system required by RCW 71.24.035(4)(h) and 71.24.045(6). Kitsap mental health services shall provide quarterly reports to the committees on ways and means of the senate and house of representatives describing the numbers and characteristics of clients served and the resulting diversions from psychiatric hospitals and evaluation and treatment facilities. In addition, the department shall present an annual report to the same legislative committees by January 1, 1988, and January 1, 1989, indicating progress made toward meeting the long-term residential bed needs of Kitsap county.

(c) \$4,375,000, of which \$3,500,000 is from the general fund—state appropriation. Is provided solely for a state-wide pilot demonstration project as provided for in Second Substitute Senate Bill No. 5074. These funds include 2 percent for costs of administration for participating counties. The plan for the pilot project shall be developed by the department in cooperation with interested counties, mental health providers, other interested members of the community, and legislative staff and shall be submitted to the legislature by September 1, 1987. The plan shall include specific criteria for inclusion in the project for counties choosing to participate and shall meet the conditions set forth in Second Substitute Senate Bill No. 5074. The plan shall provide for evaluation of the effects of case management on the treatment of involuntarily committed persons. The evaluation shall incorporate an experimental design. Evaluation support of no more than \$125,000 of the general fund—state appropriation is from the emergency and technical assistance funds provided for in RCW 71.24.155. The plan shall assure that case management services are administered in a manner which recognizes client needs within the availability of funds provided in this subsection (c). If Second Substitute Senate Bill No. 5074 is not enacted by June 30, 1987, the amount provided in this subsection shall be provided solely for case management services for persons ordered to a fourteen-day less restrictive treatment setting as provided for in RCW 71.05.240.

(d) \$1,000,000 of the general fund—state appropriation is provided solely for the support of involuntary treatment act administration.

(e) The mental health division, in conjunction with county officials and other affected parties, shall develop a fair and equitable formula for distributing involuntary treatment act administration funding to counties. The formula shall incorporate workload estimates and any other relevant factors required to reflect actual county administration costs. The mental health division shall present the proposed formula to the ways and means committees of the senate and house of representatives by November 15, 1987. Implementation of the formula may take effect immediately after legislative review but no later than January 1, 1988. Of the funding provided in this section for involuntary treatment act administration, \$3,400,000 is placed in reserve status pending legislative review of the new formula. No county allocation of funds for fiscal year 1988 may be less than its fiscal year 1987 allocation. Counties shall continue to fund current maintenance of effort funding levels during the ensuing biennium.

(f) Grants to counties for community mental health programs shall total not less than \$55,957,000 of the general fund—state appropriation under RCW 71.24.155. Of this amount, \$2,000,000 is provided solely for expanded services to children.

(g) \$480,000 of the general fund—state appropriation is provided solely for continuation of the community psychiatric training program at the University of Washington.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((150,711,000))
		150,808,000
General Fund Appropriation—Federal	\$	((7,948,000))
		7,851,000
Total Appropriation	\$	158,659,000

The appropriations in this subsection are subject to the following conditions and limitations:

~~((b))~~ (a) \$300,000 of the general fund—state appropriation is provided solely for equipment and operating costs related to two additional PORTAL cottages on the Northern state hospital campus. Of this amount, a maximum of \$44,000 may be used to contract with local community mental health centers to provide services to clients who have exited the PORTAL program and reside locally in the community.

~~((c))~~ (b) The legislative budget committee shall evaluate the PORTAL program as to its treatment outcomes and general effectiveness. The legislative budget committee shall report its findings to the senate and house of representatives ways and means committees by December 1, 1987.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,477,000
General Fund Appropriation—Federal	\$	1,341,000
Total Appropriation	\$	4,818,000

The appropriations in this subsection are subject to the following conditions and limitations: \$78,600 from the general fund—state appropriation is provided solely for allocations to non-profit agencies advocating for the mentally ill. Such funds are for providing technical assistance to state agencies, mental health education programs, outreach and family support, and self-help support groups.

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal	\$	1,059,000
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Sec. 206, Section 206, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(79,041,000) 80,518,000
General Fund Appropriation—Federal	\$	((61,998,000)) 62,414,000
Total Appropriation	\$	((141,039,000)) 142,932,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$278,000 of the general fund—state appropriation is provided solely for the deaf-blind service center.

(b) \$2,185,000 of the general fund—state appropriation and \$385,000 of the general fund—federal appropriation are provided solely to increase rates paid for county contracted employment services for developmentally disabled adults receiving such services as of July 1, 1987. No county administrative charge shall be deducted from the amount specified in this subparagraph.

(c) The division of developmental disabilities shall fund the DECOD dental program at the University of Washington with \$224,000 of the general fund—state appropriation.

(d) The secretary may transfer funds between the appropriations in subsections (1) and (2) of this section in order to provide program options as authorized in RCW 72.33.125. Any transfer of funds shall not reduce the level of services to existing clients.

(e) \$1,169,000 is appropriated solely for the division of developmental disabilities to contract for an additional twenty-four group home beds and associated services in King county.

(f) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988. Respite care providers shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning September 1, 1987, and \$5.15 per hour beginning September 1, 1988.

(g) \$974,000 of the general fund—state appropriation is provided solely to provide additional staff at the united cerebral palsy center, the Bellevue center, and the Highline center, to fund the operation of a teletype relay system at the Yakima Valley center for the deaf, and to fund the operation of the L'Arche facility in Spokane.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((100,635,000)) 98,402,000
General Fund Appropriation—Federal	\$	((94,952,000)) 98,985,000
Total Appropriation	\$	((195,587,000)) 197,387,000

(3) SPECIAL PROJECTS

General Fund Appropriation—Federal	\$	1,199,000
Total Appropriation	\$	1,199,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,991,000
General Fund Appropriation—Federal	\$	479,000
Total Appropriation	\$	4,470,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) A maximum of \$46,000, of which \$38,000 is from the general fund—state appropriation, and two biennial full time equivalent staff may be transferred from the division of developmental disabilities to the administration and supporting services program to consolidate the social service payment system. If this transfer affects the comparability of historical expenditure information at the program, category, or budget-unit level, the department shall reconstruct historical data for the preceding six years.

(b) If Engrossed Second Substitute House Bill No. 221 is enacted by June 30, 1987, the department is authorized to expend the proceeds of the telecommunication devices for the deaf excise tax established under the bill for the distribution and maintenance of telecommunication devices, signal devices, and amplifying accessories to hearing-impaired persons as provided in the bill.

Sec. 207. Section 207, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 2nd ex. sess. and by section 1, chapter 2, Laws of 1987 2nd ex. sess. (uncodified) is reenacted and amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—LONG-TERM CARE SERVICES

General Fund Appropriation—State	\$	((330,946,000)) 337,712,000
General Fund Appropriation—Federal	\$	((334,686,000)) 333,520,000
Total Appropriation	\$	((665,632,000)) 671,232,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall provide an integrated system of long-term care services which will allow for the most efficient, equitable, and appropriate use of available resources. The

department shall endeavor to provide these services in the least restrictive and most cost-effective manner appropriate for individual clients.

(2) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988, for the adult residential care, contracted chore, adult day health, and senior citizens services act programs.

(3) \$3,000,000 of which \$1,400,000 is from the general fund—state appropriation is provided solely for nonadministrative wages and benefits enhancements above the money necessary to fund the minimum wage. Of the amount provided in this subsection, \$1,200,000 shall be distributed on January 1, 1988, and \$1,800,000 shall be distributed on January 1, 1989: PROVIDED, That the moneys available for the January 1, 1989, distribution shall be based on the total state medicaid days served on an annual percentage share of the total medicaid days applicable to each facility and distributed accordingly.

(4) Department-contracted nursing homes shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning January 1, 1988, and \$5.15 per hour beginning January 1, 1989.

(5) \$3,000,000 of the general fund—state appropriation, and \$1,500,000 of the general fund—federal appropriation, are provided solely to increase the number of persons served in the chore services program and the community options program entry system (COPES). To the extent possible, the department shall maximize use of the community options program entry system for all new clients requiring chore or personal care services.

(6) Nursing home rates shall be adjusted for inflation under RCW 74.46.495 by 3.7 percent on July 1, 1987 and 3.6 percent on July 1, 1988.

(7) \$650,000, of which \$312,000 is from the general fund—state appropriation, is provided solely for laundry services to state clients residing in skilled nursing facilities and intermediate care facilities.

(8) Grant payment standards shall be increased by 2.0 percent on September 1, 1987 and 4.0 percent on September 1, 1989, for adult residential care clients.

(9) \$1,090,000 of the general fund—state appropriation is provided solely for the respite care demonstration project.

(10) At least \$((14,766,999)) 14,966,000 of the general fund—state appropriation shall be initially allotted for implementation of the senior citizens services act. At least ((7 percent of the amount allotted for the senior citizens services act in each fiscal year)) \$1,265,000 of the amount provided in this subsection shall be used for programs that utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the chore services program.

(11) The department shall encourage the development of working agreements between county mental health authorities, mental health providers, and the area agencies on aging which provide access to comprehensive treatment for geriatric mentally ill persons.

Sec. 208. Section 208, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((465,361,999))
		454,658,000
General Fund Appropriation—Federal	\$	((442,371,999))
		405,514,000
Total Appropriation	\$	((907,732,999))
		860,172,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

(2) The department shall continue the aid to families with dependent children program for two-parent families through June 30, 1989.

(3) The department shall adopt by rule medical criteria for general assistance eligibility to ensure that eligibility decisions are consistent with statutory requirements and are based on clear, objective medical information.

(a) The process implementing such medical criteria shall involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(b) Recipients of general assistance who remain otherwise eligible shall not have their benefits terminated absent a clear showing of material improvement in their medical or mental condition or specific error in the prior determination that found the recipient eligible by reason of incapacitation.

(4) \$5,316,000, of which \$2,658,000 is from the general fund—state appropriation, is provided solely to increase day care, transportation, and other support services for participants in the opportunities program.

(5) Payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs shall contain an energy allowance to offset the costs of energy and such allowance shall be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$150,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8 or more
Exemption:	\$30	39	46	56	63	72	84	92

(6) Persons who are unemployable due to alcohol or drug addiction who are not otherwise eligible for general assistance shall be referred to the alcoholism and drug addiction treatment and support program established by Substitute House Bill No. 646.

Sec. 209. Section 209, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM

General Fund Appropriation—State	\$	((62,580,000))
		61,180,000
General Fund Appropriation—Federal	\$	16,866,000
General Fund Appropriation—Local	\$	166,000
Total Appropriation	\$	((79,612,000))
		78,212,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

(2) \$195,000 of the general fund—state appropriation is provided solely to increase the annual base level of grants for county alcohol and drug abuse treatment services to \$40,000 per county.

(3) ~~\$(24,565,000))~~ 23,165,000 of the general fund—state appropriation is provided solely for implementation of Substitute House Bill No. 646, establishing the alcohol and drug addiction treatment and support act. If Substitute House Bill No. 646 is not enacted by July 1, 1987, the funds in this subsection shall be transferred to the division of income assistance.

~~((5))~~ (4) The department shall report to the appropriate committees of the legislature by January 5, 1988, on implementation of the alcohol and drug addiction treatment and shelter act. The report shall include at least the following information:

(a) The number of persons receiving client assessment services, including the number receiving assistance in the application process for supplemental security income benefits;

(b) The number of persons receiving treatment services, including the number receiving inpatient and outpatient treatment, and the number receiving a living allowance while undergoing outpatient treatment;

(c) The number of persons receiving shelter services and the type of shelter services provided;

(d) The number of applicants for general assistance payments referred to the program and the number of recipients of general assistance transferred to the program; and

(e) An assessment of the need to revise projected funding levels of \$2,700,000 for client assessment services, \$11,378,000 for treatment services, and \$10,487,000 for shelter services.

Sec. 210. Section 210, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((20,200,000))
		540,548,000
General Fund Appropriation—Federal	\$	((481,926,000))
		473,933,000
Total Appropriation	\$	((1,010,214,000))
		1,014,481,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$13,864,000 of the general fund—state appropriation and \$16,927,000 of the general fund—federal appropriation are provided solely for an adult dental program for Title XIX categorically eligible and medically needy persons, effective January 1, 1988. If Substitute House Bill No. 1225 is enacted by June 30, 1987, the department shall by January 1, 1989, enroll 20,000 categorically eligible and medically needy persons in prepaid capitated dental programs.

(2) The department of social and health services may increase the medically needy income level under RCW 74.09.700 to the maximum level allowable for federal financial participation under Title XIX of the federal social security act within funds appropriated for this purpose.

(3) \$8,338,000 of the general fund—state appropriation and \$9,823,000 of the general fund—federal appropriation are provided solely for medical assistance for categorically

needy pregnant women and children up to two years of age whose household income does not exceed 90 percent of the federal poverty level, whose resources do not exceed reasonable standards established by the department, and whose coverage qualifies for federal financial participation under Title XIX of the federal social security act. Any part of the amounts provided in this subsection which are not needed for the purposes of this subsection may be spent for the purposes outlined in subsection (2) of this section.

(4) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

(5) \$3,000,000 of the general fund—state appropriation is provided solely for matching grants to hospitals under Engrossed Second Substitute House Bill No. 477. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(6) The department may provide payment for chiropractic services under RCW 74.09.035 and 74.09.520.

(7) The department is authorized under 42 U.S.C. Sec. 1396b(a)(1) to pay third party health insurance premiums for categorically needy medical assistance recipients upon a determination that payment of the health insurance premium is cost effective. In determining cost effectiveness, the department shall compare the amount, duration, and scope of coverage offered under the medical assistance program.

(8) The department is authorized to provide community-based long-term care services to persons with AIDS or AIDS-related conditions, on the condition that the department obtain a waiver under section 1915(c) (1) and (2) of the federal social security act.

Sec. 211. Section 211, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM

General Fund Appropriation—State	\$	(58,177,000)
		63,201,000
General Fund Appropriation—Federal	\$	(73,551,000)
		75,086,000
General Fund Appropriation—Local	\$	(6,025,000)
		8,967,000
Total Appropriation	\$	(147,753,000)
		147,254,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rates shall be increased by 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

(2) Public and private community health clinics providing dental services under this section shall give priority to populations that lack access to federally supported dental services. The department shall prepare contracts which implement this requirement.

(3) \$1,919,000 of the general fund—state appropriation is provided solely to carry out the department's responsibilities contained in the Puget Sound water quality plan and perform corresponding state-wide activities, including \$50,000 for a review of the alternative on-site sewage program at both the state and local levels. The review shall address, but not be limited to, the process and procedures associated with the review and application of alternative systems. Recommendations shall include, but not be limited to:

- (a) Ways to expedite review of applications;
- (b) Changes in rules and statutes to address unique alternative on-site system applications;
- (c) Staffing and resources required to implement an effective alternative on-site program;

and
(d) Any additional issues that are necessary for an effective and efficient alternative on-site sewage system program.

The department shall report to the legislature no later than January 30, 1988.

(4) \$5,500,000 of the general fund—state appropriation is provided solely to continue prenatal care services for low-income pregnant women who do not qualify for full coverage under the medical assistance program.

(5) A maximum of \$86,842,000, of which \$24,437,000 is from the general fund—state appropriation, and 132 biennial full time equivalent staff may be transferred from the public health program to the division of children and family services to provide parent and child health services, dental health care for children, women, infant and children services, crippled children's services, nutrition services to children, family planning services, and program and category support services. If this transfer affects the comparability of historical expenditure information at the program, category, or budget-unit level, the department shall reconstruct historical data for the preceding six fiscal years.

(6) \$3,100,000 of the general fund—state appropriation is provided solely to continue the kidney disease program.

(7) \$300,000 of the general fund—state appropriation is provided solely to enhance high-risk infant tracking.

(8) \$41,000 of the general fund—state appropriation is provided solely to expand PKU testing.

(9) \$1,500,000, of which \$300,000 is from the general fund—state appropriation, is provided solely for enhancing the women, infants, and children programs.

(10) \$850,000 of the general fund—local appropriation is provided solely for the monitoring and enforcement of emissions of radionuclides to the air, pursuant to chapter 70.94 RCW.

(11) A maximum of \$300,000 from the general fund—state appropriation may be spent for the purposes of establishing a centralized AIDS unit within the division of public health. This unit shall be responsible for pursuing activities to maximize the receipt of federal and private sources of funding, program coordination, and development of the implementation plan.

(12) \$50,000 of the general fund—state appropriation is provided solely for the state board of health to promulgate necessary rules and establish reporting requirements on sexually transmitted diseases, including the clinical syndrome of HIV-related illness, as required by Engrossed Second Substitute Senate Bill No. 6221.

(13) \$4,450,000 from the general fund—state appropriation is provided solely to fund the regional AIDS service network authorized by Engrossed Second Substitute Senate Bill No. 6221.

(a) Seventy-five percent of the amount provided in this subsection shall be allocated per capita based on the number of persons residing within each region, but in no case less than one hundred fifty thousand dollars for each regional AIDS network per fiscal year. This amount shall be expended for testing, counseling, education, case management, notification of sexual partners of infected persons, planning, coordination, and other services required by Engrossed Second Substitute Senate Bill No. 6221, except for those enumerated in (b) of this subsection.

(b) Twenty-five percent of the amount provided in this subsection shall be allocated for intervention strategies specifically addressing groups that are at a high risk of being infected with the human immunodeficiency virus. The allocation shall be made by the office on AIDS based on documented need as specified in regional AIDS network plans.

(14) \$100,000 of the general fund—state appropriation is provided solely for enhancing health services provided through public and private community health clinics.

(15) \$516,000 of the general fund—state appropriation is provided solely to sustain current radiation monitoring activities involving low-level radioactive waste and other hazards.

Sec. 212. Section 212, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State	\$	((13,583,000)) 12,783,000
General Fund Appropriation—Federal	\$	((32,654,000)) 36,110,000
Total Appropriation	\$	((46,237,000)) 48,893,000

The appropriations in this section are subject to the following condition and limitations: Vendor rates shall be increased by 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

Sec. 213. Section 213, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State	\$	((46,286,000)) 43,630,000
General Fund Appropriation—Federal	\$	32,045,000
Institutional Impact Account Appropriation	\$	78,000
Total Appropriation	\$	((78,403,000)) 75,753,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$108,000 of the general fund—state appropriation is transferred within the office of constituent relations for an additional 2 biennial FTE staff for the office of the long-term care ombudsman.

(2) \$1,000,000 of the general fund—state appropriation and \$1,000,000 of the general fund—federal appropriation may be transferred from sections referenced in section 202(7) of this act solely for the evaluation of the aid to families with dependent children and the family independence programs as provided in Engrossed Second Substitute House Bill No. 448. The department may contract with objective independent evaluators subject to legislative budget committee approval, as specified in Engrossed Second Substitute House Bill No. 448. The department shall contract with the Washington state institute for public policy to conduct a longitudinal study of public assistance recipients. \$652,000 of the general fund—state moneys and \$652,000 of the general fund—federal moneys provided in this subsection are provided solely for the longitudinal study.

(3) \$50,000 of the general fund—state appropriation is provided solely for the Washington council for the prevention of child abuse and neglect to establish voluntary community-based programs on early parenting skills in at least three geographically balanced

areas around the state. The programs shall be designed to serve families with children ranging from infants through three years old and also to serve expectant parents.

Sec. 214. Section 214, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((156,570,000))
		156,770,000
General Fund Appropriation—Federal	\$	((174,029,000))
		174,529,000
General Fund Appropriation—Local	\$	705,000
Total Appropriation	\$	((331,304,000))
		332,004,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$283,000 of the general fund—state appropriation and \$270,000 of the general fund—federal appropriation are provided solely for administrative costs associated with the provision of medical assistance to categorically needy pregnant women and children up to two years of age whose household income does not exceed 90 percent of the federal poverty level, whose incomes do not exceed reasonable standards established by the department, and whose coverage qualifies for federal financial participation under Title XIX of the federal social security act.

(2) \$4,922,000, of which \$2,461,000 is from the general fund—state appropriation, is provided solely to increase services for participants in the opportunities program.

(3) \$69,000 of the general fund—state appropriation and \$70,000 of the general fund—federal appropriation are provided solely for discharge planning case management for clients in nursing homes, congregate care facilities, and adult family homes.

(4) \$708,000 of the general fund—state appropriation is provided solely for establishing a supplemental security income referral pilot program as provided for in Engrossed Substitute House Bill No. 665.

(5) A maximum of \$554,000, of which \$460,000 is from the general fund—state appropriation, and 14.2 biennial full time equivalent staff may be transferred from the community services administration program to the administration and supporting services program to consolidate the social service payment system.

(6) If any transfer under this section affects the comparability of historical expenditure information at the program, category or budget-unit level, the department shall reconstruct historical data for the preceding six fiscal years.

(7) The department shall submit a plan to the human services committees of the senate and house of representatives by January 15, 1988, regarding continuation of services provided at its satellite office at 2106 Second Avenue, Seattle. The plan shall identify any proposed changes to the service level in effect on July 1, 1988, and methods of assuring reasonable access to a full array of services for area clients.

(8) \$350,000 of the general fund—state appropriation is provided solely for providing matching grants on a one-to-one state/local basis to regional health councils as established in RCW 70.38.085, or to the successor agencies. Grants shall be distributed equitably on the basis of need in order to preserve regional health planning.

Sec. 215. Section 217, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT

General Fund Appropriation—State	\$	((92,765,000))
		33,332,000
General Fund Appropriation—Federal	\$	143,939,000
Building Code Council Account Appropriation	\$	407,000
Fire Service Training Account Appropriation	\$	500,000
Low Income Weatherization Account Appropriation	\$	((4,000,000))
		6,000,000
Local Governance Study Commission Account Appropriation	\$	20,000
Total Appropriation	\$	((101,611,000))
		184,198,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,576,000 of the general fund—state appropriation is provided solely for grants to public and private nonprofit organizations to operate food banks, food distribution centers, and emergency shelters.

(2) \$100,000 of the general fund—state appropriation may be used for increased department administrative staff if the department receives federal grants in excess of \$1,000,000 under U.S. House of Representatives Resolution 558. If the department does not receive grants of at least \$1,000,000, the amount provided in this subsection shall lapse.

(3) \$12,136,000 of the general fund—state appropriation is provided solely for early childhood education and assistance programs under Substitute Senate Bill No. 5476 or

Engrossed Second Substitute House Bill No. 456. These moneys shall be used to provide services to at least 2,000 children. If neither bill is enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(4) The department shall conduct a state-wide housing needs study. The study, with preliminary recommendations, shall be submitted to the housing committee of the house of representatives and the commerce and labor committee of the senate no later than December 31, 1987, and a final report shall be submitted by December 31, 1988.

(5) \$325,000 of the general fund—state appropriation is provided solely for pilot demonstrations and development of model vocational programs, including a study of a technology demonstration skills center, in Lewis county.

(6) \$708,000 of the general fund—state appropriation is provided solely for grants to public broadcast stations under section 3 of Engrossed Substitute Senate Bill No. 5285. \$42,000 of the general fund—state appropriation is provided solely for grants to public broadcast stations under section 4 of Engrossed Substitute Senate Bill No. 5285. If the bill is not enacted by June 30, 1987, the amounts provided in this subsection shall lapse.

(7) The department shall review the needs of low-income migrant and seasonal workers. To the extent that funds are available, the legislature encourages the department to give special attention to low-income migrant and seasonal workers.

(8) \$360,000 of the general fund—state appropriation is provided solely for grants to three nonprofit agencies and local government agencies for local reemployment centers. In order to provide a breadth of experience and geographic dispersion, one center shall be located in King county, one center shall be located in a southwest Washington county in which the unemployment rate was at least 20 percent above the state average during the preceding calendar year, and one center shall be located in an eastern Washington standard metropolitan statistical area in which the unemployment rate was at least 20 percent above the state average during the preceding calendar year. Each center shall provide direct and referral services to the unemployed. These services may include reemployment assistance, medical services, social services including marital counseling, psychotherapy, mortgage foreclosure and utility problem counseling, drug and alcohol abuse counseling, credit counseling, and other services deemed appropriate. These services are designed to supplement and not supplant the on-going efforts of local job centers administered by the employment security department. Each grant recipient must match state dollars on a one-for-one basis with non-state dollars.

(9) \$118,000 of the general fund—state appropriation is provided solely for a study to determine the economic contribution of sport and commercial salmon and sturgeon fishing.

(10) \$100,000 of the general fund—state appropriation is provided solely to implement Substitute House Bill No. 430. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(11) \$173,000 of the general fund—state appropriation is provided solely for a study of the uses, structure, and operation of a state-wide video telecommunications network. The department shall submit a report to the house of representatives and senate by January 1, 1989, recommending a plan for using video telecommunications in state government and assessing the potential of a state-wide public affairs satellite/cable television network broadcasting programs on state government to Washington state citizens. The department shall consult with the telecommunications division of the department of general administration for technical assistance in preparing this report.

(12) \$250,000 of the general fund—state appropriation is provided solely for the border town impact mitigation program.

(13) \$25,000 is provided solely for the purpose of implementing Engrossed Second Substitute Senate Bill No. 5252. If Engrossed Second Substitute Senate Bill No. 5252 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(14) In addition to the fee imposed under RCW 19.27.085, there is imposed through June 30, 1989, a fee of two dollars on each building permit issued by a county or a city. Quarterly, each county and city shall remit moneys collected under this subsection to the state treasury for deposit in the building code council account. However, no remittance is required until at least fifty dollars has accumulated pursuant to this subsection.

(15) ~~\$(107,000)~~ 237,000 of the general fund—state appropriation is provided solely for technical assistance to Okanogan county for the preparation of plans and permits, including enforcement, relating to winter sports facilities development.

(16) \$20,000 of the local governance study commission account appropriation is provided solely for activities to ensure the orderly implementation of the recommendations of the local governance study commission under Engrossed Substitute House Bill No. 1631 and Engrossed Substitute House Bill No. 1632. If neither bill is enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(17) \$58,000 of the general fund—state appropriation is provided solely for the state's share of the cost of the acquisition, installation, and maintenance of a Mt. St. Helen's flood warning system in Cowlitz county.

(18) \$125,000 of the general fund—state appropriation is provided solely for grants to the city of Omak and Okanogan county for enhanced surveillance and investigation needed because of school-related arson incidents. The department shall make grants based on demonstration of impact by the city and county.

(19) \$45,000 of the general fund—state appropriation is provided solely for a study assessing the socio-economic impacts of state correctional institutions on communities in which they are located. A report on the findings of the study shall be made to the legislature no later than December 31, 1988.

(20) \$25,000 of the general fund—state appropriation is provided solely for activities relating to the economic diversification and expansion of Lincoln county. The department shall contract with the department of trade and economic development and the department of agriculture for activities necessary to accomplish the purposes of this subsection.

(21) \$175,000 of the general fund—state appropriation is provided solely for the developmental disabilities planning council to contract with local nonprofit organizations for volunteer parent-to-parent support programs that will provide access to such programs to parents in all areas of the state. The project shall match volunteer experienced families with parents who have a newly diagnosed developmentally disabled child or parents in need of assistance, and provide education and training to assist families to cope with the special needs of caring for a child with a developmental disability. The council shall prepare a report on the project to the legislature by January 1, 1990.

Sec. 216. Section 218, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((17,889,666)) 17,632,000
General Fund Appropriation—Federal	\$	4,690,000
General Fund Appropriation—Local	\$	6,167,000
Total Appropriation	\$	((28,746,666)) 28,489,000

Sec. 217. Section 219, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	((3,199,666)) 3,258,000
General Fund Appropriation—Federal	\$	964,000
Total Appropriation	\$	((4,163,666)) 4,222,000

Sec. 218. Section 223, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation	\$	((6,384,666)) 8,227,000
Public Safety and Education Account Appropriation	\$	10,866,000
Accident Fund Appropriation	\$	85,037,000
Electrical License Fund Appropriation	\$	((9,620,666)) 9,907,000
Farm Labor Revolving Account Appropriation	\$	((292,666)) 58,000
Medical Aid Fund Appropriation	\$	81,983,000
Plumbing Certificate Fund Appropriation	\$	((640,666)) 660,000
Pressure Systems Safety Fund Appropriation	\$	((1,111,666)) 1,148,000
Worker and Community Right to Know Fund Appropriation	\$	2,059,000
Total Appropriation	\$	((199,992,666)) 199,945,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall study the feasibility of establishing an independent (~~ombuds~~) ombudsman office to aid employers and employees, including self-insured employees, in dealing with the workers' compensation system. The study shall include an evaluation of the need for the office, the recommended functions of the office, and the mechanisms for oversight and funding. The department shall submit its findings and recommendations to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(2) The department shall evaluate the effectiveness of the workers' compensation vocational rehabilitation program, including the effectiveness of a worker resource center to provide injured worker adjustment services. The study shall be conducted in consultation with the workers' compensation advisory committee and interested groups representing injured workers, labor, and employers. The department shall submit its findings and recommendations to

the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(3) The department shall study, in cooperation with the employment security department and the department of social and health services, the potential impact in the state of a state minimum wage based on ninety percent of the federal poverty level. The results of the study shall be submitted to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(4) The department shall prepare a report on workers' compensation caseload information including, but not limited to, the average number of claims by type by adjudicator compared to optimal caseloads used in the private sector and any recommendations concerning improvement of caseloads. The report shall be submitted to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(5) All funds appropriated under this section for lease or lease development office space may be used to lease new office space only if the lease is for a period not exceeding three years and does not extend beyond June 30, 1991.

Sec. 219. Section 224, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INDETERMINATE SENTENCE REVIEW BOARD

General Fund Appropriation	\$	((4,042,000))
		<u>3,804,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$166,000 is provided solely for payments to private attorneys representing indigent parolees.

(2) \$727,000 is provided solely for addressing inmate litigation resulting from the transition from the indeterminate sentencing laws to the determinate sentencing laws and to enable the board to review all remaining cases falling under the indeterminate sentencing laws.

(3) ~~((Of the amount provided in subsection (2) of this section, \$363,500 shall be placed in reserve status until the legislature authorizes its release.))~~ The board shall report to the legislature on January 1, 1988, regarding its progress toward completing at least one-half of the workload outlined in subsection (2) of this section. It is the intent of the legislature that the indeterminate sentencing review board terminate on June 30, 1989, and any remaining functions transfer to the department of corrections and the judiciary.

Sec. 220. Section 226, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((5,700,000))
		<u>5,775,000</u>
General Fund Appropriation—Federal	\$	146,257,000
General Fund Appropriation—Local	\$	18,373,000
Administrative Contingency Fund		
Appropriation—Federal	\$	((6,918,000))
		<u>9,718,000</u>
Unemployment Compensation Administration Fund Appropria-		
tion—Federal	\$	110,569,000
Employment Service Administration Account Appropriation—Fed-		
eral	\$	2,334,000
Federal Interest Payment Fund Appropriation	\$	2,080,000
Total Appropriation	\$	((290,551,000))
		<u>295,106,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall submit a plan to the commerce and labor committees of the senate and house of representatives by January 15, 1988, regarding continuation of services provided at its satellite office at 2106 Second Avenue, Seattle. The plan shall identify any proposed changes to the service level in effect on July 1, 1988, and methods of assuring reasonable access to a full array of services for area clients.

(2) The department shall produce local area labor market information packages for the state's economically distressed counties.

(3) \$75,000 of the general fund—state appropriation is provided solely for a computerized database of labor market information that is accessible by telephone to employers, economic development organizations, and employee organizations.

(4) The department shall produce an annual state economic report to the legislature and the governor that includes but is not limited to:

(a) Identification and analysis of industries in the United States, Washington state, and local labor markets with high levels of seasonal, cyclical, and structural unemployment;

(b) The industries and local labor markets with plant closures and mass lay-offs and the number of affected workers;

(c) An analysis of the major causes of plant closures and mass lay-offs;

(d) The number of dislocated workers and persons who have exhausted their unemployment benefits, classified by industry, occupation, and local labor markets;

(e) The experience of the unemployed in their efforts to become reemployed. This should include research conducted on the continuous wage and benefit history;

(f) Five-year industry and occupational employment projections; and

(g) Annual and hourly average wage rates by industry and occupation.

((4)) (5) The department shall establish a counter-cyclical employment program.

(a) This program shall provide employment for unemployed forest product workers. 'Forest products industries' means industries within the standard industrial classification code numbers 8, 24, and 26. The program shall operate, on a pilot basis in two locations in Washington state, with preference given to distressed areas in the state.

(b) Eligibility for employment under the counter-cyclical employment program shall occur only upon exhaustion of unemployment insurance benefits received upon termination of employment in the Washington forest products industry and eligibility shall be limited to only those persons who are either currently unemployed, employed part time, or whose employment in the Washington forest products industry was terminated within the previous year. No one shall be employed by the program for longer than six months in a two-year period, except as to administrative and supervisory employees.

(c) The program shall begin after completion of two consecutive quarters of below-average employment in forest products industries in Washington state and shall cease sixty days after the completion of two consecutive quarters of above-average timber products employment in Washington state. If, on the effective date of this act, forest products employment in the state has been below average for two consecutive quarters, the program shall begin immediately. In order to determine average forest products employment, the department shall calculate the trend of forest products employment in Washington state by the number of forest products employees, as reported by the department, during the fifteen years prior to the date the calculation is made. 'Average forest products employment' means the level of employment indicated by this trend line.

(d) Employment under the counter-cyclical employment program shall consist of activities which enhance the value of state, county, and local government lands and waters and associated improvements, with priority given to enhancing state lands and waters. Eligible activities shall include, but are not limited to, thinning, slash removal, reforestation, fire suppression, trail maintenance, maintenance of recreational facilities, dike repair, tourist facilities, stream enhancement, water quality enhancement, irrigation repair, and the building of shellfish beds.

(e) Employees under the counter-cyclical employment program, except administrative employees, shall not be considered state employees for the purposes of existing provisions of law with respect to hours of work, sick leave and civil service. Employees under the program shall receive the same medical and dental benefits and holiday and vacation benefits as state employees. Compensation for employees under the counter-cyclical employment program shall be at least eight dollars per hour of employment, except as to administrative and supervisory personnel. Employment under the program shall not result in the displacement or partial displacement, such as reduction of hours of nonovertime work, wages, or other employment benefits, of currently employed workers, including but not limited to state civil service employees, or of currently or normally contracted services. The services of counter-cyclical employment members are exempt from unemployment compensation coverage under RCW 50.44.040 and the members shall be so advised by the department.

(f) The department shall administer the program in consultation with the state natural resource agencies. The employment security department may enter into contracts and agreements with state agencies and private and public individuals and organizations to carry out the program.

((5)) (6) \$120,000 of the administrative contingency fund—federal appropriation is provided solely for a reemployment bonus demonstration project, contingent on the availability of federal or private funding of no less than \$500,000. The employment security department shall evaluate the effectiveness of the reemployment bonus in returning unemployed workers to employment and report to the commerce and labor committees of the senate and house of representatives by January 15, 1989. If federal or private moneys do not become available before June 30, 1988, the amount provided in this subsection shall lapse.

(7) \$300,000 of the administrative contingency fund appropriation is provided solely for a contract with the department of trade and economic development for expansion of the existing efforts to anticipate and prevent plant closures and mass layoffs and mitigate their adverse effects. No more than \$75,000 of this amount may be spent for the administrative costs of the department of trade and economic development.

(8) \$2,500,000 of the administrative contingency fund appropriation is provided solely for the purpose of addressing state impacts due to the federal immigration reform act. The funds shall be expended to carry out employee work eligibility certification, agricultural worker recruitment, supply and demand projects, and overall agricultural labor market analysis. Of the amount provided in this subsection, \$1,000,000 may be expended only to the extent that the department receives user fees for the services provided under this subsection. The user fees,

which the department is hereby authorized to collect, shall not exceed ninety percent of the department's actual costs and shall be deposited in the administrative contingency fund.

(9) \$2,080,000 of the federal interest payment fund appropriation may be expended by the department only if the governor authorizes the expenditure in order to avoid or mitigate across-the-board allotment reductions under RCW 43.88.110. If the governor authorizes the expenditure, \$2,080,000 of the general fund—state appropriation shall lapse. The amount expended by the department from the federal interest payment fund appropriation shall not exceed the amount lapsed from the general fund—state appropriation. Any moneys from the federal interest payment fund appropriation remaining unexpended on June 30, 1989, shall be deposited in the unemployment insurance trust fund.

Sec. 221. Section 229, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SENTENCING GUIDELINES COMMISSION

General Fund Appropriation	\$	((525,000)) 513,000
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Sec. 222. Section 230, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON BASIC HEALTH PLAN

General Fund Appropriation	\$	((19,109,000)) 14,609,000
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The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to develop and operate the basic health plan under Engrossed Second Substitute House Bill No. 477. If the bill is not enacted by June 30, 1987, this appropriation shall lapse.

PART III
NATURAL RESOURCES

Sec. 301. Section 301, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	1,874,000
General Fund Appropriation—Federal	\$	16,528,000
General Fund Appropriation—Private/Local	\$	20,000
Geothermal Account Appropriation—Federal	\$	45,000
Building Code Council Account Appropriation	\$	((692,000)) 682,000
Total Appropriation	\$	((19,099,000)) 19,149,000

The appropriations in this section are subject to the following conditions and limitations: \$40,000 of the general fund—state appropriation is provided solely to contract with the institute for public policy at The Evergreen State College to complete a comprehensive state hydropower study. The study shall: (1) Be developed in consultation with other state agencies (2) be completed by December 1, 1987, and (3) result in recommendations for a state hydro-power plan for the balanced protection and development of the state's waterways.

Sec. 302. Section 302, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation—State	\$	((463,000)) 509,000
General Fund Appropriation—Private/Local	\$	468,000
Total Appropriation	\$	((931,000)) 977,000

Sec. 303. Section 303, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	((51,666,000)) 51,746,000
General Fund Appropriation—Federal	\$	((59,846,000)) 40,926,000
General Fund Appropriation—Private/Local	\$	398,000
Hazardous Waste Control and Elimination Account Appropriation	\$	2,616,000
Flood Control Account Appropriation	\$	3,999,000
Wood Stove Public Education Account Appropriation	\$	366,000
Special Grass Seed Burning Research Account Appropriation	\$	40,000
State Toxics Control Account	\$	620,000
Reclamation Revolving Account Appropriation	\$	836,000
Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	((175,000)) 907,000

Litter Control Account Appropriation	\$	6,395,000
State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	761,000
State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	((2,695,666)) <u>2,575,000</u>
State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	((1,071,666)) <u>1,111,000</u>
Stream Gaging Basic Data Fund Appropriation	\$	139,000
Tire Recycling Account Appropriation	\$	548,000
Water Quality Account Appropriation	\$	2,398,000
Workers and Community Right to Know Fund Appropriation	\$	229,000
Total Appropriation	\$	((133,578,666)) <u>116,610,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall implement the Nisqually river task force recommendations. \$150,000 of the general fund—state appropriation is provided solely for this purpose.

~~((3))~~ (2) \$985,000 of the general fund—state appropriation is provided solely for allocation to local air pollution control authorities.

~~((4))~~ (3) The appropriation from the wood stove public education account is contingent upon the enactment of House Bill No. 16. If the bill is not enacted by June 30, 1987, this appropriation shall lapse.

~~((5))~~ (4) \$9,250,000 of the general fund—state appropriation is provided solely to carry out the department's responsibilities contained in the Puget Sound water quality plan and perform corresponding state-wide water quality activities

~~((6))~~ (5) \$715,000 of the general fund—state appropriation is provided for the purposes of solid waste management.

~~((7))~~ (6) \$553,000 of the general fund—state appropriation is provided solely for implementing the timber, fish, and wildlife agreement. If Senate Bill No. 5845 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

~~((8))~~ If House Bill No. 434 is enacted by June 30, 1987, the appropriation from the hazardous waste control and elimination account shall lapse.

(7) \$225,000 of the general fund—state appropriation and \$50,000 of the hazardous waste control and elimination account appropriation are provided solely to: (a) Contract with the University of Washington college of ocean and fisheries sciences to develop a damage assessment methodology for determining damages as a result of oil spills, and (b) contract with the department of community development to design a model oil spill contingency plan.

~~((9))~~ (8) Within the general fund appropriation, the department shall prepare penalty regulations for waste disposal permit violations, including minimum penalties, based upon severity and frequency of violation.

~~((10))~~ (9) \$302,000 of the general fund—state appropriation is provided solely for operating the Padilla Bay estuarine sanctuary interpretive center.

~~((11))~~ Within the general fund appropriation, the department shall phase out state hazardous waste remedial action sites currently in progress and meet emergency response actions. This subsection does not apply if House Bill No. 434 is enacted by June 30, 1987.

~~((12))~~ (10) \$288,000 of the general fund—state appropriation is provided solely to implement Senate Bill No. 5570. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(11) \$392,000, or so much as may be required, of the emergency water project revolving account appropriation (emergency water supply) is provided solely for the purpose of planning and administering drought relief activities as provided for in Senate Bill No. 6513. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(12) \$200,000, or so much as may be required, of the emergency water project revolving account appropriation (emergency water supply) is provided solely for staff support and contract services as provided for in Senate Bill No. 6724. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(13) \$140,000, or so much as may be required, of the emergency water project revolving account appropriation (emergency water supply) is provided solely for a comprehensive state water use efficiency study as provided for in Senate Bill No. 6380 or House Bill No. 1594. If neither of these bills is enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(14) \$160,000, of which \$80,000 is from the general fund—state appropriation and \$80,000 is from the general fund—federal appropriation, shall be used for a grant to Pend Oreille county for the purpose of controlling milfoil in the Pend Oreille river.

Sec. 304. Section 305, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((35,258,000)) 35,308,000
General Fund Appropriation—Federal	\$	999,000
General Fund Appropriation—Private/Local	\$	745,000
Trust Land Purchase Account Appropriation	\$	8,784,000
Winter Recreation Parking Account Appropriation	\$	322,000
Snowmobile Account Appropriation	\$	922,000
Public Safety and Education Account Appropriation	\$	10,000
ORV (Off-Road Vehicle) Appropriation	\$	159,000
Motor Vehicle Fund Appropriation	\$	1,000,000
Total Appropriation	\$	((48,199,000)) 48,249,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$416,000 of the general fund—state appropriation is provided solely for carrying out the Puget Sound water quality plan.

(2) \$50,000 of the general fund—state appropriation is provided solely to improve and provide recreational access for Doug's Beach.

Sec. 305. Section 308, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

General Fund Appropriation	\$	602,000
Water Quality Account Appropriation	\$	78,000
Total Appropriation	\$	680,000

The appropriations in this section ~~((ts))~~ are subject to the following conditions and limitations:

(1) \$182,000 is provided solely for carrying out the Puget Sound water quality plan.

(2) No more than eight percent of the water quality account moneys administered by the commission may be used by the commission for administration and program activities related to the grant and loan program.

Sec. 306. Section 310, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((47,465,000)) 47,560,000
General Fund Appropriation—Federal	\$	14,057,000
General Fund Appropriation—Private/Local	\$	3,651,000
Aquatic Lands Enhancement Account Appropriation	\$	425,000
Total Appropriation	\$	((65,598,000)) 65,693,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$106,000 of the general fund—state appropriation is provided solely for carrying out the Puget Sound water quality plan.

(2) ~~(((\$40,000 of the general fund—state appropriation is provided solely for the purposes of reintroducing an early coho salmon run to the Tilton river and Winston creek.~~

(3)) \$587,000 of the general fund—state appropriation is provided solely for implementing the timber, fish, and wildlife agreement. If Senate Bill No. 5845 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

~~(((\$4))~~ (3) \$150,000 of the general fund—state appropriation is provided solely for shellfish enforcement on Hood Canal.

~~(((\$5))~~ (4) \$150,000 of the aquatic lands enhancement account appropriation is provided solely for the preparation of an ecological impact statement on the guidelines for the management of salmon net pens in Puget Sound.

~~(((\$6))~~ (5) The department shall present to the natural resource committees of the senate and house of representatives no later than February 1988 a report on the department's watershed plan, with specific identification of the benefits associated with the Queets hatchery and other Indian tribal agreements.

~~(((\$7))~~ (6) \$194,000 of the general fund—state appropriation may be expended for additional feed for the Deschutes hatchery.

~~(((\$8))~~ (7) \$400,000 of the general fund—state appropriation is provided solely for the purpose of a comprehensive biological study conducted by the department in conjunction with the University of Washington and Grays Harbor community college to determine what is affecting the survival of salmon in the Grays Harbor area.

~~(((\$9))~~ (8) \$150,000 of the general fund—state appropriation is provided solely to maintain and operate the Toutle river fish collection facility.

(9) \$45,000 of the general fund—state appropriation is provided solely for the operation of a twenty-four hour per day hotline for user groups or individuals to obtain up-to-date information on departmental rules and regulations. The department shall charge fees necessary to recover the cost of operation of the hotline.

(10) \$10,000 of the general fund—state appropriation is provided solely to contract with the University of Washington school of fisheries for a study on the predation of sockeye smolt in Lake Washington.

(11) \$125,000 of the general fund—state appropriation is provided solely for the purpose of developing a salmon and steelhead rehabilitation plan for the Stillaguamish river in cooperation with the Tulalip Indian tribe and the department of wildlife.

(12) \$62,000 of the general fund—state appropriation is provided solely for the purpose of operation of the Lower Kalama state salmon hatchery at full salmon production capacity through September 30, 1988.

Sec. 307, Section 311, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ((GAME)) WILDLIFE

ORV (Off-Road Vehicle) Account Appropriation	\$	256,000
Aquatic Lands Enhancement Account Appropriation	\$	275,000
Public Safety and Education Account Appropriation	\$	515,000
((Game)) Wildlife Fund Appropriation—State	\$	(36,821,000)
		<u>37,098,000</u>
((Game)) Wildlife Fund Appropriation—Federal	\$	15,142,000
((Game)) Wildlife Fund Appropriation—Private/Local	\$	1,856,000
((Game)) Wildlife Fund—Special Wildlife Account Appropriation	\$	423,000
Total Appropriation	\$	(55,288,000)
		<u>55,565,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall, in carrying out its responsibilities under the timber, fish, and wildlife agreement, accomplish the following:

(a) Perform the necessary data collection, research, and monitoring programs which examine the differences, and make provisions for those differences, between eastern and western Washington; and

(b) Conduct a study on the department's cooperative road closure program and land-owner education program in eastern Washington.

(2) Of the \$8,000,000 general fund—state appropriation in chapter 508, Laws of 1987, \$711,000 is provided solely for implementation of the timber, fish, and wildlife agreement and \$59,000 is provided solely for carrying out the Puget Sound water quality plan.

Sec. 308, Section 312, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	(36,170,000)
		<u>42,649,000</u>
General Fund Appropriation—Federal	\$	78,000
General Fund Appropriation—Private/Local	\$	20,000
ORV (Off-Road Vehicle) Account Appropriation—Federal	\$	3,086,000
Geothermal Account Appropriation—Federal	\$	16,000
Forest Development Account Appropriation	\$	(21,136,000)
		<u>21,294,000</u>
Survey and Maps Account Appropriation	\$	(773,000)
		<u>838,000</u>
Aquatic Land Dredged Material Disposal Site Account Appropriation	\$	106,000
Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,636,000
Resource Management Cost Account Appropriation	\$	(52,495,000)
		<u>55,279,000</u>
Total Appropriation	\$	(115,516,000)
		<u>125,002,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$2,706,000)~~ \$,706,000 of the general fund—state appropriation is provided solely for the emergency fire suppression subprogram.

(2) \$2,649,000 of the general fund—state appropriation is provided solely for implementing the provisions of the timber fish wildlife agreement. This amount is contingent on: (a) The department reorganizing existing staff in the forest practices subprogram so that the majority of the staff positions are dedicated to regulating forest practices and are not responsible for state land management; and (b) the enactment of Senate Bill No. 5845. If the bill is not enacted by June 30, 1987, this amount shall lapse.

(3) \$270,000 of the general fund—state appropriation is provided solely for the department's responsibilities in implementing the recommendations contained in the Puget Sound water quality plan.

(4) From the resource management cost account and general fund—state appropriations in this section, the department shall create an additional one hundred full time equivalent jobs, providing employment opportunities for a total of 200 people, 50 each for a period not to exceed six months, under the provisions of the employment security department's counter-cyclical employment program in section 226 of this act. These jobs shall pay at least eight dollars per hour, excluding benefits. Work performed under this subsection must provide economic benefits to state trust lands.

(5) \$193,000 of the general fund—state and the aquatic land dredged material disposal site account appropriations are provided solely for the purposes of Senate Bill No. 5501. If the bill is not enacted by June 30, 1987, this appropriation shall lapse.

(6) ~~(\$166,666 of the general fund—state appropriation is provided solely for interim relocation of all department staff presently located in the John A. Cherberg building. The department shall vacate the John A. Cherberg building no later than February 29, 1988.)~~ \$479,000 of the general fund—state appropriation is provided solely for spraying to control spruce budworm infestations.

(7) \$75,000 of the resource management cost account appropriation is provided solely for a feasibility study, under the guidance of the office of financial management and the department of information systems, directed at the development of a cost allocation system.

(8) Based on schedules submitted by the director of financial management, the state treasurer shall transfer from the general fund—state or such other funds as the state treasurer deems appropriate to the Clarke McNary fund such amounts as are necessary to meet unbudgeted forest fire fighting expenses. All amounts borrowed under the authority of this section shall be repaid to the appropriate fund, together with interest at a rate determined by the state treasurer to be equivalent to the return on investments of the state treasury during the period the amounts are borrowed.

Sec. 309. Section 313, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((16,021,000)) <u>16,061,000</u>
General Fund Appropriation—Federal	\$	601,000
Feed and Fertilizer Account Appropriation	\$	22,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	455,000
Commercial Feed Fund Appropriation	\$	409,000
Seed Fund Appropriation	\$	979,000
Nursery Inspection Fund Appropriation	\$	1,011,000
Livestock Security Interest Account Appropriation	\$	34,000
Total Appropriation	\$	((19,532,000)) <u>19,572,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$48,000 of the general fund—state appropriation is provided solely for carrying out the water quality plan.

(2) \$53,000 of the general fund—state appropriation is provided solely for the control of starlings as a part of the predatory animal control program.

(3) \$20,000 of the general fund—state appropriation is provided solely to purchase poultry disease diagnostic laboratory equipment through a cooperative agreement with Washington State University.

(4) \$120,000 of the general fund—state appropriation is provided solely for the continuation of the brucellosis vaccination program.

(5) \$200,000 of the general fund—state appropriation is provided solely for enhancement of the noxious weed control program.

~~((7))~~ (6) \$200,000 of the general fund—state appropriation is provided solely to initiate a marketing program for Washington-bred horses.

~~((8) \$86,666)~~ (7) \$120,000 of the general fund—state appropriation is provided solely for the aquaculture program.

Sec. 310. Section 314, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT

General Fund Appropriation	\$	((23,656,000)) <u>24,125,000</u>
Motor Vehicle Fund Appropriation	\$	532,000
Total Appropriation	\$	((24,182,000)) <u>24,657,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$600,000 of the general fund appropriation is provided solely for the business assistance center. The center, in concert with participating state agencies, shall develop a reporting system to document the work and results of state business assistance programs. The center shall forward annual reports to the ways and means committees of the house of representatives and senate, the trade and economic development committee of the house of representatives and the commerce and labor committee of the senate, including but not limited to jobs created, investment generated, and measures of technical assistance provided and other program activities.

(2) \$195,000 of the general fund appropriation is provided solely for contracts with Washington State University small business development center programs. State funds for small business development center programs in Lewis county shall not be reduced from the level provided in the 1985-1987 biennium.

(3) \$625,000 of the general fund appropriation is provided solely for contracts with the small business export finance assistance center of Washington. At least \$100,000 of the amount provided in this subsection shall be used by the department and the small business export finance assistance center for the development of a coordinated outreach program for trade information services and export finance assistance. In developing this program, the department and the small business export finance assistance center shall work with the business assistance center, ports, and other users and suppliers of trade services.

(4) The department shall analyze market trends and investment opportunities in at least eight key sectors of the Washington economy. The department shall publish five-year projections of selected mature and growth industries with current or potentially large impacts on the state economy, including barriers to competitiveness, potential market niches, investment trends, and their relationship to state economic development efforts. The department shall work in concert with the Washington state economic development board, the department of community development, CENTRAFOR, IMPACT, the employment security department, and the private sector to develop these industry studies and to analyze strategies for the retention and development of high-wage jobs.

(5) The following amounts of the general fund appropriation are provided solely for matching funds to equal amounts of private-sector, federal, and in-kind contributions:

(a) Washington high technology center, \$7,000,000; and

(b) Center for international trade in forest products, \$297,000.

(6) \$225,000 of the general fund appropriation is provided solely for preparation, if warranted, of a proposal to the federal department of energy that the proposed superconducting supercollider be located in Washington state.

(7) \$200,000 of the general fund appropriation is provided solely for contracts with the Washington research foundation for hiring licensing and university liaison staff and for patents and other licensing-related expenses. Any contract with the Washington research foundation shall include, but is not limited to, the following conditions:

(a) Washington research foundation activities shall increase the transfer to Washington businesses of new technologies developed by state university researchers.

(b) At least fifty percent of licenses issued through the Washington research foundation shall go to firms with headquarters in Washington state.

(c) Washington research foundation activities shall be coordinated with the business assistance and financing services provided by the departments of community development and trade and economic development.

(d) The Washington research foundation shall make a report to the legislature by December 31, 1988. This report shall include, but is not limited to, the following information: The number of licenses issued during the preceding year, the number of licenses issued during the preceding year to firms with headquarters in Washington state, nonconfidential information on the financial outcome of technologies in which the foundation has invested, and the financial status of the foundation.

(8) \$90,000 of the general fund appropriation is provided solely for support of an office of capital projects and the development of a demonstration housing project in Hyogo prefecture, Japan.

(9) \$75,000 of the general fund appropriation is provided solely to implement Engrossed Second Substitute Senate Bill No. 6220. The department shall contract with other state agencies as necessary. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(10) \$110,000 of the general fund appropriation is provided solely for a pilot program to establish import substitution systems in selected communities.

(11) The director shall form an interagency task force charged with gathering information on entrepreneurial development, formulating interagency agreements to promote entrepreneurial activity, and designing programs and policy options. The task force shall be composed of representatives from the department of community development, the employment security department, the department of labor and industries, the department of social and health services, the state board for vocational education, the state board for community college education, the higher education coordinating board, and the superintendent of public instruction.

(12) The department shall establish the Washington investment opportunities office as a clearinghouse for entrepreneurs seeking capital and investments. The office shall keep a list of entrepreneurs in the state looking for capital resources, provide prospective investors with information about these entrepreneurs, and coordinate the delivery of assistance to entrepreneurs developing business plans.

Sec. 311. Section 318, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WINTER RECREATION COMMISSION

General Fund Appropriation \$ 27,000

The appropriation in this section is subject to the following conditions and limitations: \$5,000 of the appropriation is provided solely as partial funding of a study of the effect of the ski industry on the economy of the state.

Sec. 312. Section 12, chapter 8, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

\$(~~9,320,000~~) 11,956,000 or so much thereof as may be necessary, is appropriated from the state convention and trade center operations account to the state convention and trade center corporation, for the fiscal biennium ending June 30, 1989, for the purposes of operation and promotion of the center. The appropriation in this section is subject to the following conditions and limitations: \$1,540,000 is provided solely for marketing the facilities and services of the convention center, for promoting the locale as a convention and visitor destination, and for related activities under House Bill No. 1801, 2039 or Senate Bill No. 6757. If none of the bills are enacted by June 30, 1988, the amount provided in the previous sentence shall lapse.

PART IV
TRANSPORTATION

Sec. 401. Section 401, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

Death Investigations Account Appropriation	\$	24,000
General Fund Appropriation—State	\$	((16,930,000))
		19,548,000
General Fund Appropriation—Federal	\$	2,974,000
General Fund Appropriation—Private/Local	\$	((1,769,000))
		146,000
Total Appropriation	\$	((21,705,000))
		22,692,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ((At least \$471,000 of the general fund—state appropriation shall be spent on crime labs. \$1,424,000 of the general fund—federal appropriation is provided solely for crime labs if federal narcotics enforcement moneys are granted to the state. If these moneys are not granted to the state, an additional \$471,000 of the general fund—state appropriation shall be spent on crime labs. If the additional \$471,000 is spent on crime labs, the expenditure for the narcotics section shall not exceed the expenditures for that purpose during the 1985-1987 biennium.)) \$721,000 of the general fund—state appropriation shall be spent on crime labs. \$1,263,000 of the general fund—federal appropriation is provided solely for crime labs to the extent federal narcotics moneys are provided to the state. If less than \$405,000 of federal narcotics enforcement money is provided for state law enforcement in federal fiscal year 1988, then all of federal fiscal year 1988 federal narcotics money shall be spent on crime labs.

(2) \$431,000 of the general fund—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5063. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse. Fees resulting from implementation of the bill shall be placed in the state general fund.

(3) Notwithstanding subsection (1) of this section, an additional \$500,000 of the general fund—state appropriation shall be spent on crime labs. \$275,000 of this amount shall be used for additional personnel and related costs. The remainder shall be used for salary adjustments as approved by the department of personnel.

(4) \$42,000 of the general fund—state appropriation is provided solely to implement Substitute Senate Bill No. 6215. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(5) \$500,000 of the general fund—state appropriation is provided solely to support existing narcotics task forces state-wide that are experiencing decreasing federal revenues.

(6) \$300,000 of the general fund—state appropriation is provided solely to establish a separate unit to provide expertise in the investigation of major crimes and to provide assistance to law enforcement entities throughout the state at their request. The state patrol shall develop a computer database and record system to store crime scene information to assist in major crimes investigations and to make such data readily available to all law enforcement agencies.

PART V
EDUCATION

Sec. 501. Section 501, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE ADMINISTRATION

General Fund Appropriation—State	\$	((17,701,000)) 17,466,000
General Fund Appropriation—Federal	\$	10,683,000
Public Safety and Education Account Appropriation	\$	456,000
Total Appropriation	\$	((28,840,000)) 28,605,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The public safety and education account appropriation is provided solely for administration of the traffic safety education program, including in-service training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) \$364,000 of the general fund—state appropriation is provided solely for the continuation of the international education and teacher exchange programs. \$50,000 of this amount shall be used to contract for services to expand the program to include Latin America.

(3) \$18,000 of the general fund—state appropriation is provided solely for the continuation of the environmental education program.

(4) \$50,000 of the general fund—state appropriation is provided solely for pilot programs for Hispanic dropout prevention and retrieval.

(5) \$43,000 of the general fund—state appropriation is provided solely for the purchase of multi-cultural/multi-ethnic instructional materials to be distributed to all elementary and secondary school buildings in the state.

(6) The superintendent of public instruction shall, jointly with the state board for community college education, develop an integrated state plan for all state and federally funded vocational education services. The superintendent of public instruction and the state board for community college education shall also jointly develop a consistent and reliable data base on public vocational education, including enrollments, costs, program activities, and job placement. Such data shall be made available to the office of the governor and the legislature.

~~(7) ((335,000 of the general fund—state appropriation is provided solely for the development of a horticulture greenhouse project within the Sequim school district.))~~ The superintendent of public instruction shall establish a state-wide inventory of school facilities and a system for maintaining a current state-wide inventory of school facilities. The inventory system shall be developed in cooperation with the office of financial management and shall be designed to yield consistent and easily accessible information intended to facilitate administrative decisions on school construction projects and analysis of long-term facilities needs. The superintendent of public instruction shall provide a completed state-wide inventory of school facilities to the legislature by June 30, 1989.

~~(8) The superintendent of public instruction shall conduct a survey and study of fringe benefits provided to employees of local school districts. The study shall be conducted jointly with the public employees benefits agency created by Senate Bill No. The study shall address the level and types of benefits currently provided to school district employees, the reasons for the wide ranging level of benefits currently provided by local school districts, the costs to both the employer and employee of benefits provided, and other issues necessary to enable the public employees benefits agency to assist the legislature in determining an adequate and equitable funding level for employee benefits for the common school system. The results of the study shall be reported by the public employees benefits agency to the legislature by December 31, 1988.~~

Sec. 502. Section 503, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 3rd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT (BASIC EDUCATION)

General Fund Appropriation	\$	((3,814,863,000)) 3,833,944,000
Revenue Accrual Account Appropriation	\$	55,100,000
Total Appropriation	\$	((3,869,963,000)) 3,889,044,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$((367,786,000))~~ 367,323,000 is provided solely for the remaining months of the 1986-87 school year.

(2) Allocations for certificated staff salaries for the 1987-88 and 1988-89 school years shall be determined by multiplying each district's average basic education certificated instructional and administrative salaries as determined under section 504, chapter 7, Laws of 1987 1st ex. sess., as amended, by the districts' formula-generated staff units as follows:

(a) On the basis of average annual full time equivalent enrollments, excluding hand-capped full time equivalent enrollment as recognized for funding purposes under section 507.

chapter 7, Laws of 1987 1st ex. sess., and excluding full time equivalent enrollment otherwise recognized for certificated staff unit allocations under (d) through (i) of this subsection:

(l) Forty-six certificated instructional staff units for each one thousand full time equivalent kindergarten through twelfth grade students.

(ii) Four certificated administrative staff units for each one thousand full time equivalent kindergarten through twelfth grade students.

(b)(i) For the 1987-88 school year, an additional two certificated instructional staff units for each one thousand average annual full time equivalent students in kindergarten through third grade.

(ii) For the 1988-89 school year, an additional three certificated instructional staff units for each one thousand average annual full time equivalent students in kindergarten through third grade.

(c) For school districts with a minimum enrollment of 250 full time equivalent students, whose full time equivalent student enrollment count in a given month exceeds the first of the month full time equivalent enrollment count by 5 percent, an additional state allocation of 110 percent of the share that such increased enrollment would have generated had such additional full time equivalent students been included in the normal enrollment count for that particular month.

(d) 0.92 certificated instructional staff units and 0.08 certificated administrative staff units for each seventeen and one-half full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction. However, for skill center programs, the ratio shall be 0.92 certificated instructional staff units and 0.08 certificated administrative staff units for each annual average 16.67 full time equivalent students enrolled in an approved vocational education program.

(e) For districts enrolling not more than twenty-five average annual full time equivalent students in kindergarten through grade eight, and for small school plants within any school district which enroll not more than twenty-five average annual full time equivalent kindergarten through eighth grade students and have been judged to be remote and necessary by the state board of education:

(i) For those enrolling no students in grades seven or eight, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in either grades seven or eight, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled.

(f) For districts enrolling more than twenty-five but not more than one hundred average annual full time equivalent students in kindergarten through grade eight, and for small school plants within any school district which enroll more than twenty-five average annual full time equivalent kindergarten through eighth grade students and have been judged to be remote and necessary by the state board of education, in the following cases:

(i) For districts and small school plants with enrollments of up to sixty annual average full time equivalent students in kindergarten through grade six, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units;

(ii) For districts and small school plants with enrollments of up to twenty annual average full time equivalent students in grades seven and eight, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units.

(g) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit.

(h) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit.

(i) For districts that operate no more than two high schools with enrollments of not more than three hundred average annual full time equivalent students, for enrollments in each such high school, excluding handicapped and vocational full time equivalent enrollments for the 1987-88 school year only:

(i) Nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty annual average full time equivalent students; ~~((and))~~

(ii) Additional certificated staff units based upon a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per forty-three and one-half average annual full time equivalent students; and

(iii) For the 1988-89 school year, excluding certificated staff units at the rate of 46 certificated instructional staff units and 4 certificated administrative staff units per 1,000 vocational and handicapped full time equivalent students.

(3) Allocations for classified salaries for the 1987-88 and 1988-89 school years shall be calculated by multiplying each district's average basic education classified salary allocation as determined under section 504(2), chapter 7, Laws of 1987 1st ex. sess., as amended, by the district's formula-generated classified staff units determined as follows:

(a) For enrollments generating certificated staff unit allocations under subsections (2) (e) through (l) of this section, one classified staff unit per each three certificated staff units allocated under such subsections.

(b) For all other enrollment in grades kindergarten through twelve, including vocational, but excluding handicapped full time equivalent enrollments, one classified staff unit for each sixty average annual full time equivalent students.

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit.

(4) Fringe benefit allocations shall be calculated at a rate of 19.41 percent in the 1987-88 school year and 19.53 percent in the ~~((1987-88))~~ 1988-89 school year of certificated salary allocations provided under subsection (2) of this section, and a rate of 17.00 percent in the 1987-88 school year and 17.12 percent in the 1988-89 school year of classified salary allocations provided under subsection (3) of this section.

(5) Insurance benefit allocations for the 1987-88 and 1988-89 school years shall be calculated at a rate of \$167 per month for the number of certificated staff units determined in subsection (2) of this section and for the number of classified staff units determined in subsection (3) of this section multiplied by 1.152.

(6)(a) For nonemployee related costs with each certificated staff unit allocated under subsections (2) (a), (b), (c), and (e) through (l) of this section, there shall be provided a maximum of \$5,973 per certificated staff unit in the 1987-88 school year and a maximum of \$6,188 per certificated staff unit in the 1988-89 school year.

(b) For nonemployee related costs with each certificated staff unit allocated under subsection (2)(d) of this section, there shall be provided a maximum of \$11,382 per certificated staff unit in the 1987-88 school year and a maximum of \$11,792 per certificated staff unit in the 1988-89 school year.

(7) Allocations for costs of substitutes for classroom teachers shall be distributed at a maximum rate of \$275 per full time equivalent basic education classroom teacher during the 1987-88 and 1988-89 school years.

(8) The superintendent may distribute a maximum of \$3,209,000 outside the basic education formula during fiscal years 1988 and 1989 as follows:

(a) For fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW, a maximum of \$342,000 may be expended in fiscal year 1988 and a maximum of \$342,000 in fiscal year 1989.

(b) For summer vocational programs at skills centers, a maximum of \$1,099,000 may be expended in fiscal year 1988 and a maximum of \$1,135,000 may be expended in fiscal year 1989.

(c) A maximum of ~~\$(272,000))~~ 472,000 may be expended for school district emergencies.

(9) Formula enhancements are provided under this section which are not attributable to enrollment or workload changes, compensation increases, or inflationary adjustments. For the purposes of section 101, chapter 2, Laws of 1987 1st ex. sess. or if Substitute Senate Bill No. 6505 or Substitute House Bill No. 1915 are enacted redefining levy reduction, the following allocations ~~(for the 1987-88 school year)~~ shall be recognized as levy reduction funds:

(a) For the 1987-88 school year, for certificated instructional staff units generated under subsection (2)(b)(l) of this section, all allocations for nonemployee-related costs and one-half of all allocations for certificated salaries and benefits.

(b) For the 1988-89 school year, for certificated instructional staff units generated under subsection (2)(b)(li) of this section, one-third of all allocations including nonemployee-related costs and certificated staff salaries and benefits.

(10) For the purposes of section 101, chapter 2, Laws of 1987 1st ex. sess., the increase per full time equivalent student in the state basic education appropriation provided under this section is 2.75 percent between the 1986-87 and 1987-88 school years, and 3.52 percent between the 1987-88 and 1988-89 school years.

(11) The revenue accrual account appropriation is provided solely for allocations for employer contributions to the teachers' retirement system included under subsection (4) of this section.

(12) ~~(A maximum of \$372,000 may be distributed to enhance funding provided in subsections (i) through (h) of this section for remote and necessary school plants on islands without scheduled public transportation which are the sole school plants serving students in elementary grades on these islands. Any school district receiving an allocation under this subsection must certify that funding distributed for its remote and necessary school plants under this subsection and subsection (2)(e) of this section is used solely for programs for students enrolled in these school plants. The superintendent of public instruction shall ensure compliance with this~~

~~subsection, including appropriate distribution of school district overhead costs. The superintendent shall study and, in a report submitted to the legislature prior to December 1, 1988, make recommendations on adequate but not excessive funding formulas for remote and necessary school plants serving less than twenty-five students.~~

(H3)) The appropriations in this section include \$119,343,000 allocated for compensation increases for basic education staff, as provided pursuant to section 504, chapter 7, Laws of 1987 1st ex. sess., as amended.

Sec. 503, Section 504, chapter 7, Laws of 1987 1st ex. sess. as amended by section 2, chapter 1, Laws of 1987 3rd ex. sess. (unmodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION

For the purposes of section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, and this section, the following conditions and limitations apply:

(1) (a) Districts shall certify to the superintendent of public instruction such information as may be necessary regarding the years of service and educational experience of basic education certificated instructional employees for the purposes of calculating certificated instructional staff salary allocations pursuant to this section. Any change in information previously certified, on the basis of additional years of experience or educational credits, shall be reported and certified to the superintendent of public instruction at the time such change takes place.

(b) For the purposes of subsection (2) of this section, 'basic education certificated instructional staff' is defined as provided in ~~((section 203, chapter 2, Laws of 1987 1st ex. sess))~~ RCW 28A.41.110.

(c) 'LEAP Document 1' means the computerized tabulation establishing staff mix factors for basic education certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on August 18, 1987, at 13:26 hours.

(d) 'LEAP Document 10' means the computerized tabulation of 1986-87 average salary allocations for basic education certificated administrative staff and basic education classified staff, as developed by the legislative evaluation and accountability program committee on May 11, 1987, at 11:06 hours.

(e) 'LEAP Document 11' means the computerized tabulation of 1986-87 derived base salaries for basic education certificated instructional staff, as developed by the legislative evaluation and accountability program committee on August 19, 1987, at 10:29 hours.

(f) 'Derived base salary' means a school district's average salary for basic education certificated instructional staff, divided by the district's average staff mix factor for such staff computed using LEAP Document 1.

(2)(a)(i) For the 1987-88 school year, average salary allocations for basic education certificated administrative staff under section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the district's 1986-87 certificated administrative average salary shown on LEAP Document 10, increased by 2.1 percent of the 1986-87 LEAP Document 10 state-wide average salary for certificated administrative staff.

(ii) For the 1988-89 school year, average salary allocations for basic education certificated administrative staff under section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the district's certificated administrative average salary allocation for the 1987-88 school year provided under this section, further increased by 2.14 percent of the 1986-87 LEAP Document 10 state-wide average salary.

(b)(i) For the 1987-88 school year, average salary allocations for basic education classified staff under section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the district's 1986-87 classified average salary shown on LEAP Document 10, increased by 2.7 percent of the 1986-87 LEAP Document 10 state-wide average salary for classified staff.

(ii) For the 1988-89 school year, average salary allocations for basic education classified staff under section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the district's classified average salary allocation for the 1987-88 school year provided under this section, further increased by 2.77 percent of the 1986-87 LEAP Document 10 state-wide average classified salary.

(c) Allocations for certificated instructional salaries in the 1987-88 school year under section 503(2), chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the greater of:

(i) The district's average salary as determined by placing the district's actual full time equivalent basic education certificated instructional staff for that school year on the 1987-88 state-wide salary allocation schedule established in subsection (3)(a) of this section; or

(ii) The district's actual average annual basic education certificated instructional staff salary for the 1986-87 school year, as reported to the superintendent of public instruction prior to June 1, 1987, improved by 2.1 percent; or

(iii) The district's 1986-87 derived base salary for basic education certificated instructional staff as shown on LEAP Document 11, multiplied by the district's average staff mix factor determined using LEAP Document 1 for 1987-88 basic education certificated instructional staff, and further increased by 2.1 percent.

(d) Allocations for certificated instructional salaries in the 1988-89 school year under section 503(2), chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the greater of:

(i) The district's average salary as determined by placing the district's actual full time equivalent basic education certificated instructional staff for that school year on the 1988-89 state-wide salary allocation schedule established in subsection (3)(b) of this section; or

(ii) For districts which received salary allocations for the 1987-88 school year under subsection (2)(c)(ii) or (iii) of this section, the district's actual 1987-88 derived base salary for basic education certificated instructional staff computed by the superintendent of public instruction using LEAP Document 1, multiplied by the district's average staff mix factor determined using LEAP Document 1 for 1988-89 basic education certificated instructional staff, and further increased by 2.1 percent. In no case shall the actual 1987-88 derived base salary recognized in this subsection exceed the average salary used for state allocations in the 1987-88 school year for basic education certificated instructional staff under section 502 of this 1988 act, including the increases provided under this section and section 504(4) of this 1988 act, divided by the district's average staff mix factor for 1987-88 basic education certificated instructional staff.

(3) Pursuant to ~~((section 204, chapter 2, Laws of 1987 1st ex. sess.))~~ RCW 28A.41.112, the following state-wide salary allocation schedules for certificated instructional staff, for allocation purposes only, are established:

(a) 1987-88 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA	BA+15	BA+30	BA+45
0	17,050	17,510	17,988	18,465
1	17,681	18,158	18,653	19,164
2	18,329	18,823	19,335	19,897
3	19,011	19,522	20,051	20,648
4	19,710	20,255	20,801	21,432
5	20,443	21,006	21,568	22,250
6	21,210	21,773	22,370	23,103
7	21,995	22,574	23,188	23,972
8	22,796	23,410	24,041	24,893
9		24,279	24,944	25,831
10			25,865	26,820
11				27,843
12				
13				
14 or more				

1987-88 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	20,000	20,989	20,000	21,210	22,250
1	20,750	21,756	20,750	21,995	23,069
2	21,517	22,557	21,517	22,813	23,921
3	22,301	23,393	22,301	23,648	24,808
4	23,137	24,262	23,137	24,518	25,728
5	23,989	25,166	23,989	25,439	26,666
6	24,876	26,087	24,876	26,376	27,655
7	25,797	27,058	25,797	27,348	28,678
8	26,751	28,064	26,751	28,354	29,752
9	27,740	29,104	27,740	29,411	30,843
10	28,763	30,179	28,763	30,502	31,986
11	29,838	31,287	29,838	31,628	33,162
12	30,946	32,446	30,946	32,804	34,390
13	32,088	33,640	32,088	34,015	35,669
14 or more		34,884	33,265	35,276	36,981

(b) 1988-89 STATE-WIDE SALARY ALLOCATION SCHEDULE FOR INSTRUCTIONAL STAFF

Years of Service	BA	BA+15	BA+30	BA+45
0	17,600	18,075	18,568	19,061
1	18,251	18,744	19,254	19,782
2	18,920	19,430	19,958	20,539
3	19,624	20,152	20,698	21,314
4	20,346	20,909	21,472	22,123
5	21,102	21,683	22,264	22,968
6	21,894	22,475	23,091	23,848
7	22,704	23,302	23,936	24,746
8	23,531	24,165	24,816	25,696
9		25,062	25,749	26,664
10			26,699	27,685
11				28,741
12				
13				
14 or more				

1988-89 STATE-WIDE SALARY ALLOCATION SCHEDULE FOR INSTRUCTIONAL STAFF

Years of Service	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	20,645	21,666	20,645	21,894	22,968
1	21,419	22,458	21,419	22,704	23,813
2	22,211	23,285	22,211	23,549	24,693
3	23,021	24,147	23,021	24,411	25,608
4	23,883	25,045	23,883	25,309	26,558
5	24,763	25,978	24,763	26,259	27,526
6	25,678	26,928	25,678	27,227	28,547
7	26,629	27,931	26,629	28,230	29,603
8	27,614	28,970	27,614	29,269	30,712
9	28,635	30,043	28,635	30,360	31,838
10	29,691	31,152	29,691	31,486	33,018
11	30,800	32,296	30,800	32,648	34,232
12	31,944	33,493	31,944	33,862	35,499
13	33,123	34,725	33,123	35,112	36,819
14 or more		36,010	34,338	36,414	38,174

(c) As used in this subsection:

(i) 'BA' means a baccalaureate degree;

(ii) 'MA' means a masters degree;

(iii) 'PHD' means a doctorate degree;

(iv) '+' (N)' means the number of college quarter hour credits and inservice credits earned since the highest degree. Inservice hours shall be converted to equivalent college quarter hour credits in accordance with RCW 28A.71.110.

Sec. 504. Section 505, chapter 7, Laws of 1987 1st ex. sess. as amended by section 3, chapter 1, Laws of 1987 3rd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MINIMUM SALARIES AND CATEGORICAL PROGRAM SALARY INCREASES
 General Fund Appropriation \$ ~~((22,549,000))~~ 23,264,000

The appropriation in this section is subject to the following conditions and limitations:

(1) 'Incremental fringe benefits' means 18.77 percent in the 1987-88 school year and 18.89 percent in the 1988-89 school year for certificated staff, and 13.47 percent in the 1987-88 school year and 13.59 percent in the 1988-89 school year for classified staff, which percentages shall be the fringe benefit rates applied to the respective salary adjustments provided in subsections (3) and (4) of this section.

(2) A maximum of ~~5((8,431,000))~~ 8,185,000 is provided to implement salary increases for each school year for state-supported school employees in the following categorical programs: Transitional bilingual instruction, learning assistance, education of highly capable students, vocational technical institutes, and pupil transportation. Moneys provided by this subsection include costs of incremental fringe benefits and shall be distributed by increasing allocation rates for each school year by the amounts specified:

(a) Transitional bilingual instruction: The rates specified in section 509, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$10.51 per pupil for the 1987-88 school year and by ~~\$(21.66))~~ 21.68 per pupil for the 1988-89 school year.

(b) Learning assistance: The rates specified in section 510, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$9.15 per pupil for the 1987-88 school year and by ~~\$(16.66))~~ 16.72 per pupil for the 1988-89 school year.

(c) Education of highly capable students: The rates specified in section 511, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$6.23 per pupil for the 1987-88 school year and by \$12.84 per pupil for the 1988-89 school year.

(d) Vocational technical institutes: The rates for vocational programs specified in section 513, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$57.15 per full time equivalent student for the 1987-88 school year, and by ~~\$(117.45))~~ 114.91 per full time equivalent student for the 1988-89 school year.

(e) Pupil transportation: The rates provided under section 516, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$0.47 per weighted pupil-mile for the 1987-88 school year, and by ~~\$(0.95))~~ 0.86 per weighted pupil-mile for the 1988-89 school year.

(3) A maximum of ~~\$(1,979,000))~~ 1,979,000 is provided for salary increases and incremental fringe benefits for state-supported staff unit allocations in the handicapped program, section 507, and for state-supported staff in institutional education programs, section 508, and in educational service districts, section 502. The superintendent of public instruction shall distribute salary increases for these programs not to exceed the percentage salary increases provided for basic education staff under section 504, chapter 7, Laws of 1987 1st ex. sess.

(4) A maximum of ~~\$(1,000,000))~~ 100,000 is provided solely to implement minimum salaries, distributed as follows:

(a) For any certificated instructional employee in the 1987-88 school year, the superintendent of public instruction may allocate additional salary moneys equal to:

(i) The minimum salary required for the employee under RCW 28A.58.0951(2); minus

(ii) The salary that the school district would have paid to such an employee in the 1986-87 school year at the employee's 1987-88 level of experience and education, increased by the average percentage increase provided in the district's derived base salary for basic education certificated instructional staff under section 2 of this 1987 act between the 1986-87 and 1987-88 school years. For the purposes of this section, no salary which an employee would have been paid in the 1986-87 school year shall be considered to be less than \$16,500 on a full time equivalent basis if the district had received funds under section 502(3)(f) of chapter 7, Laws of 1987, to establish a minimum certificated salary of \$16,500.

(b) For any certificated instructional employee in the 1988-89 school year, the superintendent of public instruction may allocate additional salary moneys equal to:

(i) The minimum salary required for the employee under RCW 28A.58.0951(2); minus

(ii) The salary that the school district would have paid to such an employee during the 1987-88 school year at the employee's 1988-89 level of experience and education, increased by the average percentage increase provided in the district's derived base salary for basic education certificated instructional staff under section 2 of this 1987 act between the 1987-88 and 1988-89 school years.

(c) The superintendent of public instruction shall allocate incremental fringe benefits as defined in subsection (1) of this section for additional salary moneys allocated under (a) and (b) of this subsection.

Sec. 505. Section 506, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—LOCAL EDUCATION PROGRAM ENHANCEMENT FUNDS

General Fund Appropriation \$ ~~(49,500,000))~~
45,042,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The purpose of this section is to provide a grant, in addition to the district's basic education allocation, to each school district based on full time equivalent student enrollment to meet the educational needs of each district.

(2) School districts shall be eligible to receive a grant in addition to their basic education allocation. This additional grant shall be distributed to local school districts from the superintendent of public instruction on the basis of full time equivalent students. For districts enrolling not more than one hundred average annual full time equivalent students, except as otherwise specified, and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, the grant shall be distributed as follows:

(a) For grades K-6, for districts enrolling not more than sixty average full time equivalent students, the grant shall be based on sixty full time equivalent students;

(b) For grades 7 and 8, for districts enrolling not more than twenty average full time equivalent students, the grant shall be based on twenty full time equivalent students; and

(c) For districts that have high schools with sixty or fewer full time equivalent students, the grant shall be based on sixty full time equivalent students.

(3) For each school year beginning in the 1987-89 biennium, each school district shall receive, in addition to the basic education allocation, a grant ((of no less than \$67.50)) per full time equivalent student of a maximum of \$33.75. Grants shall be distributed on a school year basis. A maximum of \$((~~24,756,666~~)) 24,900,000 may be allocated for the 1987-88 school year.

(4) For the purposes of this section, each school board shall:

(a) Assess the needs of the schools within the district;

(b) Assign priority to addressing the identified needs; and

((d)) (c) Develop an evaluation methodology to assess specifically how the expenditure of the grants demonstrate a direct educational benefit to the pupils within the district.

(5) New or existing programs enhanced by the funds provided to districts by a grant under this chapter shall not become a part of the state's basic education obligation as set forth by the Constitution.

((f)) (6) Local district grants may be used to fund any or all of the following activities:

(a) Innovative programs to increase the adult-pupil ratio without increasing the number of certificated staff, including but not limited to:

(i) Providing stipends to competent retired teachers to return them to the classroom as 'team teachers' or classroom assistants;

(ii) Providing stipends to teachers' aides;

(iii) Providing incentives to administrators who spend a portion of their work day in the classroom team teaching or providing classroom assistance;

(iv) Providing recognition to citizen volunteers who assist in the classroom;

(v) Providing training programs for classroom assistants, including volunteers; and

(vi) Purchasing equipment that directly relates to classroom instruction or assists the teacher in minimizing time away from teaching.

(b) Dropout prevention and retrieval programs, including, but not limited to:

(i) Curriculum development;

(ii) Public and private sector partnerships in expanding offerings in programs such as 'Choices' and the 'Registry' program;

(iii) Alternative learning program development;

(iv) Enhancement of vocational, career, college, and pupil advisory programs;

(v) Elementary school advisory programs;

(vi) Mentor pupil programs such as 'Natural Helpers'; and

(vii) Curriculum materials and equipment purchases.

(c) Drug and alcohol abuse programs, including, but not limited to:

(i) In-service staff training programs for the identification of students at-risk; and

(ii) Community services networking to direct students who are substance abusers to appropriate treatment facilities.

(d) Early childhood programs, including but not limited to:

(i) A parents as first teachers program that provides for resource materials on home learning activities, private and group educational guidance, individual and group learning experiences for the parent and child, and other appropriate activities to enable parents to improve learning in the home, understand the relationship between developmental stages and behavior, and monitor their children's growth and development relating to understanding and use of language; perception through sight and hearing; motor development and hand-eye coordination; and health, physical development, and emotional, social, and mental development;

(ii) Nutritional programs;

(iii) Parental participation programs; and

(iv) Child day-care programs.

(e) In-service training programs for staff development including, but not limited to:

(i) Funding speakers or group leaders to deliver in-service training to staff;

(ii) Program materials and equipment;

(iii) Tuition, registration fees, and associated fees for attendance at seminars, workshops, or courses that directly relate to enhancing adult training for classroom duties; and

(iv) Travel reimbursement directly related to in-service training.

(f) Programs that develop and promote logical reasoning and improved analytical skills, including programs for highly capable students.

((g)) (7) Small or rural districts may enter into cooperative agreements to provide educational enhancements through the sharing of funds.

((h)) (8) The superintendent of public instruction shall make a comprehensive report to the legislature on the use of the local district grants and the educational benefits derived therefrom by January 31, 1989.

Sec. 506. Section 507, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED EDUCATION PROGRAMS

General Fund Appropriation—State	\$	(467,476,666)
		423,035,000
General Fund Appropriation—Federal	\$	45,318,000
Total Appropriation	\$	(452,794,666)
		468,353,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$(41,565,666)~~ 41,570,000 of the general fund—state appropriation is provided solely for the remaining months of the 1986-87 school year.

(2) The superintendent of public instruction shall distribute state funds for the 1987-88 and 1988-89 school years in accordance with districts' actual handicapped enrollments and the allocation model established in LEAP Document 9 as developed by the legislative evaluation and accountability program committee on April 27, 1987, at 14:43 hours.

(3) A maximum of \$411,000 may be expended from the general fund—state appropriation to fund 4.66 full time equivalent teachers and one aide at Children's Orthopedic Hospital and Medical Center. This amount is in lieu of money provided through the home and hospital allocation and the handicapped program.

(4) From state or federal funds appropriated under this section, the superintendent of public instruction shall allocate a total of \$130,000 for the early childhood home instruction program for hearing impaired infants and their families.

Sec. 507. Section 508, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	(26,121,666)
		21,345,000
General Fund Appropriation—Federal	\$	7,034,000
Total Appropriation	\$	(27,155,666)
		28,379,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$(3,577,666)~~ 3,462,000 of the general fund—state appropriation is provided solely for the remaining months of the 1986-87 school year.

(2) ~~\$(16,994,666)~~ 10,908,000 of the general fund—state appropriation is provided solely for the 1987-88 school year, distributed as follows:

(a) \$4,128,000 is provided solely for programs in state institutions for the handicapped or emotionally disturbed. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of \$10,294 per full time equivalent student.

(b) ~~\$(2,976,666)~~ 3,368,000 is provided solely for programs in state institutions for delinquent youth. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(5,465)~~ 6,112 per full time equivalent student.

(c) ~~\$(376,666)~~ 390,000 is provided solely for programs in state group homes for delinquent youth. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(3,492)~~ 3,678 per full time equivalent student.

(d) ~~\$(564,666)~~ 733,000 is provided solely for juvenile parole learning center programs. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(1,395)~~ 1,815 per full time equivalent student, and are in addition to moneys allocated for these students through the basic education formula established in section 503 of this act.

(e) ~~\$(2,054,666)~~ 2,289,000 is provided solely for programs in county detention centers. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(4,612)~~ 4,471 per full time equivalent student.

(3) Distribution of state funding for the 1988-89 school year shall be based upon the following overall limitations for that school year including expenditures anticipated for July and August of 1989:

(a) State funding for programs in state institutions for the handicapped or emotionally disturbed may be distributed at a maximum rate averaged over all of these programs of \$10,296 per full time equivalent student and a total allocation of no more than \$3,735,000 for that school year.

(b) State funding for programs in state institutions for delinquent youth may be distributed at a maximum rate averaged over all of these programs of ~~\$(5,416)~~ 6,116 per full time equivalent student and a total allocation of no more than ~~\$(2,894,666)~~ 3,272,000 for that school year.

(c) State funding for programs in state group homes for delinquent youth may be distributed in that school year at a maximum rate averaged over all of these programs of ~~\$(3,562)~~ 3,688 per full time equivalent student and a total allocation of no more than ~~\$(371,666)~~ 391,000 for that school year.

(d) State funding for juvenile parole learning center programs may be distributed at a maximum rate averaged over all of these programs of ~~\$(1,397)~~ 1,808 per full time equivalent student and a total allocation of no more than ~~\$(566,666)~~ 730,000 for that school year, excluding funds provided through the basic education formula established in section 503 of this act.

(e) State funding for programs in county detention centers may be distributed at a maximum rate averaged over all of these programs of \$((4,622)) 4,482 per full time equivalent student and a total allocation of no more than \$((2,659,666)) 2,295,000 for that school year.

(4) The superintendent of public instruction may distribute a maximum of \$153,000 from the general fund—state appropriation to supplement moneys provided under subsections (1) through (3) of this section, for the purpose of addressing enrollment variations or other program needs, including increases in summer school programs.

(5) Notwithstanding subsections (1) through (4) of this section, the superintendent of public instruction is authorized to transfer funds between subsections of this section for the purposes of meeting increased staff costs associated with enrollment increases or externally caused programmatic changes. This transfer authority is limited to no more than ten percent of any dollar amount specified in this section for any one school year and is subject to prior review and approval by the director of financial management. Prior to the transfer, the superintendent shall submit a written request to the director of financial management, who may approve the transfer after consultation with the ways and means committees of the senate and house of representatives. In addition, the rates per pupil set forth in subsections (1) through (4) of this section are for the purposes of setting the initial allocations of funds for each program based on department of social and health services enrollment estimates.

Sec. 508. Section 509, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund Appropriation \$ ((11,294,666))
12,175,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$((1,174,666)) 1,111,000 is provided solely for the remaining months of the 1986-87 school year.

(2) The superintendent shall distribute funds for the 1987-88 and 1988-89 school years at a rate for each year of \$420 per eligible student.

Sec. 509. Section 510, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM

General Fund Appropriation \$ ((46,011,666))
48,886,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$((3,982,666)) 3,929,000 is provided solely for the remaining months of the 1986-87 school year.

(2) Funding for school district learning assistance programs serving kindergarten through grade nine shall be distributed during the 1987-88 and 1988-89 school years at a maximum rate of \$356 per unit as calculated pursuant to this subsection. The number of units for each school district in each school year shall be the sum of: (a) The number of full time equivalent students enrolled in kindergarten through grade six in the district multiplied by the percentage of the district's students taking the fourth grade basic skills test who scored in the lowest quartile as compared to national norms, and then reduced by the number of students ages eleven and below in the district who are identified as specific learning disabled and are served through programs established pursuant to chapter 28A.13 RCW; and (b) the number of full time equivalent students enrolled in grades seven through nine in the district multiplied by the percentage of the district's students taking the eighth grade basic skills test who scored in the lowest quartile as compared to national norms, and then reduced by the number of students ages twelve through fourteen in the district who are identified as specific learning disabled and are served through programs established pursuant to chapter 28A.13 RCW. For the purposes of allocating funds for the 1987-88 school year, the superintendent shall use the most recent prior five-year average scores on the fourth grade test and the most recent prior three-year average scores on the eighth grade test. For the purposes of allocating funds for the 1988-89 school year, the superintendent shall use the most recent prior five-year average scores on the fourth grade test and the most recent prior four-year average scores on the eighth grade test.

Sec. 510. Section 511, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund Appropriation \$ ((5,272,666))
5,275,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$((482,666)) 458,000 is provided solely for distribution to school districts for the remaining months of the 1986-87 school year.

(2) ~~\$(2,403,000)~~ 2,458,000 is provided solely for allocations for school district programs for highly capable students during the 1987-88 school year, distributed at a maximum rate of \$338 per student for up to one percent of each district's 1987-88 full time equivalent enrollment.

(3) Allocations for school district programs for highly capable students in the 1988-89 school year are to be calculated at a maximum rate for that school year of \$341 per student for up to one percent of each district's 1988-89 full time equivalent enrollment.

(4) A maximum of \$340,000 is provided to contract for gifted programs to be conducted at Fort Worden state park.

Sec. 511. Section 513, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES
 General Fund Appropriation \$ ~~((75,130,000))~~
 74,488,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding for vocational programs during the 1987-88 school year shall be distributed at a rate of \$2,888 per student for a maximum of 12,050 full time equivalent students.

(2) Funding for vocational programs during the 1988-89 school year shall be distributed at a rate of \$2,930 per student for a maximum of 12,050 full time equivalent students.

(3) Funding for adult basic education programs during the 1987-88 school year shall be distributed at a rate of \$1.40 per hour of student service for a maximum of 288,690 hours.

(4) Funding for adult basic education programs during the 1988-89 school year shall be distributed at a rate of \$1.41 per hour of student service for a maximum of 288,690 hours.

(5) \$2,000,000 is provided solely for purchase and replacement of equipment to be used in vocational courses.

(6) ~~\$(3,000,000)~~ 2,350,000 is provided solely for the establishment and operation of the Washington institute of applied technology within the Seattle area. This program shall be administered under a cooperative agreement between the Seattle school district, Seattle community college district No. 6, and the Seattle private business community. If Engrossed Senate Bill No. 5996 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

Sec. 512. Section 514, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL AND PILOT PROGRAMS
 General Fund Appropriation—State \$ ~~((13,434,000))~~
 14,846,000
 General Fund Appropriation—Federal \$ 4,000,000
 Total Appropriation \$ ~~((17,434,000))~~
 18,846,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$855,000 of the general fund—state appropriation is provided solely for a contract with the Pacific Science Center for travelling van programs and other educational services for public schools. The Pacific Science Center shall work towards an equitable distribution of program activities state-wide. The center shall also determine the extent to which the state-wide need for science enrichment for K-12 students and teachers is being met by the outreach programs partially funded by this appropriation. The Pacific Science Center shall examine the geographical and demographic distribution of the populations served by these activities and recommend methods for efficiently reaching underserved student and teacher populations. These findings and recommendations shall be reported to the legislature by July 1, 1988.

(2) \$84,000 of the general fund—state appropriation is provided solely for a contract with the Cispus learning center for environmental education programs.

(3) \$4,000,000 of the general fund—federal appropriation is provided solely for the implementation of the substance abuse prevention programs.

(4) \$5,500,000 of the general fund—state appropriation is provided for solely for the implementation of the drop-out prevention and retrieval provisions of (~~Engrossed Second Substitute House Bill No. 456. If the bill is not enacted by June 30, 1987, this amount shall lapse~~) RCW 28A.120.060 through 28A.120.072.

(5) \$2,020,000 of the general fund—state appropriation is provided solely for the implementation of the schools for the twenty-first century pilot programs established by (~~Engrossed Substitute Senate Bill No. 5479. If the bill is not enacted by June 30, 1987, this amount shall lapse~~) RCW 28A.100.030 through 28A.100.068.

(6) ~~\$(2,900,000)~~ 3,938,000 of the general fund—state appropriation is provided solely for the beginning teachers assistance program established under (~~Substitute Senate Bill No. 5622. If the bill is not enacted by June 30, 1987, this amount shall lapse~~) RCW 28A.67.240.

(7) \$225,000 of the general fund—state appropriation is provided solely for child abuse education provisions of (~~Engrossed Substitute Senate Bill No. 5252. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse~~) RCW 28A.03.512 through 28A.03.514.

(8) \$1,600,000 of the general fund—state appropriation is provided solely for grants to public or private nonprofit organizations for scholarships or support services, including but not limited to child care or transportation, for parents of children in headstart or early childhood education and assistance programs who are enrolled in adult literacy classes or tutoring programs under ~~((Engrossed Second Substitute House Bill No. 456. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse))~~ RCW 28A.130.010 through 28A.130.020.

(9) \$250,000 of the general fund—state appropriation is provided solely for the implementation of the student teaching pilot project established by ~~((Engrossed Substitute Senate Bill No. 5479. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse))~~ RCW 28A.100.030 through 28A.100.068.

(10) \$314,000 of the general fund—state appropriation is provided solely for costs associated with the development of a comprehensive K-12 health education curriculum, including an integral component relating to acquired immunodeficiency syndrome.

(11) \$60,000 of the general fund—state appropriation is provided solely to establish and operate a toll free telephone number at the Lifeline Institute to assist school districts in teenage suicide prevention.

Sec. 513. Section 516, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION
 General Fund Appropriation \$ ~~(216,956,000)~~
 221,840,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) ~~\$(20,678,000)~~ 20,422,000 is provided solely for distribution to school districts for the remaining months of the 1986-87 school year.
- (2) A maximum of ~~\$(95,546,000)~~ 97,507,000 may be distributed for pupil transportation operating costs in the 1987-88 school year.
- (3) A maximum of \$800,000 may be expended for regional transportation coordinators.
- (4) A maximum of \$60,000 may be expended for bus driver training.

PART VI
 HIGHER EDUCATION

Sec. 601. Section 601, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

The appropriations in sections 602 through 608 of this act are subject to the following conditions and limitations:

(1) For the purposes of this section and sections 602 through 608 of this act, 'institutions of higher education' means the institutions receiving appropriations pursuant to sections 602 through 608 of this act.

(2) Student Quality Standard: During the 1987-89 fiscal biennium, each institution of higher education shall not expend less than the average biennial amount listed in this subsection per full time equivalent student. The amounts include total appropriated operating expenses for the institution, less expenditures for plant maintenance and operations, with the exception of Washington State University, where cooperative extension and agriculture research are also excluded from the per student expenditures. This expenditure per student requirement may vary by two percent if the director of financial management certifies that the failure to meet the minimum expenditures per student is attributable to circumstances beyond the control of the institution.

University of Washington	\$	7,763
Washington State University	\$	6,549
Central Washington University, Eastern Washington University, The Evergreen State College, and Western Washington University:		
The first 3000 FTE Students	\$	5,974
Each Student over 3000 FTE	\$	3,895
State Board for Community College Education	\$	2,793

(3) Each institution of higher education and the state board for community college education shall report to the 1989 regular session of the legislature the following information:

(a) The number of minority students attending the institution or the community college system and the measures taken by such institution or system during the 1987-89 fiscal biennium to increase the number of minority students and reduce the drop-out rates for minority and other students;

(b) The number of women employed by the institution or system and the actions taken by the institution or system to increase the number of women in managerial and senior-level positions;

(c) Actions taken by the institution or community college system to improve the quality of undergraduate and graduate education programs;

(d) Actions taken by the institution or system to expand or improve educational services off the campus and the process for evaluating the need for educational services in locations away from the campus;

(e) The process for evaluating and accepting students for admission into the institution or the system;

(f) Any process developed by the institution or the system for evaluating student performance;

(g) Actions taken by the institution or system to operate programs jointly with another public or private institution;

(h) How the faculty and exempt salary increase funds were distributed among the faculty and staff at each institution and the results of the increased salary levels on faculty and staff recruitment and retention;

(i) The annual faculty turnover rates experienced by the institution or the system; and

(j) The amount spent on instructional equipment, the type of equipment purchased, and the instructional enhancements that resulted from the additional equipment.

The state board for community college education shall collect and report the information required of the community college system under this subsection.

(4) The state board for community college education shall, jointly with the superintendent of public instruction, develop an integrated state plan for all state and federally funded vocational education services. The superintendent of public instruction and the state board for community college education shall also jointly develop a consistent and reliable data base on public vocational education, including enrollments, costs, program activities, and job placement. Such data shall be made available to the office of the governor and the legislature.

((6)) (5) Central Washington University, Eastern Washington University, and Western Washington University shall each collect summer term tuition fees at the same rates established for the regular academic quarter and shall transfer the fees to the state treasury in accordance with RCW 28B.15.031.

((7)) (6) The appropriations in sections 602 through 608 of this act provide the following amounts to identify and recruit minority students from junior high and high schools in the state, to foster minority student interest in a college education, to provide support services such as counseling and tutorial assistance, and to improve the retention of such students in higher education through and beyond the baccalaureate level. At least \$147,000 of the amount appropriated to the University of Washington shall go to increase the efforts of the math, engineering, and science achievement program.

University of Washington	\$	522,000
Washington State University	\$	225,000
Central Washington University	\$	113,000
Eastern Washington University	\$	150,000
The Evergreen State College	\$	75,000
Western Washington University	\$	150,000

((8)) (7) The following are the maximum amounts that may be expended at each institution of higher education from the appropriations in sections 602 through 608 of this act for continuing the salary increases authorized by section 604, chapter 7, Laws of 1987 (ESSB 5351) from July 1, 1987, through February 29, 1988:

University of Washington	\$	3,893,000
Washington State University	\$	2,083,000
Central Washington University	\$	405,000
Eastern Washington University	\$	489,000
The Evergreen State College	\$	212,000
Western Washington University	\$	575,000
State Board for Community College Education	\$	(4,636,000)
		<u>3,196,000</u>

Expenditures under this subsection shall be consistent with all terms and conditions contained in section 604, chapter 7, Laws of 1987 (ESSB 5351), which are hereby incorporated by reference.

((9)) (8) The following are maximum amounts which each institution may spend from the appropriations in sections 602 through 608 of this act for faculty and exempt staff salary increases and are subject to all the limitations contained in this section. For the purpose of allocating these funds, 'faculty' includes all instructional and research faculty, academic deans, department chairpersons, and community college librarians and counselors who are not part of the state classified service system. 'Exempt staff' includes presidents, chancellors, vice-presidents, administrative deans and professional personnel, and four-year institution librarians and counselors who are exempt from the classified service system.

University of Washington	\$	(19,266,000)
		<u>19,058,000</u>
Washington State University	\$	(9,493,000)
		<u>9,330,000</u>
Central Washington University	\$	(2,159,000)
		<u>2,152,000</u>
Eastern Washington University	\$	(2,469,000)
		<u>2,441,000</u>

The Evergreen State College	\$	((1,669,000)) 1,060,000
Western Washington University	\$	((2,893,000)) 2,851,000
State Board for Community College Education	\$	((14,283,000)) 14,667,000
Higher Education Coordinating Board	\$	55,000

These amounts are intended to provide full time faculty and teaching and research assistants, and medical residents at each four-year institution and the community college system as a whole the average percentage increase, including increments, enumerated below on the effective dates indicated:

	March 1, 1988	January 1, 1989
University of Washington	8.5%	8.4%
Washington State University	8.2%	8.1%
Central Washington University	7.6%	7.6%
Eastern Washington University	7.6%	7.6%
The Evergreen State College	7.6%	7.6%
Western Washington University	7.6%	7.6%
State Board for Community College Education	6.3%	6.0%

Exempt staff and part time faculty at each four-year institution, the community college system as a whole, and the higher education coordinating board are entitled to receive the average salary increases enumerated below on the effective dates indicated:

	March 1, 1988	January 1, 1989
University of Washington	5%	3%
Washington State University	5%	3%
Central Washington University	4.5%	3%
Eastern Washington University	4.5%	3%
The Evergreen State College	4.5%	3%
Western Washington University	4.5%	3%
State Board for Community College Education	4.0%	3%
Higher Education Coordinating Board	3%	3%

However, exempt librarians and counselors may be given the same percentage salary increase as the faculty at their institution if the total amount paid out for faculty and exempt salary increases is within the amounts provided in this subsection.

The salary increase authorized under this subsection may be granted to state employees at Washington State University who are supported in full or in part by federal land grant formula funds.

~~((H))~~ (9) In addition to the 6.3 and 6.0 percent salary increases provided to community college faculty in subsection ~~((H))~~ (8) of this section, \$1,129,000 is provided solely to reduce the disparity in full time faculty salaries among community colleges. No funds in this subsection may be expended on administrative staff salaries. The state board for community college education shall allocate one third of these funds in fiscal year 1988 and two thirds in fiscal year 1989 as follows:

Lower Columbia College	\$	124,000
Shoreline Community College	\$	242,000
Community College of Spokane	\$	533,000
Skagit Valley College	\$	115,000
Whatcom Community College	\$	18,000
Community College District 12	\$	52,000
Walla Walla Community College	\$	18,000
Highline Community College	\$	27,000

~~((H))~~ (10) From the appropriations in sections 602 through 609 of this act, the following amounts for each institution are provided solely for higher education personnel board classified employees to provide a 2.65 percent or \$50 per month, whichever is greater, salary increase effective January 1, 1988, and an additional 3.0 percent salary increase effective January 1, 1989. These increases shall be implemented in compliance and conformity with all requirements of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

University of Washington	\$	3,501,000
Washington State University	\$	2,365,000
Central Washington University	\$	478,000
Eastern Washington University	\$	583,000
The Evergreen State College	\$	337,000
Western Washington University	\$	652,000
State Board for Community College Education	\$	((3,166,000)) 3,350,000

Higher Education Coordinating Board \$ 23,000

No salary increase may be paid under this subsection to any person whose salary has been Y-rated pursuant to rules adopted by the higher education personnel board.

((12)) (11) Any institution that grants an average salary increase in excess of the amounts authorized in subsection ((9)) (8) of this section is ineligible to receive any funds appropriated for salary increases in sections 603 through 608 of this act. Any community college district that grants an average salary increase in excess of the amounts authorized in subsections ((9)) (8) and ((10)) (9) of this section is ineligible to receive any funds appropriated for salary increases in section 602 of this act. The office of financial management shall adjust an institution's allotment as necessary to enforce the restrictions imposed by this section.

Sec. 602. Section 602, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation \$ ((531,174,666))
530,902,000

The appropriation in this section is subject to the following conditions and limitations:

(1) At least \$170,000 shall be spent solely for necessary expenditures attributable to the fire of February 16, 1987, at Everett Community College.

(2) At least \$480,000 shall be spent by the state board for community college education for the literacy tutor coordination project.

Sec. 603. Section 603, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation \$ ((516,799,666))
515,939,000
Medical Aid Fund Appropriation \$ 2,553,000
Accident Fund Appropriation \$ 2,553,000
Death Investigations Account Appropriation \$ 594,000
Total Appropriation \$ ((522,499,666))
521,639,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,500,000 of the general fund appropriation is provided solely for equipment.

(2) A maximum of \$75,000 may be spent to identify suitable spaces in the vicinity of the University of Washington for use as child day care centers for the children of university civil service employees and for start-up costs of the day care centers.

(3) \$400,000 is provided solely to conduct a study of the potential environmental and economic impacts of oil and mineral exploration off the coast of Washington.

(4) At least \$75,000 of the appropriations in this section shall be spent for research on the health and safety hazards of video display terminals in the workplace.

(5) \$200,000 of the general fund appropriation is provided solely for rental costs on a building to house clinical and laboratory space for the treatment of patients with AIDS and the training of health care professionals in such treatment.

(6) The University of Washington shall take whatever actions are necessary to maximize refunds from the social security administration during the 1987-89 biennium and shall transfer to the general fund the refund received from the social security administration for graduate teaching and research assistants paid from the state general fund from January 1, 1980, through June 30, 1987.

Sec. 604. Section 604, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation \$ ((287,156,666))
287,269,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$4,717,000 is provided solely for equipment.

(2) Funds are provided to Washington State University to continue the Yakima nursing training program.

(3) \$500,000 of the appropriation is provided solely to initiate upper division programs and expand graduate programs at the Southwest Washington joint center for education.

(4) \$165,000 of the appropriation is provided solely for additional training of education professionals at the Southwest Washington joint center for education.

(5) \$117,000 of the appropriation is provided solely for additional training of education professionals at the Tri-Cities university center.

(6) \$427,000 is provided solely for start-up and operation of the health research and education center in Spokane.

((6)) (7) \$750,000 is provided solely to enhance and operate the Washington higher education telecommunications system (WHETS) for the purpose of allowing the delivery of university courses directly to Spokane, Vancouver, Seattle, and the Tri-Cities.

Sec. 605. Section 605, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation \$ ~~((61,688,000))~~
81,559,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$1,157,000 is provided solely for equipment.
- (2) \$150,000 is provided solely for start-up and operation of the health research and education center in Spokane.

Sec. 606. Section 606, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation \$ ~~((68,667,000))~~
68,807,000

The appropriation in this section is subject to the following conditions and limitations: ~~((+))~~
\$1,015,000 is provided solely for equipment.

Sec. 607. Section 607, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation \$ ~~((40,269,000))~~
40,285,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$945,000 is provided solely for equipment.
- (2) \$400,000 of the general fund appropriation is provided solely for the Washington state center for the improvement of the quality of undergraduate education.
- (3) \$300,000 of the general fund appropriation is provided solely for summer seminars in coordination with the national faculty of humanities, arts and sciences to improve the quality of teaching in high schools and community colleges.
- (4) At least \$200,000 shall be spent for a labor center. The college shall endeavor to obtain additional funds for the labor center from nonstate sources.
- (5) \$25,000 of the general fund—state appropriation is provided solely for the public policy institute for the purpose of conducting research projects directed by the legislature.

Sec. 608. Section 608, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation \$ ~~((87,675,000))~~
87,231,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$2,421,000 is provided solely for equipment.
- (2) \$96,000 of the general fund appropriation is provided solely for development of a value-added testing program to measure educational attainment of students while enrolled at the university.

Sec. 609. Section 609, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION COORDINATING BOARD

General Fund Appropriation—State \$ ~~((52,344,000))~~
52,094,000
General Fund Appropriation—Federal \$ 3,471,000
State Educational Grant Appropriation \$ 40,000
Total Appropriation \$ ~~((55,855,000))~~
55,605,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$43,392,000 of the general fund—state appropriation is provided solely for student financial aid, including administrative costs. Of that amount, a minimum of \$18,100,000 shall be expended for work study grants. The state need grant program shall emphasize, to the extent possible, the provision of aid to low-income single parents with dependents.

(2) ~~\$(5,000,000)~~ 4,750,000 of the general fund—state appropriation is provided solely for the distinguished professorship trust fund.

(3) \$300,000 of the general fund appropriation is provided solely for the implementation of House Bill No. 857, the teachers conditional scholarship program.

(4) \$900,000 of the general fund—state appropriation is provided solely for the displaced homemaker program.

(5) Prior to January 1, 1989, \$50,000 of the general fund—state appropriation is provided solely to support the special joint study group created by House Concurrent Resolution No. 4433. The money shall be transferred to the office of financial management via interagency reimbursement and shall be used for contracted services and other support activities of the study group. Prior to January 1, 1989, these funds shall not be used for any expenses of the higher education coordinating board or its staff.

PART VII
SPECIAL APPROPRIATIONS

Sec. 701. Section 701, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—COMPENSATION—SALARY AND INSURANCE BENEFITS

General Fund Appropriation—State	\$ 45,845,000
General Fund Appropriation—Federal	\$ 9,645,000
Special Fund Salary and Insurance Contribution	
Increase Revolving Fund Appropriation	\$ 36,835,000
Total Appropriation	\$ 92,325,000

The appropriations in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated in this section and are subject to the conditions and limitations specified in this section.

(1) \$30,722,000 of the general fund—state appropriation, \$9,644,000 of the general fund—federal appropriation, and \$25,397,000 of the special fund salary and insurance contribution increase revolving fund appropriation are provided for a 2.65 percent or \$50 per month, whichever is greater, salary increase effective January 1, 1988, and an additional 3.0 percent salary increase effective January 1, 1989, for all state personnel board classified and exempt employees. These increases shall be implemented in compliance and conformity with all requirements of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

(2) \$1,000 of the general fund—federal appropriation and \$82,000 of the special fund salary and insurance revolving fund appropriation are provided for a 2.65 percent or \$50 per month, whichever is greater, salary increase effective January 1, 1988, and an additional 3.0 percent salary increase effective January 1, 1989, for higher education personnel board classified and exempt employees (~~employed by the higher education coordinating board and the higher education personnel board~~). These increases shall be implemented in compliance and conformity with all requirements of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

(3) \$123,000 of the general fund—state appropriation and \$2,056,000 of the special fund salary and insurance contribution increase revolving fund appropriation are provided for a three percent salary increase effective January 1, 1988, followed by an additional three percent salary increase effective January 1, 1989, for commissioned officers of the Washington state patrol.

(4) The governor shall allocate to state agencies from the general fund—state appropriation \$5,000,000 for fiscal year 1988 and \$10,000,000 for fiscal year 1989, and from the special fund salary and insurance contribution increase revolving fund appropriation \$3,100,000 for fiscal year 1988 and \$6,200,000 for fiscal year 1989 to fulfill the 1987-89 obligations of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

(5) \$246,000 of the special fund salary and insurance contribution increase revolving fund appropriation is provided solely for salary increases, equal to the percentage increases identified in section 601 of this 1988 act, for faculty and exempt employees employed by the University of Washington.

(6)(a) The monthly contributions for insurance benefits shall not exceed \$167.00 per eligible employee.

(b) Any returns of funds to the state employees' insurance board resulting from favorable claims experienced during the 1987-89 biennium shall be held in reserve within the state employees insurance fund until appropriated by the legislature.

(c) Funds provided under this section, including funds resulting from dividends or refunds, shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this act. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date on which coverage is extended.

((6)) (7) To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer is directed to transfer sufficient moneys from each dedicated fund or account to the special fund salary and insurance contribution increase revolving fund in accordance with schedules provided by the office of financial management.

((7)) (8) In calculating individual agency allocations for this section, the office of financial management shall calculate the allocation of each subsection separately. The separate allocations for each agency may be combined under a single appropriation code for improved efficiency. The office of financial management shall transmit a list of agency allocations by subsection to the committees on ways and means of the senate and house of representatives.

((8)) (9) No salary increase may be paid under this section to any person whose salary has been Y-rated pursuant to rules adopted by the state personnel board or the higher education personnel board.

Sec. 702. Section 702, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

The appropriations in this section are subject to the following conditions and limitations: The appropriations shall be made on a quarterly basis.

(1) There is appropriated for state contributions to the law enforcement officers' and fire fighters' retirement system.

Revenue Accrual Account Appropriation	\$	FY 1988 57,134,000	FY 1989 ((52,866,888)) 52,526,000
Total Appropriation		\$((110,000,000))	<u>109,660,000</u>

(2) There is appropriated for contributions to the judicial retirement system an amount sufficient to meet the cash flow requirements of all benefit payments made during the 1987-89 biennium.

General Fund Appropriation	\$	FY 1988 1,350,000	FY 1989 1,350,000
Total Appropriation		\$2,700,000	

(3) There is appropriated for contributions to the judges retirement system an amount sufficient to meet the cash flow requirements of all benefit payments made during the 1987-89 biennium.

General Fund Appropriation	\$	FY 1988 800,000	FY 1989 800,000
Total Appropriation		\$1,600,000	

(4) The initial employer trust fund contribution rate for all employers of members of the retirement system governed by chapter 41.32 RCW (the teachers' retirement system) shall be set at 11.22% of earnable compensation for the 1987-89 biennium.

(5) The initial employer trust fund contribution rate for all employers of members of the retirement system governed by chapter 41.40 RCW (the public employees' retirement system) shall be set at 5.92% of compensation earnable for the 1987-89 biennium.

(6) The employer rate for all employers of members of the retirement system governed by chapter 43.43 RCW (the state patrol retirement system) shall be set at 19.88% of compensation, the level recommended by the state actuary.

Sec. 703. Section 703, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONTRIBUTIONS TO RETIREMENT SYSTEMS

General Fund Appropriation	\$	FY 1988 ((1,300,000)) 1,670,000	FY 1989 ((1,300,000)) 1,671,000
Total Appropriation		\$((2,600,000))	<u>3,341,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$((600,000))~~ 894,000 of the general fund—state appropriation shall be distributed to state agencies and the superintendent of public instruction for the purpose of additional contributions required for the public employees' retirement system as a result of ~~((Senate Bill No. 5150))~~ chapter 192, Laws of 1987 and chapter 136, Laws of 1987.

(2) ~~\$((2,000,000))~~ 2,447,000 of the general fund—state appropriation shall be distributed to the superintendent of public instruction for the purpose of additional contributions required for the teachers' retirement system as a result of ~~((Senate Bill No. 5150))~~ chapter 192, Laws of 1987 and chapter 455, Laws of 1987.

~~((3)) If Senate Bill No. 5150 is not enacted by June 30, 1987, the appropriations in this section shall lapse.~~

Sec. 704. Section 705, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—INDIAN CLAIMS

General Fund Appropriation	\$	4,000,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) Before June 30, ~~((1988))~~ 1989, the governor, through the department of community development, in consultation with the attorney general, may use all or any portion of the amount appropriated for the purpose of settling the claims of the Puyallup Indian tribe to lands formerly lying beneath the Puyallup river.

(2) On and after July 1, ~~((1988))~~ 1989, the governor through the department of general administration may provide for purchasing, for current or future public purposes, any land for which the tribal claim remains unsettled, subject to all of the following:

(a) Before March 31, ~~((1989))~~ 1990, the owner of the land must offer in writing to sell the land at a price not exceeding what its market value would be without the tribal claim.

(b) If a parcel lies partially on lands formerly beneath the Puyallup river and partially outside such lands, the department also may elect to purchase all or part of the portion lying

outside such lands if the purchase is reasonably necessary to make the purchased land suitable for a public purpose.

(c) The sale to the state of each parcel shall include an assignment of any rights the landowner has against others for defects in title to the land.

(d) In order to facilitate the use of the land for a public purpose, the department may purchase parcels conditioned on access being provided by the seller or other landowners. The department may also use any other lawful means to gain access to the purchased land.

Sec. 705. Section 712, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the Institutional Impact Account	\$	316,600
<u>General Fund Appropriation: For transfer to the Landowner Contingency Forest Fire Suppression Account</u>	<u>\$</u>	<u>285,000</u>
General Government Special Revenue Fund—State Treasurer's Service Account Appropriation: For transfer to the general fund on or before July 20, 1989, an amount up to \$5,000,000 in excess of the cash requirements in the State Treasurer's Service Account for fiscal year 1990, for credit to the fiscal year in which earned	\$	5,000,000
Charitable, Educational, Penal and Reformatory Institutions Account Appropriations: For transfer to the Resource Management Cost Account to the extent that funds are available as determined by the department of natural resources. The department shall provide the state treasurer with a schedule of such transfers	\$	3,000,000
General Fund Appropriation: For transfer to the Natural Resources Fund—Water Quality Account	\$	7,913,300
General Fund Appropriation: For transfer to the Miscellaneous Fund—Tort Claims Revolving Fund	\$	(2,560,000) 5,978,000
<u>Liquor Revolving Fund Appropriation: For Transfer to the Miscellaneous Fund—Tort Claims Revolving Fund</u>	<u>\$</u>	<u>573,000</u>
Employment Security Fund—Deferred Compensation Revolving Fund: For transfer to the Motor Vehicle Fund	\$	861,000
Ferry System Fund: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation, Washington state ferry system during the period July 1, 1987, through June 30, 1989	\$	884,100
Puget Sound Ferry Operations Account: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation, Washington state ferry system during the period July 1, 1987, through June 30, 1989	\$	378,900
Motor Vehicle Fund: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation during the period July 1, 1987 through June 30, 1989	\$	14,200,000
<u>Public Safety Education Account: For transfer to the General Fund</u>	<u>\$</u>	<u>2,200,000</u>

Sec. 706. Section 338, chapter 258, Laws of 1984 as amended by section 27, chapter 57, Laws of 1985 and RCW 43.08.250 are each amended to read as follows:

The money received by the state treasurer from fees, fines, forfeitures, penalties, reimbursements or assessments by any court organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be deposited in the public safety and education account which is hereby created in the state treasury. The legislature shall appropriate the funds in the account to promote traffic safety education, highway safety, criminal justice training, crime victims' compensation, judicial education, the judicial information system, winter recreation parking, and state game programs and, during the 1987-89 fiscal biennium, may transfer funds in the account to the general fund. All earnings of investments of balances in the public safety and education account shall be credited to the general fund.

Sec. 707. Section 715, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$	(6,187,000) 6,225,000
General Fund Appropriation for public utility district excise tax distribution	\$	(24,031,000) 21,138,000
General Fund Appropriation for prosecuting attorneys' salaries	\$	1,950,000
General Fund Appropriation for motor vehicle excise tax distribution	\$	(58,630,000) 59,751,000

General Fund Appropriation for local mass transit assistance	\$	((177,500,000)) 185,535,000
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	((2,203,000)) 2,152,000
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution	\$	60,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	((17,007,000)) 18,233,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	((272,649,000)) 268,082,000
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	((39,100,000)) 42,740,000
Timber Tax Distribution Account Appropriation for distribution to 'Timber' counties	\$	((39,044,000)) 44,291,000
Municipal Sales and Use Tax Equalization Account Appropriation	\$	((31,570,000)) 32,174,000
County Sales and Use Tax Equalization Account Appropriation	\$	((10,900,000)) 11,062,000
Death Investigations Account Appropriation for distribution to counties for public funded autopsies	\$	((592,000)) 688,000
Total Appropriation	\$	((602,303,000)) 694,081,000

The appropriations in this section are subject to the following conditions and limitations: \$96,000 is provided from the death investigations account appropriation for the purpose of reimbursing counties up to the maximum level authorized by RCW 68.08.104 for expenses incurred in the 1985-87 biennium.

Sec. 708. Section 717, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, INCLUDING ONGOING BOND REGISTRATION AND TRANSFER CHARGES

Fisheries Bond Redemption Fund 1977 Appropriation	\$	1,280,467
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$	5,479,684
Higher Education Refunding Bond Redemption Fund 1977 Appropriation	\$	8,773,875
Fire Service Training Center Bond Retirement Fund 1977 Appropriation	\$	1,619,731
Highway Bond Retirement Fund Appropriation	\$	171,910,324
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation	\$	233,575
Higher Education Bond Redemption Fund 1977 Appropriation	\$	19,528,417
Ferry Bond Retirement Fund 1977 Appropriation	\$	25,627,988
Emergency Water Projects Bond Retirement Fund 1977 Appropriation	\$	2,604,490
Public School Building Bond Redemption Fund 1965 Appropriation	\$	1,238,790
((Spokane River Toll Bridge Account Appropriation	\$	809,000))
Higher Education Bond Retirement Fund 1979 Appropriation	\$	10,736,990
State General Obligation Bond Retirement Fund 1979 Appropriation	\$	((327,009,045)) 307,961,175
Fisheries Bond Redemption Fund 1976 Appropriation	\$	764,034
State Building Bond Redemption Fund 1967 Appropriation	\$	656,800
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation	\$	11,423,031
Common School Building Bond Redemption Fund 1967 Appropriation	\$	6,890,745
Outdoor Recreation Bond Redemption Fund 1967 Appropriation	\$	6,292,542
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation	\$	4,067,765
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation	\$	10,349,392
State Building and Parking Bond Redemption Fund 1969 Appropriation	\$	2,448,830
Waste Disposal Facilities Bond Redemption Fund Appropriation	\$	57,944,960
Water Supply Facilities Bond Redemption Fund Appropriation	\$	11,952,815
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation	\$	3,705,605

Recreation Improvements Bond Redemption Fund Appropriation	\$	5,986,813
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation	\$	7,499,389
State Building Authority Bond Redemption Fund Appropriation	\$	9,452,680
Office-Laboratory Facilities Bond Redemption Fund Appropriation	\$	270,900
University of Washington Hospital Bond Retirement Fund 1975 Approp- riation	\$	1,163,924
Washington State University Bond Redemption Fund 1977 Appropria- tion	\$	559,915
Higher Education Bond Redemption Fund 1975 Appropriation	\$	2,165,785
State Building Bond Redemption Fund 1973 Appropriation	\$	3,794,144
State Building Bond Retirement Fund 1975 Appropriation	\$	424,780
State Higher Education Bond Redemption Fund 1973 Appropriation	\$	4,367,163
Social and Health Services Bond Redemption Fund 1976 Appropria- tion	\$	9,475,867
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation	\$	372,820
Community College Refunding Bond Retirement Fund 1974 Appropria- tion	\$	9,436,996
State Higher Education Bond Redemption Fund 1974 Appropriation	\$	1,190,700
Total Appropriation	\$	(749,650,859) 729,653,901

NEW SECTION. Sec. 709. A new section is added to chapter 7, Laws of 1987 1st ex. sess. to read as follows:

BOND RETIREMENT—STATE TRADE AND CONVENTION CENTER

The following is appropriated from the state trade and convention center account for reimbursement to the general fund for the transfer to the state general obligation bond retirement fund for disbursement of bond retirement and interest, including ongoing bond registration and transfer charges:

State Convention and Trade Center Account Appropriation	\$	19,746,278
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NEW SECTION. Sec. 710. A new section is added to chapter 7, Laws of 1987 1st ex. sess. to read as follows:

BOND RETIREMENT—SPOKANE RIVER TOLL BRIDGE

The following is appropriated from the Spokane River toll bridge revolving account to the Spokane River toll bridge account for disbursement of bond retirement and interest, including ongoing bond registration and transfer charges:

Spokane River Toll Bridge Revolving Account Appropriation	\$	889,088
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Sec. 711. Section 7, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.16.070 are each amended to read as follows:

The federal interest payment fund shall consist of contributions payable by each employer (except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, employers who are required to make payments in lieu of contributions, and employers paying contributions under RCW 50.44.035) for any calendar quarter which begins on or after January 1, 1984, and for which the commissioner determines that the department will have an outstanding balance of accruing federal interest at the end of the calendar quarter. The amount of wages subject to tax shall be determined according to RCW 50.24.010. The tax rate applicable to wages paid during the calendar quarter shall be determined by the commissioner and shall not exceed fifteen one-hundredths of one percent. In determining whether to require contributions as authorized by this section, the commissioner shall consider the current balance in the federal interest payment fund and the projected amount of interest which will be due and payable as of the following September 30. Except as appropriated for the fiscal biennium ending June 30, 1989, any excess moneys in the federal interest payment fund shall be retained in the fund for future interest payments.

Contributions under this section shall become due and be paid by each employer in accordance with such rules as the commissioner may prescribe and shall not be deducted, in whole or in part, from the remuneration of individuals in the employ of the employer. Any deduction in violation of this section is unlawful.

In the payment of any contributions under this section, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

Sec. 712. Section 3, chapter 272, Laws of 1987 (uncodified) is amended to read as follows:

EVERETT HOME PORT

(1) There is hereby appropriated to the office of financial management for the biennium beginning July 1, 1987, and ending June 30, 1989:

(a) ~~((Ten million, four hundred seventy))~~ two million, four hundred eighty thousand dollars from the general fund—state;

(b) One million, one hundred sixty-nine thousand dollars from the general fund—federal;

(c) Three hundred ninety-two thousand dollars from the state electrical license fund;

(d) Five hundred thirty-three thousand dollars from the state accident fund; and

(e) Five hundred thirty-three thousand dollars from the state medical aid fund.

(2) The appropriations in this section are provided solely for the purposes of this act and are subject to the following conditions and limitations:

(a) The appropriations in this section are provided solely for the increased demands for public services as a result of the development or construction of the Everett home port. No funds, except those related to the educational impacts associated with the arrival of the U.S.S. Nimitz, may be spent, except as may be necessary for planning and monitoring to meet the requirements of federal legislation authorizing the construction of the Everett home port, until the following conditions are met: (i) Actual construction or site preparation is started, and (ii) the federal government releases to be obligated, or expended, the \$43.5 million appropriated in federal fiscal year 1987 in section 2208 of the national defense authorization act for construction of the home port, and (iii) all required local, state, and federal permits for site construction, preparation, and dredging are obtained.

(b) The governor shall allocate funds to the superintendent of public instruction, the department of social and health services, the department of community development, the department of fisheries, the department of ecology, and the department of labor and industries. The governor shall allocate these appropriations to specific agencies based on increased agency ((operating)) expenditures and workload directly associated with the Everett home port. The governor may release to the specific agencies only the amount necessary to offset the directly incurred increased costs which have been documented by the agency.

(c) Any appropriation adjustments and actions that the governor has taken related to the Everett home port and pursuant to this appropriation shall be reported to the legislature on January 1, 1988, and January 1, 1989.

PART VIII MISCELLANEOUS

NEW SECTION, Sec. 801. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 802. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect immediately."

On page 1, beginning on line 1 of the title, after "fiscal matters," strike the remainder of the title and insert:

"amending RCW 43.08.250 and 50.16.070; amending section 103, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 104, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 107, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 109, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 110, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 114, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 120, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 121, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 124, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 131, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 201, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 202, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 203, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 204, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 205, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 206, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 208, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 209, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 210, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 211, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 212, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 213, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 214, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 217, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 218, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 219, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 223, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 224, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 226, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 229, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 230, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 301, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 302, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 303, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 305, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 308, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 310, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 311, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 312, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 313, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 314, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 318, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 12, chapter 8, Laws of 1987 1st ex. sess. (uncodified); amending section 401, chapter 7, Laws of 1987

1st ex. sess. (uncodified); amending section 501, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 503, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 504, chapter 7, Laws of 1987 1st ex. sess. as amended by section 2, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 505, chapter 7, Laws of 1987 1st ex. sess. as amended by section 3, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 506, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 507, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 508, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 509, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 510, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 511, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 513, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 514, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 516, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 601, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 602, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 603, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 604, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 605, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 606, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 607, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 608, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 609, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 701, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 702, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 703, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 705, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 712, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 715, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 717, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 3, chapter 272, Laws of 1987 (uncodified); reenacting and amending section 207, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 2nd ex. sess. and by section 1, chapter 2, Laws of 1987 2nd ex. sess. (uncodified); adding new sections to chapter 7, Laws of 1987 1st ex. sess. (uncodified); making appropriations; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Bristow moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 1312 and ask the Senate for a conference thereon.

Mr. Holland spoke against the motion. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Grimm, Locke and Holland as conferees on Engrossed Substitute House Bill No. 1312.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1835 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that:

(1) Cutbacks in federal funds and programs to the Tri-Cities pose a substantial threat to the region and the state with massive lay-offs, loss of personal income, and declines in state revenues;

(2) The Tri-Cities is of critical significance to the state because of its leading role in the nuclear industry and its concentration of excellent scientists and engineers. Because of the presence of this highly trained workforce, this region requires a special state effort to diversify the local economy;

(3) There are key opportunities to broaden the economic base in the Tri-Cities including agriculture, high-technology, tourism, and regional exports; and

(4) A coordinated state, local, and private sector effort offers the greatest potential to promote economic diversification and to provide support for new projects within the region.

NEW SECTION, Sec. 2. The department of trade and economic development shall begin implementation of the priority goals established by the Tri-Cities diversification study conducted under chapter 501, Laws of 1987, as follows:

- (1) To retain and expand existing businesses and industries within the region;
- (2) To attract businesses and industries to the region that will provide new jobs;
- (3) To encourage the formation of new businesses and industries in the region; and

(4) To assist in the development of a regional infrastructure favorable to economic diversification.

In evaluating these goals, the department, in conjunction with the Tri-Cities diversification board, shall determine which objectives of these priority goals are most likely to lead to economic diversification. Consideration shall be given to potential jobs and income benefits, generation of additional fiscal support, increased private sector participation, and market forces supporting the proposed objectives. The department shall consider such additional studies and governmental agencies which could support the priority goals determined under this section.

For the purposes of sections 1 through 12 of this act, 'department' means the department of trade and economic development.

NEW SECTION. Sec. 3. The sum of one million five hundred fifty thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the department of trade and economic development for the biennium ending June 30, 1989, for the purposes of sections 1 through 12 of this act. This appropriation shall be expended in accordance with the limitations imposed under this act.

NEW SECTION. Sec. 4. (1) The department of trade and economic development shall designate a project manager within the department to facilitate the department's activities within the Tri-Cities region. This position shall be located in the Tri-Cities region. The manager's responsibilities shall include but not be limited to:

(a) Seeking to increase the use of existing state economic development programs in the Tri-Cities region;

(b) Helping to locate additional funds to be used for diversification activities;

(c) Forming committees to oversee activities within the priority areas;

(d) Coordinating evaluation of state diversification in the region;

(e) Seeking to increase the effectiveness of existing efforts to incubate new enterprises in the Tri-Cities region and to increase the resources devoted to the incubation of new enterprises;

(f) Facilitating technology transfer from the research base in the region to local businesses, including efforts to increase the availability and accessibility of venture capital in the Tri-Cities region, especially for the early stages of enterprise development and for the expansion of existing enterprises, the accessibility of legal expertise, especially in regard to licenses and patents, and the identification of and assistance to entrepreneurs with expertise in managing new product development; and

(g) Increasing the availability and coordination of resources devoted to the expansion, development, and modernization of enterprises in existing promising growth areas of the Tri-Cities regional economy such as the industrial applications of advanced technology and recreational development.

(2) A maximum of seventy-five thousand dollars shall be made available for the purposes of this section.

NEW SECTION. Sec. 5. There is established the Tri-Cities diversification board. The board shall consist of fifteen members appointed by the governor, including but not limited to representatives of local businesses, labor organizations, local governments, visitor and convention bureaus, local educational institutions, local associate development organizations, the agribusiness community, and local ports. In making the appointments, the governor shall endeavor to ensure that the appointees have experience in local diversification efforts. Vacancies shall be filled in the same manner as the original appointment.

The board shall review for approval or disapproval proposals for the diversification of the Tri-Cities area presented to it by the department.

Members of the board shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 6. (1) In carrying out the purposes of (a) through (i) of this subsection, the department shall consult with the Tri-Cities diversification board. The department shall contract with local organizations, institutions, or agencies to perform one or more of the following:

(a) Develop a regional export program to identify potential products for export from the region and facilitate their export.

(b) Develop waterfront resources to facilitate increased tourism in the area.

(c) Conduct an import substitution program to connect existing industries with local suppliers of goods and services and identify market gaps that can be filled by start-up firms.

(d) Act as team coordinator of the Tri-Cities business and job retention team. The team may ensure the provision of retention services to small businesses and their employees. The team shall have equal representation from local businesses and local labor. The team may also have representatives from local educational institutions, the private industry council, and local governments. The subcontractor shall conduct a survey of local businesses and coordinate the delivery of marketing, technical, managerial, and training assistance appropriate to client businesses and employees. The surveys shall gather information about business needs, expansion plans, relocation decisions, training needs, potential layoffs, financing needs, the

availability of financing, and other appropriate information. The subcontractor shall coordinate team efforts with the Washington ambassadors program and select appropriate marketing, management, training, and technical specialists to assist the team on either a volunteer or subcontract basis. The subcontractor shall conduct an initial assessment of firms or workforces indicating a need for assistance to determine viability, problems, skill levels, public and private costs associated with any potential business failure or layoff, the potential for preventing closure or reduction-in-force, and the potential for a change in ownership, including employee and community buy-outs. If the initial assessment indicates the need for a more thorough study of the feasibility of various options for retaining a firm, the subcontractor may contract or subcontract for such a study under the following conditions:

(i) The small business is engaged in light or heavy manufacturing, the processing of agricultural products, or transportation services;

(ii) Only one study may be funded per business; and

(iii) A maximum of twenty-five thousand dollars in funds received from the state shall be made available per study.

(e) Develop and implement a training program in marketing for small firms producing products suitable for export outside the Tri-Cities area. The program may have a variety of training formats to meet the diverse needs of the targeted firms and should include, but need not be limited to: A presentation on the value and the potential of marketing cooperatives, training programs for sales personnel, and training in the development of marketing plans as part of the overall business plan. The subcontractor may work with public and private schools of business administration in developing the curriculum and may use other subcontractors in implementing the program.

(f) Facilitate the development and operation of small business incubators. The department may subcontract with existing small business incubators in the Tri-Cities or with local governments, community organizations, or educational institutions, to:

(i) Conduct small business incubator feasibility studies;

(ii) Provide technical, managerial, financing and marketing assistance to firms inside and outside incubators;

(iii) Facilitate the creation of an equity capital fund for use by incubated firms;

(iv) Market the services offered by small business incubators and encourage local entrepreneurs to use incubator services and facilities; and

(v) Consolidate the efforts of local educational institutions, the private industry council and the local small business development center in one incubator.

(g) Operate an investment opportunities office. The subcontractor should solicit business plans from local entrepreneurs and, when necessary, assist the entrepreneurs in the development of such plans.

(h) Provide for targeted business recruiting and business development. Business development should include specialized technical or managerial assistance in fields that promote the existing strengths of the region in such areas as agricultural services and processing, the industrial applications of advanced technology, and recreation and tourism.

Specific assistance should be given to small businesses in securing federal contracts from agencies participating in the small business innovation research program.

(i) Develop or conduct such other projects or programs as are approved of by the Tri-Cities diversification board.

(2) The department shall establish such criteria as it deems appropriate for delivery of the services supplied under contract as provided in this section. The department shall provide training and technical assistance to the personnel of any program, team, office, or other effort provided for under this section, as appropriate. Such training and technical assistance shall be funded out of moneys provided for under sections 4 and 8 of this act.

No contract may be entered into under this section until the department has consulted with and received the approval of the Tri-Cities diversification board.

(3) A maximum of six hundred fifteen thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 7. The sum of two hundred fifty thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund for the biennium ending June 30, 1989, to Washington State University for the following purposes:

(1) Seventy-five thousand dollars shall be used for one faculty member to research and teach at the Tri-Cities university center in the field of business development, new enterprise development, and the transfer of new technologies to commercial applications.

(2) Seventy-five thousand dollars shall be used for one faculty member to research and teach at the Tri-Cities university center in the field of agribusiness and agricultural services development.

(3) One hundred thousand dollars shall be used for faculty and equipment for wine industry research.

NEW SECTION. Sec. 8. The department shall also contract with local organizations, institutions, or agencies to:

(1) Establish a Tri-Cities agribusiness development program in cooperation with the IMPACT program, the Tri-Cities industrial development council, and the agricultural extension program of Washington State University. The subcontractor's duties in operating the agribusiness development program shall include but not be limited to:

(a) Seeking to increase the utilization of existing federal, state, and local programs for agricultural development, diversification, marketing, and processing in the Tri-Cities region;

(b) Seeking to increase the coordination and effectiveness of existing federal, state, and local programs for agricultural development, diversification, marketing, and processing in the Tri-Cities region; and

(c) Undertaking efforts to promote and further the existing strengths of the Tri-Cities region in value-added agricultural processing, agricultural services, specialty agriculture, and agricultural diversification.

(2) Evaluate the means for increasing the value of the wine industry to the Tri-Cities and for the region to become a principal center for the wine industry.

No contract may be entered into under this section until the department has consulted with and received the approval of the Tri-Cities diversification board.

A maximum of one hundred fifty thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 9. The department shall be responsible for oversight and implementation of all efforts under this act. The department shall be responsible for a social and economic impact assessment; coordination of the multi-agency efforts; and shall act as liaison with local governments, financial institutions, and other private entities to address financing needs in the Tri-Cities. The assessment shall be submitted as part of the report in section 12 of this act.

A maximum of ninety thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 10. The department shall conduct a study through the Tri-Cities university center on the feasibility of using heat generated by existing nuclear facilities for commercial industrial applications, taking into consideration, and drawing from as appropriate, existing studies on heating and on other warm water uses. Any state appropriations for this study are contingent upon and shall be no more than one-third of the federal funds provided for this study. A maximum of fifty thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 11. (1) Through an interagency agreement with the department, the employment security department shall provide enhanced retraining, support services, and job search assistance, including an out-of-area job search and relocation component, if needed, for dislocated workers in the Tri-Cities region. For the purpose of this section 'dislocated workers' means workers in the Tri-Cities who (a) have been terminated or laid off, or received a notice of termination or lay-off from employment and are eligible for or have exhausted their entitlement to benefits under Title 50 RCW; (b) have been terminated as a result of any permanent plant closure; (c) are long-term unemployed and are unlikely to return to employment in the individual's principal occupation or previous industry because of a diminishing demand for their skills in that occupation or industry; or (d) are farmers or other self-employed individuals who have been displaced due to economic conditions or natural disasters. Training and retraining assistance shall be designed to contribute to the diversification of the economy of the Tri-Cities region or to relieve economic dislocation and distress in the Tri-Cities region resulting from the sudden and severe loss of local sources of employment.

(2) The employment security department shall consult with and may subcontract with local educational institutions, local businesses, local labor organizations, local associate development organizations, local private industry councils, local social service organizations, and local governments in carrying out this program of training and services for dislocated workers in the Tri-Cities region.

(3) Training and retraining assistance provided under sections 1 through 12 of this act should include but need not be limited to the following areas: Entrepreneurial development and training; short-term job creation; training in the incubation of new business enterprises and training at incubator facilities; agriculture, agricultural processing, and agricultural services; the industrial applications of advanced technology; recreational and tourism development; and hazardous materials clean-up.

(4) The employment security department shall subcontract with local organizations, institutions, or agencies to provide expanded services to dislocated workers, older unemployed workers, and the long-term unemployed. Such services shall be either direct or referral services to the unemployed, and need include, but need not be limited to: Credit counseling; social services including marital counseling; psychotherapy or psychological counseling; mortgage foreclosures and utilities problems counseling; drug and alcohol abuse services; and medical services

(5) The employment security department shall coordinate the services provided in this section with all other services provided by the department and with the other diversification efforts undertaken by state and local government agencies on behalf of the Tri-Cities region.

(6) Subcontractors shall conduct outreach efforts to encourage the unemployed to seek assistance.

(7) A maximum of three hundred seventy thousand dollars shall be made available for purposes of this section. These funds shall be used for programs and services in addition to those provided by the employment security department using existing federal and state employment and training services.

NEW SECTION. Sec. 12. Through an interagency agreement with the department, the department of community development shall enhance its services and programs available in the Tri-Cities. Such services and programs may include, but need not be limited to: Assisting in developing the food processing industry, agribusiness financing, loans to businesses, and the funding of diversification projects or studies.

A maximum of two hundred thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 13. The department shall report back to the legislature by December 31, 1988, on the success of activities under sections 1 through 11 of this act.

NEW SECTION. Sec. 14. Sections 1 through 12 of this act shall expire July 1, 1990.

Sec. 15. Section 2, chapter 232, Laws of 1985 as amended by section 12, chapter 116, Laws of 1986 and RCW 82.60.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Applicant' means a person applying for a tax deferral under this chapter.

(2) 'Department' means the department of revenue.

(3) 'Eligible area' means: (a) A county in which the average level of unemployment for the three years before the year in which an application is filed under this chapter exceeds the average state unemployment for those years by twenty percent; or (b) a county in which the average level of unemployment for the calendar year immediately preceding the year in which an application is filed under this chapter exceeds the average state unemployment for such calendar year by twenty percent. Applications under this subsection (3)(b) shall be filed by April 30, 1989.

(4)(a) 'Eligible investment project' means that portion of an investment project which:

(i) is directly utilized to create at least one new full-time qualified employment position for each three hundred thousand dollars of investment on which a deferral is requested; and

(ii) Either initiates a new operation, or expands or diversifies a current operation by expanding or renovating an existing building with costs in excess of twenty-five percent of the true and fair value of the plant complex prior to improvement; or

(iii) Acquires machinery and equipment to be used for either manufacturing or research and development if the machinery and equipment is housed in a new leased structure: PROVIDED, That the lessor/owner of the structure is not eligible for a deferral unless the underlying ownership of the buildings, machinery, and equipment vests exclusively in the same person.

(b) 'Eligible investment project' does not include any portion of an investment project undertaken by a light and power business as defined in RCW 82.16.010(5) or investment projects which have already received deferrals under this chapter.

(5) 'Investment project' means an investment in qualified buildings and qualified machinery and equipment, including labor and services rendered in the planning, installation, and construction of the project.

(6) 'Manufacturing' means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different, or useful substance or article of tangible personal property is produced for sale or commercial or industrial use and shall include the production or fabrication of specially made or custom made articles. 'Manufacturing' also includes computer programming, the production of computer software, and other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories.

(7) 'Person' has the meaning given in RCW 82.04.030.

(8) 'Qualified buildings' means new structures used for manufacturing and research and development activities, including plant offices and warehouses or other facilities for the storage of raw material or finished goods if such facilities are an essential or an integral part of a factory, mill, plant, or laboratory used for manufacturing or research and development. If a building is used partly for manufacturing or research and development and partly for other purposes, the applicable tax deferral shall be determined by apportionment of the costs of construction under rules adopted by the department.

(9) 'Qualified employment position' means a permanent full-time employee employed in the eligible investment project during the entire tax year.

(10) 'Qualified machinery and equipment' means all new industrial and research fixtures, equipment, and support facilities that are an integral and necessary part of a manufacturing or research and development operation. 'Qualified machinery and equipment' includes: Computers; software; data processing equipment; laboratory equipment; manufacturing components such as belts, pulleys, shafts, and moving parts; molds, tools, and dies; operating structures; and all equipment used to control or operate the machinery.

(11) 'Recipient' means a person receiving a tax deferral under this chapter.

(12) 'Research and development' means the development, refinement, testing, marketing, and commercialization of a product, service, or process before commercial sales have begun. As used in this subsection, 'commercial sales' excludes sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars.

Sec. 16. Section 15, chapter 116, Laws of 1986 and RCW 82.62.010 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Applicant' means a person applying for a tax credit under this chapter.

(2) 'Department' means the department of revenue.

(3) 'Eligible area' means: (a) A county in which the average level of unemployment for the three years before the year in which an application is filed under this chapter exceeds the average state unemployment for those years by twenty percent; or (b) a county in which the average level of unemployment for the calendar year immediately preceding the year in which an application is filed under this chapter exceeds the average state unemployment for such calendar year by twenty percent. Applications under this subsection (3)(b) shall be filed by April 30, 1989.

(4)(a) 'Eligible business project' means manufacturing or research and development activities which are conducted by an applicant in an eligible area at a specific facility: PROVIDED, That the applicant's average full-time qualified employment positions at the specific facility will be at least fifteen percent greater in the year for which the credit is being sought than the applicant's average full-time qualified employment positions at the same facility in the immediately preceding year.

(b) 'Eligible business project' does not include any portion of a business project undertaken by a light and power business as defined in RCW 82.16.010(5) or that portion of a business project creating qualified full-time employment positions outside an eligible area or those recipients of a sales tax deferral under chapter 82.61 RCW.

(5) 'Manufacturing' means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different, or useful substance or article of tangible personal property is produced for sale or commercial or industrial use and shall include the production or fabrication of specially made or custom made articles. 'Manufacturing' also includes computer programming, the production of computer software, and other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories.

(6) 'Person' has the meaning given in RCW 82.04.030.

(7) 'Qualified employment position' means a permanent full-time employee employed in the eligible business project during the entire tax year.

(8) 'Tax year' means the calendar year in which taxes are due.

(9) 'Recipient' means a person receiving tax credits under this chapter.

(10) 'Research and development' means the development, refinement, testing, marketing, and commercialization of a product, service, or process before commercial sales have begun. As used in this subsection, 'commercial sales' excludes sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars.

Sec. 17. Section 2, chapter 164, Laws of 1985 as amended by section 2, chapter 461, Laws of 1987 and RCW 43.168.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Committee' means the Washington state development loan fund committee.

(2) 'Department' means the department of community development.

(3) 'Director' means the director of the department of community development.

(4) 'Distressed area' means: (a) A county which has an unemployment rate which is twenty percent above the state average for the immediately previous three years; (b) a county in which the average level of unemployment for the calendar year immediately preceding the year in which an application is filed under this chapter exceeds the average state unemployment for such calendar year by twenty percent. Applications under this subsection (4)(b) shall be filed by April 30, 1989; or ((b)) (c) an area within a county, which area: (i) is composed of contiguous census tracts; (ii) has a minimum population of five thousand persons; (iii) has at least seventy percent of its families and unrelated individuals with incomes below eighty percent of the county's median income for families and unrelated individuals; and (iv) has an unemployment rate which is at least forty percent higher than the county's unemployment rate. For purposes of this definition, 'families and unrelated individuals' has the same meaning that is ascribed to that term by the federal department of housing and urban development in its regulations authorizing action grants for economic development and neighborhood revitalization projects.

(5) 'Fund' means the Washington state development loan fund.

(6) 'Local development organization' means a nonprofit organization which is organized to operate within an area, demonstrates a commitment to a long-standing effort for an economic development program, and makes a demonstrable effort to assist in the employment of unemployed or underemployed residents in an area.

(7) 'Project' means the establishment of a new or expanded business in an area which when completed will provide employment opportunities. 'Project' also means the retention of an existing business in an area which when completed will provide employment opportunities.

NEW SECTION, Sec. 18. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 19. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "region," strike the remainder of the title and insert "amending RCW 82.60.020, 82.62.010, and 43.168.020; creating new sections; making appropriations; providing an expiration date; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Locke moved that the House do not concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1835 and ask the Senate for a conference thereon.

MOTION

Mr. Schoon moved that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1835.

Mr. Schoon spoke in favor of the motion, and Mr. Locke opposed it. Mr. Schoon again spoke in favor of the motion, and Mr. Taylor opposed it.

The motion was lost.

The Speaker stated that, by its action, the House did not concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1835.

MOTION

Mr. Locke moved that the House ask the Senate for a conference on Engrossed Second Substitute House Bill No. 1835. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Ebersole, Grant and Hankins as conferees on Engrossed Second Substitute House Bill No. 1835.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4758, by Representatives Amondson, Holm and Sanders

WHEREAS, Lawrence William Lane, Jr., ambassador of the United States of America to Australia and Nauru, took exceptional action to assist and comfort Chehalis Boy Scout Troop 321 after the troop suffered a tragic automobile accident in Australia; and

WHEREAS, Ambassador Lane responded promptly when notified of the accident, left his Christmas Day festivities and personally drove to the hospital in Cooma, New South Wales, where the injured scouts were taken; and

WHEREAS, Upon reaching the hospital, Ambassador Lane took control of the traumatic situation; he arranged the hospital and administrative details and, by telephone, personally consoled and reassured distraught parents of the injured scouts; and

WHEREAS, Two scouts were uninjured in the accident and were left alone after their adult supervisors and fellow scouts were hospitalized and so Ambassador Lane provided them accommodations at his residence; and

WHEREAS, Ambassador Lane personally visited the scouts recuperating in separate hospitals; and

WHEREAS, He arranged for a United States Air Force surgeon to care for the critically injured scout and for embassy housing as each scout was released from the hospital; and

WHEREAS, Ambassador Lane coordinated transportation and medical support so that the injured scouts could attend the World Jamboree, the purpose of their trip to Australia; and

WHEREAS, This kind and humanitarian Statesman shall always be remembered with gratitude and appreciation by the parents and friends of Chehalis Scout Troop 321;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington expresses its warmest and sincere gratitude to Ambassador Lawrence William Lane, Jr. for his compassionate and caring efforts on behalf of Chehalis Scout Troop 321; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Ambassador Lane.

Mr. Amondson moved adoption of the resolution. Representatives Amondson, Holm and Walker spoke in favor of it, and the resolution was adopted.

MOTION

Mr. Ebersole moved that the House be at recess until 1:30 p.m. The motion was carried.

AFTERNOON SESSION

The Speaker (Mr. O'Brien presiding) called the House to order at 1:30 p.m. The Clerk called the roll and all members were present except Representatives Barnes, Basich, Lux, Sanders, Schoon, Walk and Winsley. Representative Schoon was excused.

SENATE AMENDMENT TO HOUSE BILL

March 3, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 752 with the following amendment:

On page 1, beginning on line 22, after "(a)" strike all material through page 2, line 6 and insert "intentionally assaults another and thereby recklessly inflicts substantial bodily harm; or

(b) Intentionally and unlawfully causes substantial bodily harm to an unborn quick child by intentionally and unlawfully inflicting any injury upon the mother of such child; or

(c) Assaults another with a deadly weapon; or

(d) With intent to inflict bodily harm, administers to or causes to be taken by another, poison or any other destructive or noxious substance; or

(e) With intent to commit a felony, assaults another; or

(f) Knowingly inflicts bodily harm which by design causes such pain or agony as to be the equivalent of that produced by torture.

(2) Assault in the second degree is a class B felony."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Crane moved that the House do concur in the Senate amendment to Substitute House Bill No. 752.

Representatives Padden and Locke spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 752 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 752 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 1; absent, 6; excused, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representative Brough - 1.

Absent: Representatives Barnes, Basich, Lux, Sanders, Walk, Winsley - 6.

Excused: Representative Schoon - 1.

Substitute House Bill No. 752 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of SHB 752 as amended by the Senate. I had voted in favor of SHB 752 when it passed the House on February 12, 1988.

PAUL SANDERS, 48th District.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Barnes, Basich, Lux, Sanders, Schoon, Walk and Winsley appeared at the bar of the House.

SENATE AMENDMENT TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 791 with the following amendment:

On page 23, line 10, after the period strike all material down to the period on line 12 and insert "The operator shall require the purchaser to sign an affidavit agreeing not to use the list for any commercial purpose"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendment to Substitute House Bill No. 791.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 791 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 791 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 791 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1429 with the following amendments:

On page 1, after line 4, insert the following:

"NEW SECTION, Sec. 1. The legislature finds that:

(1) There is a critical shortage of space in many county jails, which is likely to become even more acute during the next several years due to (a) increases in apprehensions for crimes involving violence and controlled substances, (b) increases in the length of confinement for repeat offenders of property crimes under the sentencing reform act, and (c) repeat offenders under laws prohibiting driving while intoxicated.

(2) Neither time nor financial resources are available to construct additional jail facilities. The present excess bed capacity in the state prison system is projected to disappear within the next two years.

(3) Public safety requires innovative approaches to incarceration alternatives. These alternatives must minimize risks to public safety through the use of supervision and monitoring techniques.

(4) Partial confinement for appropriate offenders, with realistic monitoring, appears to offer an alternative incarceration option for local jurisdictions that have determined that the option is an appropriate response to local needs."

Renumber the sections consecutively and correct internal references accordingly.

On page 6, line 13, after "offense," strike "or"

On page 6, line 15, after "drug" and before the period insert ", reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050, assault in the third degree as defined in RCW 9A.36.031, unlawful imprisonment as defined in RCW 9A.40.040, burglary in the second degree as defined in RCW 9A.52.030, or harassment as defined in RCW 9A.46.020"

On page 6, line 16, after "upon" strike "the" and insert ": (a) The"

On page 6, line 18, after "hours" strike "and" and insert ", (b)"

On page 6, line 19, after "program" insert ", and (c) compliance with court-ordered restitution"

On page 1, line 2 of the title, after "9.94A.190;" strike "and"

On page 1, line 3 of the title, after "9.94A.120" and before the period insert "; and creating a new section"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to Substitute House Bill No. 1429.

Representatives Armstrong and Padden spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1429 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1429 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 9.

Voting yea: Representatives Allen, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 89.

Voting nay: Representatives Amondson, Ballard, Betzoff, Ferguson, Heavey, Miller, Schmidt, Williams J, Zellinsky - 9.

Substitute House Bill No. 1429 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1460 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature recognizes the vital and unique role of the jury system in enhancing our system of justice. The purpose of this chapter is the promotion of efficient jury administration and the opportunity for widespread citizen participation in the jury system. To accomplish this purpose the legislature intends that all courts and juries of inquest in the state of Washington select, summon, and compensate jurors uniformly.

Sec. 2. Section 1, chapter 48, Laws of 1891 and RCW 2.36.010 are each amended to read as follows:

Unless the context clearly requires otherwise the definitions in this section apply throughout this chapter.

(1) A jury is a body of ((men)) persons temporarily selected from the qualified inhabitants of a particular district, and invested with power—

((+)) (a) To present or indict a person for a public offense.

((#)) (b) To try a question of fact.

(2) 'Court' when used without further qualification means any superior court or court of limited jurisdiction in the state of Washington.

(3) 'Judge' means every judicial officer authorized to hold or preside over a court. For purposes of this chapter 'judge' does not include court commissioners or referees.

(4) 'Juror' means any person summoned for service on a petit jury, grand jury, or jury of inquest as defined in this chapter.

(5) 'Grand jury' means those twelve persons impaneled by a superior court to hear, examine, and investigate evidence concerning criminal activity and corruption.

(6) 'Petit jury' means a body of persons twelve or less in number in the superior court and six in number in courts of limited jurisdiction, drawn by lot from the jurors in attendance upon the court at a particular session, and sworn to try and determine a question of fact.

(7) 'Jury of inquest' means a body of persons six or fewer in number, but not fewer than four persons, summoned before the coroner or other ministerial officer, to inquire of particular facts.

(8) 'Jury source list' means the list of all registered voters for any county, as compiled by each county auditor pursuant to the provisions of chapter 29.07 RCW. The list shall specify each voter's name, residence address, and precinct as shown on the original registration card of each qualified voter. The list shall be filed with the superior court by the county auditor.

(9) 'Master jury list' means the list of prospective jurors from which jurors summoned to serve will be randomly selected. The master jury list shall be either randomly selected from the jury source list or may be an exact duplicate of the jury source list.

(10) 'Jury term' means the period of time a person is required to serve as a juror. A jury term shall begin on the first Monday of each month and shall end on the Saturday immediately preceding the first Monday of each month, unless changed by the court. A jury term may be extended by the court if necessary for the administration of justice.

(11) 'Jury panel' means those persons randomly selected for jury service for a particular jury term.

Sec. 3. Section 4, chapter 48, Laws of 1891 as last amended by section 6, chapter 162, Laws of 1980 and RCW 2.36.050 are each amended to read as follows:

((A petit jury is a body of persons twelve or less in number in the superior court and six in number in courts of limited jurisdiction; drawn in the superior court and in courts of limited jurisdiction by lot from the jurors in attendance upon the court at a particular session, and sworn to try and determine a question of fact;)) In courts of limited jurisdiction, juries shall be selected and impaneled in the same manner as in the superior courts, except that a court of limited jurisdiction shall use the master jury list developed by the superior court ((judge or judges)) to select a jury panel. Jurors for the jury panel may be selected at random from the population of the area served by the court.

NEW SECTION, Sec. 4. A new section is added to chapter 2.36 RCW to read as follows:

The county auditor shall prepare and file with the superior court at least annually, at a time or times set forth in an order of the judges of the superior court from the original registration files of voters of the county a list of all registered voters. The list may be divided into the respective voting precincts.

The superior court upon receipt of the list of registered voters filed by the county auditor shall use that list as the jury source list and shall compile a master jury list from the source list.

The master jury list shall be certified by the superior court and filed with the county clerk. All previous jury source lists and master jury lists shall be superseded.

Upon receipt of amendments to the list of registered voters from the county auditor the superior court may update the jury source list and master jury list as maintained by the county clerk accordingly.

Sec. 5. Section 1, chapter 13, Laws of 1973 2nd ex. sess. and RCW 2.36.063 are each amended to read as follows:

The judge or judges of the superior court of any county may ~~(if they so choose, by local superior court rule;)~~ employ a properly programmed electronic data processing system or device to ~~((make random selection of jurors as required by RCW 2.36.066.~~

~~Upon determination that such system shall be employed, the judge or judges of the superior court shall direct the county auditor to provide the names and other information concerning all registered voters which have been filed with him by the registrar of voters pursuant to RCW 2.36.066.~~

~~In those counties employing the electronic data processing random selection method, the judge or judges of the superior court may determine that fair and random selection may be achieved without division of the county into three or more jury districts. Upon such determination, the judge or judges shall, during the month of July each year, order a master jury list to be selected by an unrestricted random sample from the names of all registered voters filed with the county auditor, without regard to location of precinct.~~

~~In those counties employing the electronic data processing random selection method, if the judge or judges of the superior court determine that the jury district procedure required for noncomputer jury selection is to be followed, the judge or judges shall divide the county into not less than three jury districts pursuant to RCW 2.36.066. The judge or judges shall during the month of July each year, order a master jury list to be selected by an unrestricted random sample from the names of all registered voters filed with the county auditor. Such list must contain as nearly as possible an equal number of jurors from each jury district.~~

~~The master jury list randomly selected shall contain names of a sufficient number of qualified voters to serve as jurors until the first day of August of the next calendar year, and shall be certified and filed with the county clerk. At any time the judge or judges may add to the jury list in the random selection manner by data process device as approved by the judge or judges. A certified list of the added names shall be filed with the county clerk) complete the master jury list and to randomly select jurors from the master jury list.~~

NEW SECTION. Sec. 6. A new section is added to chapter 2.36 RCW to read as follows:

It shall be the duty of the judges of the superior court to ensure continued random selection of the master jury list and jury panels. The judges shall review the process from time to time and shall cause to be kept on file with the county clerk a description of the jury selection process. Any person who desires may inspect this description in said office.

Nothing in this chapter shall be construed as requiring uniform equipment or method throughout the state, so long as fair and random selection of the master jury list and jury panels is achieved.

Sec. 7. Section 1, chapter 57, Laws of 1911 as last amended by section 1, chapter 203, Laws of 1975 1st ex. sess. and RCW 2.36.070 are each amended to read as follows:

~~((No)) A person shall be competent to serve as a juror in the ((superior courts of the)) state of Washington unless ~~((he be))~~ that person:~~

(1) ~~((an elector and taxpayer of the state,~~

~~(2) a resident of the county in which he is called for service for more than one year preceding such time;~~

~~(3) in full possession of his faculties and of sound mind; PROVIDED: That a person shall not be precluded from the list of prospective jurors because of loss of sight in any degree. Sound mind, as used in this section, shall mean the necessary mental process utilized in reasoning to a logical conclusion; and~~

~~(4) able to read and write the English language) Is less than eighteen years of age;~~

~~(2) Is not a citizen of the United States;~~

~~(3) Is not a resident of the county in which he or she has been summoned to serve;~~

~~(4) Is not able to communicate in the English language; or~~

~~(5) Has been convicted of a felony and has not had his or her civil rights restored.~~

Sec. 8. Section 2, chapter 13, Laws of 1973 2nd ex. sess. and RCW 2.36.093 are each amended to read as follows:

At such time as the judge or judges of ~~((the superior))~~ any court of any county shall deem that the public business requires a jury term to be held, ~~((he or they))~~ the judge or judges shall direct ~~((the county clerk to select jurors))~~ that a jury panel be selected and summoned to serve for the ensuing jury term ~~((pursuant to RCW 2.36.090. In any county in which the judge or judges have chosen to employ the electronic data process random selection method as provided for in RCW 2.36.063, the county clerk shall within the first fifteen days of the calendar month preceding the month on which the jurors are to be called to serve, cause the names of the jurors to be selected from the master list of prospective jurors for the year placed on file in his office.~~

The name of a person once selected for a jury term shall be excluded from selection of jurors for subsequent terms in that jury year unless otherwise ordered by the judge or judges of superior court: PROVIDED, That at any time or for any period or periods of time, the judge or judges may direct by rule or order that all or any number or proportion of the jurors thereafter to be selected shall be selected to serve for two successive terms, to the end that not all of the jurors serving during a given period shall cease their service at the same time:

It shall be the duty and responsibility of the judge or judges of the superior court to insure that such electronic data processing system or device is employed so as to insure continued random selection of the master jury list and jurors. To that end, the judge or judges shall review the process from time to time and shall cause to be kept on file with the county clerk a description of the jury selection process. Any person who desires may inspect this description in said office.

Nothing in RCW 2.36.063 and 2.36.093 shall be construed as requiring uniform equipment or method throughout the state, so long as fair and random selection of the master jury list and jurors is achieved) or terms.

NEW SECTION. Sec. 9. A new section is added to chapter 2.36 RCW to read as follows:

Persons selected to serve on a petit jury, grand jury, or jury of inquest shall be summoned by mail or personal service. The county clerk shall issue summons and thereby notify persons selected for jury duty. In courts of limited jurisdiction summons shall be issued by the court. Upon the agreement of the courts, the superior court may summon jurors for any and all courts in the county or judicial district.

Sec. 10. Section 7, chapter 57, Laws of 1911 as last amended by section 1, chapter 181, Laws of 1983 and RCW 2.36.100 are each amended to read as follows:

Except for a person who is not qualified for jury service under RCW 2.36.070, no person may be excused from jury service by the court except upon a showing of undue hardship, extreme inconvenience, public necessity, prior jury service ((twice)) once in the last ((five)) two years, or any reason deemed sufficient by the court for a period of time the court deems necessary. An excuse for prior service ((shall apply only in class AA and class A counties, and)) shall be granted only upon the written request of the prospective juror, which request shall certify the terms of prior service. Prior jury service may include service in superior court, in a court of limited jurisdiction ((or)) , in the United States District Court, or on a jury of inquest.

Sec. 11. Section 3, chapter 191, Laws of 1925 ex. sess. and RCW 2.36.110 are each amended to read as follows:

It shall be the duty of a ((superior)) judge to excuse from further jury service any juror, who in the opinion of the judge, has manifested unfitness as a juror by reason of bias, prejudice, indifference, inattention or any physical or mental defect or by reason of conduct or practices incompatible with proper and efficient jury service.

Sec. 12. Section 6, chapter 57, Laws of 1911 and RCW 2.36.130 are each amended to read as follows:

If for any reason the jurors drawn for service upon a ((petit)) jury for any term shall not be sufficient to dispose of the pending jury business, or where no jury is in regular attendance and the business of the court may require the attendance of a jury before a regular term, the judge or judges of ((the superior)) any court may ((draw)) direct the random selection and summoning from the master jury list such additional names as they may consider necessary((- and the persons whose names are so drawn shall thereupon be summoned to serve as jurors forthwith: The judge or judges drawing such additional names, may, in his or their discretion, order and direct that, of such additional jurors, only those living nearest to the county seat or most conveniently reached and found shall be at first summoned by the sheriff, and at any time when a sufficiency of such persons has been summoned and produced in court, such judge or judges may, in his or their discretion, order and direct the sheriff not to summon the remainder of the additional jurors so drawn. By stipulation or agreement made in open court as a part of the record, the parties to any action may agree that an open venire may be issued to make up a jury in that action, and upon order of the court approving such stipulation and directing the number of jurors to be drawn, the clerk shall issue an open venire, and the sheriff shall fill the same by summoning from the bystanders, or elsewhere, a sufficient number of persons to fill the open venire)).

NEW SECTION. Sec. 13. A new section is added to chapter 2.36 RCW to read as follows:

(1) An employer shall provide an employee with a sufficient leave of absence from employment to serve as a juror when that employee is summoned pursuant to chapter 2.36 RCW.

(2) An employer shall not deprive an employee of employment or threaten, coerce, or harass an employee, or deny an employee promotional opportunities because the employee receives a summons, responds to the summons, serves as a juror, or attends court for prospective jury service.

(3) An employer who intentionally violates subsection (1) or (2) of this section shall be guilty of a misdemeanor.

(4) If an employer commits an act in violation of subsection (2) of this section the employee may bring a civil action for damages as a result of the violation and for an order requiring the

reinstatement of the employee. If the employee prevails, the employee shall be allowed a reasonable attorney's fee as determined by the court.

(5) For purposes of this section employer means any person, association, partnership, or private or public corporation who employs or exercises control over wages, hours, or working conditions of one or more employees.

NEW SECTION. Sec. 14. A new section is added to chapter 2.36 RCW to read as follows:

A person summoned for jury service who intentionally fails to appear as directed shall be guilty of a misdemeanor.

Sec. 15. Section 3, chapter 213, Laws of 1955 and RCW 8.04.080 are each amended to read as follows:

The order shall direct that determination be had of the compensation and damages to be paid all parties interested in the land, real estate, premises or other property sought to be appropriated for the taking and appropriation thereof, together with the injury, if any, caused by such taking and appropriation to the remainder of the lands, real estate, premises, or other property from which the same is to be taken and appropriated after offsetting against any and all such compensation and damages the special benefits, if any, accruing to such remainder by reason of the appropriation and the use by the state of the lands, real estate, premises, and other property described in the petition. The determination shall be made within thirty days after the entry of such order, before a jury if trial by jury is demanded at the hearing either by the petitioner or by the respondents, otherwise by the court sitting without a jury. If no regular venire has been called so as to be available to serve within such time on application of the petitioner at the hearing, the court may by its order continue such determination to the next regular jury term if a regular venire will be called within sixty days, otherwise the court shall call a special jury within said sixty days and direct ~~((the sheriff to summon))~~ that a jury panel be selected and summoned pursuant to chapter 2.36 RCW, from the citizens of the county in which the lands, real estate, premises, or other property sought to be appropriated are situated, as many qualified persons as may be necessary in order to form a jury of twelve persons, unless the petitioner and respondents both consent to a less number of jurors (such number to be not less than three), and such consent is entered by the clerk in the minutes of such hearing. In any third class county or lesser classification, the costs of such special jury for the trial of such condemnation cases only shall be borne by the state.

Sec. 16. Section 2, chapter 67, Laws of 1971 ex. sess. and RCW 10.27.020 are each amended to read as follows:

For the purposes of this chapter:

(1) The term 'court' shall mean any superior court in the state of Washington.

(2) The term 'public attorney' shall mean the prosecuting attorney of the county in which a grand jury or special grand jury is impaneled; the attorney general of the state of Washington when acting pursuant to RCW 10.27.070(9) and, the special prosecutor appointed by the governor, pursuant to RCW 10.27.070(10), and their deputies or special deputies.

(3) The term 'indictment' shall mean a written accusation found by a grand jury.

(4) The term 'principal' shall mean any person whose conduct is being investigated by a grand jury or special inquiry judge.

(5) The term 'witness' shall mean any person summoned to appear before a grand jury or special inquiry judge to answer questions or produce evidence.

(6) A 'grand jury' consists of ~~((not less than))~~ twelve ~~((nor more than seventeen))~~ persons, is impaneled by a superior court and constitutes a part of such court. The functions of a grand jury are to hear, examine and investigate evidence concerning criminal activity and corruption and to take action with respect to such evidence. The grand jury shall operate as a whole and not by committee.

(7) A 'special inquiry judge' is a superior court judge designated by a majority of the superior court judges of a county to hear and receive evidence of crime and corruption.

Sec. 17. Section 4, chapter 67, Laws of 1971 ex. sess. and RCW 10.27.040 are each amended to read as follows:

~~((The court shall select the))~~ Members of the grand jury ((from either the petit jury panel, or from a grand jury panel of one hundred individuals drawn by lot)) shall be selected in the manner provided ((for petit jury panels under)) in chapter 2.36 RCW((,- or from both)).

Sec. 18. Section 36.24.020, chapter 4, Laws of 1963 and RCW 36.24.020 are each amended to read as follows:

Any coroner, in his or her discretion, may hold an inquest if ~~((he))~~ the coroner suspects that the death of a person was unnatural, or violent, or resulted from unlawful means, or from suspicious circumstances, or was of such a nature as to indicate the possibility of death by the hand of the deceased or through the instrumentality of some other person: PROVIDED, That, except under suspicious circumstances, no inquest shall be held following a traffic death.

The coroner in the county where an inquest is to be convened pursuant to this chapter shall ~~((summon six good and lawful persons to serve as jurors and))~~ notify the superior court to provide persons to serve as a jury of inquest to hear all the evidence concerning the death and to inquire into and render a true verdict on the cause of death. Jurors shall be selected and summoned in the same manner and shall have the same qualifications as specified in chapter

2.36 RCW. The prosecuting attorney having jurisdiction shall be notified in advance of any such inquest to be held, and at his discretion may be present at and assist the coroner in the conduct of the same. The coroner may adjourn the inquest from time to time as he may deem necessary.

The costs of inquests shall be borne by the county in which the inquest is held.

NEW SECTION. Sec. 19. (1) The judicial council shall direct the office of the administrator for the courts to conduct a study to determine the advisability of using other lists in addition to the jury source list as defined in section 2(8) of this act to expand the source for potential jurors.

(2) The office of the administrator for the courts shall complete its study and the judicial council shall report its findings and recommendations to the house committee on judiciary and senate committee on law and justice no later than January 9, 1989.

(3) This section shall expire on January 9, 1989.

NEW SECTION. Sec. 20. Pursuant to an agreement between the judge or judges of each superior court and the judge or judges of each court of limited jurisdiction, jury management activities may be performed by the superior court for any county or judicial district as provided by statute.

NEW SECTION. Sec. 21. The following acts or parts of acts are each repealed:

(1) Section 3, chapter 57, Laws of 1911, section 1, chapter 26, Laws of 1921, section 1, chapter 191, Laws of 1925, section 1, chapter 238, Laws of 1943, section 1, chapter 287, Laws of 1961, section 1, chapter 92, Laws of 1967, section 1, chapter 135, Laws of 1979 ex. sess. and RCW 2.36.060;

(2) Section 4, chapter 57, Laws of 1911, section 2, chapter 191, Laws of 1925 ex. sess., section 1, chapter 65, Laws of 1965 and RCW 2.36.090;

(3) Section 8, chapter 57, Laws of 1911 and RCW 2.36.140; and

(4) Section 5, chapter 48, Laws of 1891 and RCW 2.36.160.

NEW SECTION. Sec. 22. The following acts or parts of acts are each repealed:

(1) Section 71, page 235, Laws of 1854, section 1771, Code of 1881, section 2, page 118, Laws of 1888 and RCW 12.12.040;

(2) Section 73, page 236, Laws of 1854, section 1773, Code of 1881, section 4, page 119, Laws of 1888, section 1, chapter 119, Laws of 1975 1st ex. sess. and RCW 12.12.060; and

(3) Section 79, page 236, Laws of 1854, section 78, page 348, Laws of 1873, section 1779, Code of 1881 and RCW 12.12.100.

NEW SECTION. Sec. 23. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 24. Except for section 19, this act shall take effect January 1, 1989. Section 19 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendment to Substitute House Bill No. 1460.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1460 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1460 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1460 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1170 with the following amendments:

On page 1, line 22, after "criteria," insert the following:

"(3) The department shall investigate the level of compliance of self-insurers with the requirement of full reporting of claims information to the department, particularly with respect to medical examinations, and develop effective enforcement procedures or recommendations for legislation if needed."

On page 2, after line 6, insert the following:

"NEW SECTION. Sec. 5. The department shall study the role of the attending physician in assuring an injured worker's return to work at the earliest time consistent with good medical care, and the effect of changing the attending physician when return to work does not occur expeditiously. The department shall report the results of its study to the appropriate committees of the legislature no later than December 1, 1988."

Renumber the remaining sections and correct any internal references accordingly.

On page 1, line 3 of the title, after "RCW;" insert "creating a new section;" and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Substitute House Bill No. 1170.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1170 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1170 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Locke - 1.

Substitute House Bill No. 1170 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1729 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 4, Laws of 1987 2nd ex. sess. and RCW 23A.50.010 are each amended to read as follows:

The legislature finds that:

(1) Corporations that offer employment and health, retirement, and other benefits to ((a large number of)) citizens of the state of Washington are vital to the economy of this state and the well-being of all of its citizens;

(2) The welfare of the employees of these corporations is of paramount interest and concern to this state;

(3) Many businesses in this state rely on these corporations to purchase goods and services;

(4) Hostile or unfriendly attempts to gain control of or influence otherwise publicly held corporations can cause corporate management to dissipate a corporation's assets in an effort to resist the takeover by selling or distributing cash or assets, redeeming stock, or taking other steps to increase the short-term gain to shareholders and to dissipate energies required for strategic planning, market development, capital investment decisions, assessment of technologies, and evaluation of competitive challenges that can damage the long-term interests of shareholders and the economic health of the state by reducing or eliminating the ability to finance investments in research and development, new products, facilities and equipment, and by undermining the planning process for those purposes;

(5) Hostile or unfriendly attempts to gain control or influence otherwise publicly held corporations are often highly leveraged pursuant to financing arrangements which assume that an acquirer will promptly obtain access to an acquired corporation's cash or assets and use them, or the proceeds of their sale, to repay acquisition indebtedness;

(6) Hostile or unfriendly attempts to gain control of or influence otherwise publicly held corporations can harm the economy of the state by weakening corporate performance, and causing unemployment, plant closings, reduced charitable donations, declining population base, reduced income to fee-supported local government services, reduced tax base, and reduced income to other businesses; and

(7) The state has a substantial and legitimate interest in regulating domestic corporations and those foreign corporations that have their most significant business contacts with this state and in regulating hostile or unfriendly attempts to gain control of or influence otherwise publicly held domestic corporations and those foreign corporations that employ a large number of citizens of the state, pay significant taxes, and have a substantial economic base in the state.

The legislature intends this chapter to balance the substantial and legitimate interests of the state in domestic corporations and those foreign corporations that employ a large number of citizens of the state and that have a substantial economic base in the state with: The interests of citizens of other states who own shares of such corporations; the interests of the state of incorporation of such foreign corporations in regulating the internal affairs of corporations incorporated in that state; and the interests of promoting interstate commerce. To this effect, the legislature intends to regulate certain transactions between publicly held corporations and acquiring persons that will tend to harm the long-term health of domestic corporations and of foreign corporations that have their principal executive office and a majority of their assets in this state and that employ a large number of citizens of this state.

~~((f)) This section shall expire December 31, 1988:))~~

Sec. 2. Section 2, chapter 4, Laws of 1987 2nd ex. sess. and RCW 23A.50.020 are each amended to read as follows:

The definitions in this section apply throughout this chapter.

(1) 'Acquiring person' means a person or group of persons, other than the target corporation or a subsidiary of the target corporation, who beneficially owns ten percent or more of the outstanding voting shares of the target corporation. The term 'acquiring person' does not include a person who (a) beneficially owns ten percent or more of the outstanding voting shares of the target corporation on the effective date of this section; (b) acquires its shares by gift, inheritance, or in a transaction in which no consideration is exchanged; or (c) exceeds the ten percent threshold as a result of action taken solely by the target corporation, such as redemption of shares, unless that person, by its own action, acquires additional shares of the target corporation. An agent, bank, broker, nominee, or trustee for another person (if the other person is not an acquiring person) who acts in good faith and not for the purpose of circumventing this chapter, is not an acquiring person;

(2) 'Affiliate' means a person who directly or indirectly controls, or is controlled by, or is under common control with, a person.

(3) 'Associate' means (a) a domestic or foreign corporation or organization of which a person is an officer, director, or partner or in which a person performs a similar function; (b) a direct or indirect beneficial owner of ten percent or more of any class of equity securities of a person; (c) a trust or estate in which a person has a beneficial interest or as to which a person serves as trustee or in a similar fiduciary capacity; and (d) if having the same residence as a person, the person's relative, spouse, or spouse's relative.

(4) 'Beneficial ownership,' when used with respect to any shares, means ownership by a person:

(a) Who, individually or with or through any of its affiliates or associates, beneficially owns such shares, directly or indirectly; or

(b) Who, individually or with or through any of its affiliates or associates, has (i) the right to acquire the shares, whether the right is exercisable immediately or only after the passage of

time, pursuant to any agreement, arrangement, or understanding, whether or not in writing, or upon the exercise of conversion rights, exchange rights, warrants or options, or otherwise. A person is not the beneficial owner of shares tendered pursuant to a tender or exchange offer made by the person or any of the person's affiliates or associates until the tendered shares are accepted for purchase or exchange; or (ii) the right to vote the shares pursuant to any agreement, arrangement, or understanding, whether or not in writing. A person is not the beneficial owner of any shares under subsection (4)(b)(ii) of this section if the agreement, arrangement, or understanding to vote the shares arises solely from a revocable proxy or consent given in response to a proxy or consent solicitation made in accordance with the applicable rules and regulations under the exchange act and is not then reportable on a schedule 13D under the exchange act, or any comparable or successor report; or

(c) Who has any agreement, arrangement, or understanding, whether or not in writing, for the purpose of acquiring, holding, voting (except voting pursuant to a revocable proxy or consent as described in (b)(ii) of this subsection), or disposing of the shares with any other person who beneficially owns, or whose affiliates or associates beneficially own, directly or indirectly, the shares.

(5) 'Control,' 'controlling,' 'controlled by,' and 'under common control with,' means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting shares, by contract, or otherwise. A person's beneficial ownership of ten percent or more of a domestic or foreign corporation's outstanding voting shares shall create a presumption that such person has control of such corporation. However, a person does not have control of a domestic or foreign corporation if the person holds voting shares, in good faith and not for the purpose of circumventing this chapter, as an agent, bank, broker, nominee, custodian, or trustee for one or more beneficial owners who do not individually or as a group have control of such corporation.

(6) 'Exchange act' means the federal securities exchange act of 1934, as amended.

(7) 'Market value,' in the case of property other than cash or shares, means the fair market value of the property on the date in question as determined by the board of directors of the target corporation in good faith.

(8) 'Person' means an individual, domestic or foreign corporation, partnership, trust, unincorporated association, or other entity; an affiliate or associate of any such person; or any two or more persons acting as a partnership, syndicate, or other group for the purpose of acquiring, holding, or dispersing of securities of a domestic or foreign corporation.

(9) 'Significant business transaction' means:

(a) A merger or consolidation of a target corporation or a subsidiary of a target corporation with (i) an acquiring person or (ii) any other domestic or foreign corporation which is, or after the merger or consolidation would be, an affiliate or associate of the acquiring person;

(b) A sale, lease, exchange, mortgage, pledge, transfer, or other disposition or encumbrance, whether in one transaction or a series of transactions, to or with an acquiring person or an affiliate or associate of an acquiring person of assets of a target corporation or a subsidiary of a target corporation (i) having an aggregate market value equal to five percent or more of the aggregate market value of all the assets, determined on a consolidated basis, of the target corporation, (ii) having an aggregate market value equal to five percent or more of the aggregate market value of all the outstanding shares of the target corporation, or (iii) representing five percent or more of the earning power or net income, determined on a consolidated basis, of the target corporation;

(c) ~~(The termination, whether at one time or over a period of time, of five percent or more of the employees of the target corporation and/or its subsidiaries employed in this state after the acquiring person's share acquisition date, unless the target corporation demonstrates by clear and convincing evidence that the termination of employees is not due to the acquiring person's acquisition of ten percent or more of the shares of the corporation))~~ The termination, while the corporation has an acquiring person and as a result of the acquiring person's acquisition of ten percent or more of the shares of the corporation, of five percent or more of the employees of the target corporation and/or its subsidiaries employed in this state, whether at one time or over the five-year period following the share acquisition date. For the purposes of this subsection (c), a termination other than an employee's death or disability or bona fide voluntary retirement, transfer, resignation, or leave of absence shall be presumed to be a termination resulting from the acquiring person's acquisition of shares, which presumption may be rebutted by clear and convincing evidence. A bona fide voluntary transfer of employees between the target corporation and its subsidiaries or between its subsidiaries is not a termination for the purposes of this subsection (c);

(d) The issuance, transfer, or redemption by a target corporation or a subsidiary of a target corporation, whether in one transaction or a series of transactions, of shares or of options, warrants, or rights to acquire shares of a target corporation or a subsidiary of a target corporation to or beneficially owned by an acquiring person or an affiliate or associate of an acquiring person except pursuant to the exercise of warrants or rights to purchase shares offered, or a dividend, distribution, or redemption paid or made pro rata to, all shareholders or holders of options, warrants, or rights to acquire shares of the target corporation, and except

for involuntary redemptions permitted by the target corporation's charter or by the law of this state or the state of incorporation:

(e) The adoption of a plan or proposal for the sale of assets, liquidation, or dissolution of a target corporation proposed by, or pursuant to an agreement, arrangement, or understanding, whether or not in writing, with an acquiring person or an affiliate or associate of an acquiring person;

(f) A reclassification of securities, including, without limitation, any stock split, stock dividend, or other distribution of stock in respect of stock, or any reverse stock split, or recapitalization of a target corporation, or a merger or consolidation of a target corporation with a subsidiary of the target corporation, or any other transaction, whether or not with or into or otherwise involving an acquiring person, proposed by, or pursuant to an agreement, arrangement, or understanding, whether or not in writing, with an acquiring person or an affiliate or associate of an acquiring person, that has the effect, directly or indirectly, of increasing the proportionate share of the outstanding shares of a class or series of voting shares or securities convertible into voting shares of a target corporation or a subsidiary of the target corporation that is directly or indirectly owned by an acquiring person or an affiliate or associate of an acquiring person, except as a result of immaterial changes due to fractional share adjustments;

(g) A receipt by an acquiring person or an affiliate or associate of an acquiring person of the benefit, directly or indirectly, except proportionately as a shareholder of a target corporation, of loans, advances, guarantees, pledges, or other financial assistance or tax credits or other tax advantages provided by or through a target corporation; or

(h) An agreement, contract, or other arrangement providing for any of the transactions in this subsection.

(10) 'Share acquisition date' means the date on which a person first becomes an acquiring person of a target corporation.

(11) 'Subsidiary' means a domestic or foreign corporation that has a majority of its outstanding voting shares owned, directly or indirectly, by another domestic or foreign corporation.

(12) 'Tangible assets' means tangible real and personal property of all kinds. It shall also include leasehold interests in tangible real and personal property.

(13) 'Target corporation' means:

(a) Every domestic corporation organized under chapter 23A.12 RCW or any predecessor provision ((and every foreign corporation required to have a certificate of authority to transact business in this state pursuant to chapter 23A.32 RCW, if, as of the share acquisition date:

(a) ~~The assessed valuation of the domestic or foreign corporation's and its subsidiaries' personal and real property in the state for purposes of computing state and local property taxes in the state exceeds the aggregate assessed valuation of its personal and real property in all other states for purposes of computing state and local property taxes in such states;~~

~~(b) The domestic or foreign corporation's principal executive office is located in the state;~~

~~(c) A majority of the domestic or foreign corporation's and its subsidiaries' employees are residents of the state;~~

~~(d) A majority of the domestic or foreign corporation's and its subsidiaries' tangible assets, measured by market value, are located in the state;~~

~~(e) The domestic or foreign corporation and its subsidiaries employ more than twenty thousand residents of the state; and~~

~~(f) The domestic or foreign corporation and its subsidiaries have: (i) More than ten percent of its shareholders of record resident in the state; or (ii) more than ten percent of its shares owned of record by state residents; or (iii) five thousand or more shareholders of record resident in the state)) if, as of the share acquisition date, the corporation's principal executive office is located in the state and either a majority of the corporation's employees, together with those of its subsidiaries, are residents of the state or the corporation, together with its subsidiaries, employs more than one thousand residents of the state; and~~

~~(b) Every foreign corporation required to have a certificate of authority to transact business in this state pursuant to chapter 23A.32 RCW, if, as of the share acquisition date:~~

~~(i) The corporation's principal executive office is located in the state;~~

~~(ii) The corporation has: (A) More than ten percent of its shareholders of record resident in the state; or (B) more than ten percent of its shares owned of record by state residents; or (C) one thousand or more shareholders of record resident in the state;~~

~~(iii) A majority of the corporation's employees, together with those of its subsidiaries, are residents of the state or the corporation, together with its subsidiaries, employs more than one thousand residents of the state; and~~

~~(iv) A majority of the corporation's tangible assets, together with those of its subsidiaries, measured by market value, are located in the state or the corporation, together with its subsidiaries, has more than fifty million dollars' worth of tangible assets located in the state.~~

For purposes of this subsection, the record date for determining the percentages and numbers of shareholders and shares shall be the last shareholder record date before the event requiring that the determination be made. A shareholder record date shall be determined pursuant to RCW 23A.08.270 for a domestic corporation and the comparable provision of the

law of the state in which a foreign corporation is incorporated. If a shareholder record date has not been fixed by the board of directors within the preceding four months, the determination shall be made as of the end of the domestic or foreign corporation's most recent fiscal quarter.

The residence of each shareholder is presumed to be the address appearing in the records of the domestic or foreign corporation. Shares held of record by brokers or nominees shall be disregarded for purposes of calculating the percentages and numbers specified in this subsection. Shares of a domestic or foreign corporation allocated to the account of an employee or former employee or beneficiaries of employees or former employees of a domestic or foreign corporation and held in a plan that is qualified under section 401(a) of the federal internal revenue code of 1986, as amended, and is a defined contribution plan within the meaning of section 414(l) of the code shall be deemed, for the purposes of this subsection, to be held of record by the employee to whose account such shares are allocated.

A domestic or foreign corporation shall be deemed to be a target corporation if the domestic or foreign corporation's failure to satisfy the requirements of this subsection is caused by the action of, or is the result of a proposal by, an acquiring person or affiliate or associate of an acquiring person.

Sec. 3. Section 6, chapter 4, Laws of 1987 2nd ex. sess. and RCW 23A.28.129 are each amended to read as follows:

((+)) If a corporation engages in activity in violation of chapter 23A.50 RCW, then the secretary of state shall revoke the corporation's certificate of incorporation pursuant to the procedures in RCW 23A.28.125.

~~((2) This section shall expire on December 31, 1988.))~~

Sec. 4. Section 7, chapter 4, Laws of 1987 2nd ex. sess. and RCW 23A.32.200 are each amended to read as follows:

((+)) If a corporation engages in activity in violation of chapter 23A.50 RCW, then the secretary of state shall revoke the corporation's certificate of authority pursuant to the procedures in RCW 23A.32.160.

~~((2) This section shall expire on December 31, 1988.))~~

Sec. 5. Section 109, chapter 53, Laws of 1965 as last amended by section 8, chapter 4, Laws of 1987 2nd ex. sess. and RCW 23A.32.010 are each amended to read as follows:

No foreign corporation shall have the right to transact business in this state until it shall have procured a certificate of authority so to do from the secretary of state. No foreign corporation shall be entitled to procure a certificate of authority under this title to transact in this state any business which a corporation organized under this title is not permitted to transact. A foreign corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or country under which such corporation is organized governing its organization and internal affairs differ from the laws of this state. ~~((Until December 31, 1988.))~~ Except as provided in chapter 23A.50 RCW, nothing in this title contained shall be construed to authorize this state to regulate the organization or the internal affairs of such corporation.

Without excluding other activities which may not constitute transacting business in this state, a foreign corporation shall not be considered to be transacting business in this state, for the purposes of this title, by reason of carrying on in this state any one or more of the following activities:

- (1) Maintaining or defending any action or suit or any administrative or arbitration proceeding, or effecting the settlement thereof or the settlement of claims or disputes.
- (2) Holding meetings of its directors or shareholders or carrying on other activities concerning its internal affairs.
- (3) Maintaining bank accounts.
- (4) Maintaining offices or agencies for the transfer, exchange and registration of its securities, or appointing and maintaining trustees or depositories with relation to its securities.
- (5) Effecting sales through independent contractors.
- (6) Soliciting or procuring orders, whether by mail or through employees or agents or otherwise, where such orders require acceptance without this state before becoming binding contracts.
- (7) Creating as borrower or lender, or acquiring, indebtedness or mortgages or other security interests in real or personal property.
- (8) Securing or collecting debts or enforcing any rights in property securing the same.
- (9) Transacting any business in interstate commerce.
- (10) Conducting an isolated transaction completed within a period of thirty days and not in the course of a number of repeated transactions of like nature.

NEW SECTION. Sec. 6. Section 10, chapter 4, Laws of 1987 2nd ex. sess. and RCW 23A.50.901 are each repealed.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 2 of the title, after "23A.32.010;" strike "adding a new section to chapter 23A.50 RCW;"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1729 and ask the Senate to recede therefrom.

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

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1285 with the following amendments:

On page 2, line 2, after "dealers" strike "making payment for grain only in cash"

On page 2, line 3, after "requirement" insert "if the grain dealer does not do more than \$100,000 in business annually and makes payments solely in coin or currency of the United States at the time of obtaining possession or control of grain. However, a cashier's check, certified check, or bankdraft may be considered as cash for purposes of this section"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Rayburn moved that the House do concur in the Senate amendments to Substitute House Bill No. 1285.

Representatives Rayburn and Nealey spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1285 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1285 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Vekich - 1.

Substitute House Bill No. 1285 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1325 with the following amendments:

On page 2, after line 22, insert the following:

"NEW SECTION. Sec. 2. In implementing this chapter and in participating in programs under the federal clean water act, the department may consult with the department of social and health services concerning standards for repair of existing, failing on-site sewage disposal systems that are adjacent to marine waters. By January 1, 1989, the department of social and health services shall propose rules for adoption by the state board of health identifying the standards for repair of existing, failing on-site sewage disposal systems at single-family residences that were legally occupied prior to the effective date of this act and that are adjacent to marine waters. The rules may specify the design, operation and maintenance standards for

such repaired systems so as to ensure protection of the public health, attainment of state water quality standards and the protection of shellfish and other public resources. The rules shall also provide that any proposed discharge to marine water shall be considered only if on-site sewage disposal systems are not feasible and that such discharges shall meet the requirements of this chapter and department of ecology regulations. The state board of health shall adopt such proposed rules unless the board finds modification or rejection of them necessary to protect the public health."

On page 1, line 2, strike "and" and after "RCW 90.48.260" insert "; and adding a new section to chapter 90.48 RCW"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Rust moved that the House do concur in the Senate amendments to House Bill No. 1325.

Ms. Rust spoke in favor of the motion.

POINT OF INQUIRY

Ms. Rust yielded to question by Ms. Walker.

Ms. Walker: Representative Rust, this bill now gives DSHS broad regulatory authority over beach residences. Could the department become a sort of super building department and set construction standards for the residence itself?

Ms. Rust: No, Representative Walker, the department may adopt any standards they deem appropriate for the construction and operation of the onsite sewage disposal system only. The bill does not allow the department to set construction standards for the dwelling. That is the province of the local building department.

Representatives Walker and Brough spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1325 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1325 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Fisher - 1.

House Bill No. 1325 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1346 with the following amendments:

On page 2, after line 14, insert the following:

NEW SECTION, Sec. 4. There is appropriated from the state general fund to the department of natural resources for the biennium ending June 30, 1989, the sum of two thousand eight hundred dollars, or so much thereof as may be necessary, to pay that portion of the rent not paid by the lessees for electronic repeaters operated by amateur radio operators."

On page 1, line 2 of the title, after "communications;" strike "and"
 On page 1, line 3 of the title, after "RCW" insert "; and making an appropriation"
 and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Meyers moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1346.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1346 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1346 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1346 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1382 with the following amendments:

Strike everything after the enacting clause and insert the following:

"PART I

GROUND WATER MANAGEMENT ADVISORY COMMITTEES

Sec. 1. Section 2, chapter 453, Laws of 1985 and RCW 90.44.410 are each amended to read as follows:

(1) ~~(To assist in the development of ground water management programs, a ground water management advisory committee, with representation from major user and public interest groups, and state and local governments shall be appointed by the department for each area or sub-area. The procedure for advisory committee appointment, terms of appointment, and committee responsibilities shall be addressed in the rules prepared under RCW 90.44.400.~~

(2) The ground water area or sub-area management programs shall include:

(a) A description of the specific ground water area or sub-areas, or separate depth zones within any such area or sub-area, and the relationship of this zone or area to the land use management responsibilities of county government;

(b) A management program based on long-term monitoring and resource management objectives for the area or sub-area;

(c) Identification of water resources and the allocation of the resources to meet state and local needs;

(d) Projection of water supply needs for existing and future identified user groups and beneficial uses;

(e) Identification of water resource management policies and/or practices that may impact the recharge of the designated area or policies that may affect the safe yield and quantity of water available for future appropriation;

(f) Identification of land use and other activities that may impact the quality and efficient use of the ground water, including domestic, industrial, solid, and other waste disposal, underground storage facilities, or storm water management practices;

(g) The design of the program necessary to manage the resource to assure long-term benefits to the citizens of the state;

(h) Identification of water quality objectives for the aquifer system which recognize existing and future uses of the aquifer and that are in accordance with department of ecology and department of social and health services drinking and surface water quality standards;

(i) Long-term policies and construction practices necessary to protect existing water rights and subsequent facilities installed in accordance with the ground water area or sub-area management programs and/or other water right procedures;

(j) Annual withdrawal rates and safe yield guidelines which are directed by the long-term management programs that recognize annual variations in aquifer recharge;

(k) A description of conditions and potential conflicts and identification of a program to resolve conflicts with existing water rights;

(l) Alternative management programs to meet future needs and existing conditions, including water conservation plans; and

(m) A process for the periodic review of the ground water management program and monitoring of the implementation of the program.

(((3))) (2) The ground water area or sub-area management programs shall be submitted for review in accordance with the state environmental policy act.

NEW SECTION. Sec. 2. Section 1 of this act shall take effect June 30, 1998.

PART II

MIGRATORY WATERFOWL ART COMMITTEE

NEW SECTION. Sec. 3. A new section is added to chapter 43.131 RCW to read as follows:

The migratory waterfowl art committee and its powers and duties shall be terminated on June 30, 1994, as provided in section 4 of this act.

NEW SECTION. Sec. 4. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1995:

(1) Section 4, chapter 243, Laws of 1985, section 53, chapter 506, Laws of 1987 and RCW 77.12.670;

(2) Section 5, chapter 243, Laws of 1985, section 54, chapter 506, Laws of 1987 and RCW 77.12.680; and

(3) Section 6, chapter 243, Laws of 1985, section 55, chapter 506, Laws of 1987 and RCW 77.12.690.

PART III

PUBLIC WORKS BOARD

NEW SECTION. Sec. 5. A new section is added to chapter 43.131 RCW to read as follows:

The public works board and its powers and duties shall be terminated on June 30, 1993, as provided in section 6 of this act.

NEW SECTION. Sec. 6. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1994:

(1) Section 7, chapter 446, Laws of 1985 and RCW 43.155.010;

(2) Section 8, chapter 446, Laws of 1985 and RCW 43.155.020;

(3) Section 9, chapter 446, Laws of 1985 and RCW 43.155.030;

(4) Section 10, chapter 446, Laws of 1985 and RCW 43.155.040;

(5) Section 8, chapter 471, Laws of 1985 and RCW 43.155.050;

(6) Section 11, chapter 446, Laws of 1985 and RCW 43.155.060;

(7) Section 12, chapter 446, Laws of 1985, section 40, chapter 505, Laws of 1987 and RCW 43.155.070;

(8) Section 13, chapter 446, Laws of 1985, section 41, chapter 505, Laws of 1987 and RCW 43.155.080; and

(9) Section 6, chapter 19, Laws of 1987 and RCW 43.155.090.

PART IV

STATE DEVELOPMENT LOAN FUND COMMITTEE

NEW SECTION. Sec. 7. A new section is added to chapter 43.168 RCW to read as follows:

The Washington state development loan fund committee shall be terminated on June 30, 1994, and its powers and duties transferred to the director of the department of community development.

NEW SECTION. Sec. 8. Section 3, chapter 164, Laws of 1985 and RCW 43.168.030, as now existing or hereafter amended, are each repealed, effective June 30, 1994.

PART V

STATE ECONOMIC DEVELOPMENT BOARD

NEW SECTION. Sec. 9. A new section is added to chapter 43.131 RCW to read as follows:

The state economic development board and its powers and duties shall be terminated on June 30, 1993, as provided in section 10 of this act.

NEW SECTION. Sec. 10. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1994:

(1) Section 9, chapter 467, Laws of 1985 and RCW 43.240.010;

(2) Section 10, chapter 467, Laws of 1985 and RCW 43.240.020;

(3) Section 11, chapter 467, Laws of 1985, section 15, chapter 195, Laws of 1987 and RCW 43.240.030;

(4) Section 12, chapter 467, Laws of 1985 and RCW 43.240.040;

(5) Section 13, chapter 467, Laws of 1985 and RCW 43.240.050;

(6) Section 14, chapter 467, Laws of 1985 and RCW 43.240.060; and

(7) Section 16, chapter 467, Laws of 1985 and RCW 43.240.070.

PART VI

COMMITTEE TO STUDY WATER AVAILABILITY IN COLUMBIA BASIN AREA

NEW SECTION. Sec. 11. Section 2, chapter 316, Laws of 1986 (uncodified), as now existing or hereafter amended, is repealed, effective June 30, 1994.

PART VII

NATURAL RESOURCES RECREATION ADVISORY COMMITTEE

NEW SECTION. Sec. 12. Section 12, chapter 206, Laws of 1986 and RCW 43.30.380, as now existing or hereafter amended, are each repealed, effective June 30, 1991.

PART VIII

LAND BANK ADVISORY COMMITTEE

NEW SECTION. Sec. 13. Section 14, chapter 284, Laws of 1986 and RCW 31.30.140 are each repealed, effective June 30, 1988.

PART IX

STATE FIRE PROTECTION POLICY BOARD

NEW SECTION. Sec. 14. A new section is added to chapter 43.131 RCW to read as follows:

The state fire protection policy board and its powers and duties shall be terminated on June 30, 1996, as provided in section 15 of this act.

NEW SECTION. Sec. 15. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1997:

(1) Section 55, chapter 266, Laws of 1986 and RCW 43.63A.310;

(2) Section 56, chapter 266, Laws of 1986 and RCW 43.63A.320; and

(3) Section 57, chapter 266, Laws of 1986 and RCW 43.63A.330.

PART X

WOODSTOVE ADVISORY COMMITTEE

NEW SECTION. Sec. 16. Section 11, chapter 405, Laws of 1987 and RCW 70.94.487 are each repealed, effective June 30, 1988.

PART XI

EMPLOYEE OWNERSHIP ADVISORY PANEL

Sec. 17. Section 15, chapter 457, Laws of 1987 and RCW 43.63A.230 are each amended to read as follows:

(1) The department of community development shall integrate an employee ownership program within its existing technical assistance programs. The employee ownership program shall provide technical assistance to cooperatives authorized under chapter 23.78 RCW and conduct educational programs on employee ownership and self-management. The department shall include information on the option of employee ownership wherever appropriate in its various programs.

~~(2) ((The director of the department shall form an employee ownership advisory panel to assist in the development of the employee ownership program. The panel shall consist of representatives of educational institutions; local, regional, and national cooperative and employee ownership organizations; employee-owned cooperatives; firms with employee stock ownership plans; and associate development organizations.~~

~~(3))~~ The department shall maintain a list of firms and individuals with expertise in the field of employee ownership and utilize such firms and individuals, as appropriate, in delivering and coordinating the delivery of technical, managerial, and educational services. In addition, the department shall work with and rely on the services of the department of trade and economic development, the employment security department, and state institutions of higher education to promote employee ownership.

~~((4))~~ (3) The department shall report to the governor, the trade and economic development committee of the house of representatives, the commerce and labor committee of the senate, and the ways and means committees of each house by December 1 of 1988, and each year thereafter, on the accomplishments of the employee-ownership program. Such reports shall include the number and types of firms assisted, the number of jobs created by such firms, the types of services, the number of workshops presented, the number of employees trained, and the results of client satisfaction surveys distributed to those using the services of the program.

~~((5))~~ (4) For purposes of this section, an employee stock ownership plan qualifies as a cooperative if at least fifty percent, plus one share, of its voting shares of stock are voted on a one-person-one-vote basis.

NEW SECTION. Sec. 18. Section 17 of this act shall take effect June 30, 1993.

PART XII
WINTER RECREATION COMMISSION

NEW SECTION, Sec. 19. The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1994:

- (1) Section 1, chapter 526, Laws of 1987 and RCW 67.34.011; and
- (2) Section 2, chapter 526, Laws of 1987 and RCW 67.34.021."

On page 1, line 1 of the title, after "review;" strike the remainder of the title and insert "amending RCW 90.44.410 and 43.63A.230; adding a new section to chapter 43.168 RCW; adding new sections to chapter 43.131 RCW; repealing RCW 77.12.670, 77.12.680, 77.12.690, 43.155.010, 43.155.020, 43.155.030, 43.155.040, 43.155.050, 43.155.060, 43.155.070, 43.155.080, 43.155.090, 43.168.030, 43.240.010, 43.240.020, 43.240.030, 43.240.040, 43.240.050, 43.240.060, 43.240.070, 43.30.380, 31.30.140, 43.63A.310, 43.63A.320, 43.63A.330, 70.94.487, 67.34.011, and 67.34.021; repealing section 2, chapter 316, Laws of 1986 (uncodified); and providing effective dates."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. H. Sommers moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1382.

Representatives H. Sommers and Hankins spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1382 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1382 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98.

Yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1382 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1450 with the following amendments:

On page 2, line 12, after "chapter" strike all material through "development" on line 13 and insert "~~((or has received a concurrence waiver from the department of trade and economic development))~~"

On page 2, line 25, after "chapter" strike all material through "development" on line 26 and insert "~~((or has received a concurrence waiver from the department of trade and economic development))~~"

On page 3, beginning on line 35, strike all material through "state." on page 4, line 5 and insert the following:

~~"((14) 'Concurrence waiver' means a written waiver of an otherwise required concurrence from a bargaining unit. The department of trade and economic development may issue a concurrence waiver only if:~~

~~(a) The department determines an applicant has made a good faith effort to obtain the required concurrence from a bargaining unit; and~~

~~(b) The department determines that granting the concurrence waiver is clearly in the best interests of the people of this state.))"~~

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Vekich moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1450.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1450 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1450 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 7.

Yea: Representatives Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spaniel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Nay: Representatives Belcher, Brekke, Cole, Grimm, Locke, Rust, Wang - 7.

Engrossed Substitute House Bill No. 1450 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1368 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 6.01 RCW to read as follows:

The term "certified mail," as used in this title, includes, for mailings to a foreign country, any form of mail that requires or permits a return receipt.

NEW SECTION. Sec. 2. A new section is added to chapter 6.01 RCW to read as follows:

If, before levying under a writ of attachment or execution, a sheriff receives notice that the defendant has become a debtor in a bankruptcy case, the sheriff shall immediately give written notice of that fact to the plaintiff's attorney of record, if any, otherwise to the plaintiff, and shall not be bound to levy under the writ. If, after levying on property under a writ of attachment or execution, a sheriff receives such notice, the sheriff shall give written notice of the attachment or execution, describing the property seized, to the trustee in the bankruptcy case if there is one, otherwise to the bankruptcy court, with a copy to the plaintiff's attorney of record, if any, otherwise to the plaintiff, and shall transfer the property to the trustee on demand or as the bankruptcy court otherwise directs. If no demand is made on the sheriff for surrender of the property and the sheriff thereafter receives notice of the closing of the bankruptcy case, the sheriff shall give written notice by first class mail to the plaintiff's attorney of record, if any, otherwise to the plaintiff, requiring that the plaintiff release the property or obtain a renewal of the writ from the court, and, if the plaintiff fails to release the property or to apply for a renewal within fourteen days after the mailing of the sheriff's notice, the sheriff shall release the property to the defendant.

Sec. 3. Section 1, chapter 10, Laws of 1982 as last amended by section 208, chapter 442, Laws of 1987 and RCW 6.13.080 are each amended to read as follows:

The homestead exemption is not available against an execution or forced sale in satisfaction of judgments obtained:

(1) On debts secured by mechanic's, laborer's, materialmen's or vendor's liens upon the premises;

(2) On debts secured (a) by ((purchase money)) security agreements describing as collateral the mobile home that is claimed as a homestead or (b) by mortgages or deeds of trust on

the premises(:)) that have been executed and acknowledged by the husband and wife or by any unmarried claimant:

(3) On one spouse's or the community's debts existing at the time of that spouse's bankruptcy filing where (a) bankruptcy is filed by both spouses within a six-month period, other than in a joint case or a case in which their assets are jointly administered, and (b) the other spouse exempts property from property of the estate under the bankruptcy exemption provisions of 11 U.S.C. Sec. 522(d);

(4) On debts arising from a lawful court order or decree or administrative order establishing a child support obligation or obligation to pay spousal maintenance.

Sec. 4. Section 30, chapter 260, Laws of 1984 as amended by section 209, chapter 442, Laws of 1987 and RCW 6.13.090 are each amended to read as follows:

A judgment against the owner of a homestead shall become a lien on the value of the homestead property in excess of the homestead exemption from the time the judgment creditor records the judgment with the recording officer of the county where the property is located. However, if a judgment of a district court of this state has been transferred to a superior court, the judgment becomes a lien from the time of recording with such recording officer a duly certified abstract of the record of such judgment as it appears in the office of the clerk in which the transfer was originally filed.

Sec. 5. Section 253, page 178, Laws of 1854 as last amended by section 301, chapter 442, Laws of 1987 and RCW 6.15.010 are each amended to read as follows:

Except as provided in RCW 6.15.050, the following personal property shall be exempt from execution, attachment, and garnishment:

(1) All wearing apparel of every individual and family, but not to exceed seven hundred fifty dollars in value in furs, jewelry, and personal ornaments for any individual.

(2) All private libraries of every individual, but not to exceed one thousand dollars in value, and all family pictures and keepsakes.

(3) To each individual or, as to community property of spouses maintaining a single household as against a creditor of the community, to the community:

(a) The individual's or community's household goods, appliances, furniture, and home and yard equipment, not to exceed one thousand five hundred dollars in value;

(b) Provisions and fuel for the comfortable maintenance of the individual or community for three months;

(c) Other property, except personal earnings as provided under RCW ((6-15-066(1))) 6.15.050(1), not to exceed five hundred dollars in value, of which not more than one hundred dollars in value may consist of cash, bank accounts, savings and loan accounts, stocks, bonds, or other securities; and

(d) One motor vehicle which is used for personal transportation, not to exceed one thousand two hundred dollars in value.

(((((4))) (4) To each qualified individual, one of the following exemptions:

(a) To a farmer, farm trucks, farm stock, farm tools, farm equipment, supplies and seed, not to exceed three thousand dollars in value;

(b) To a physician, surgeon, attorney, clergyman, or other professional person, the individual's library, office furniture, office equipment and supplies, not to exceed three thousand dollars in value;

(c) To any other individual, the tools and instruments and materials used to carry on his or her trade for the support of himself or herself or family, not to exceed three thousand dollars in value.

For purposes of this section, 'value' means the reasonable market value of the debtor's interest in an article or item at the time it is selected for exemption, exclusive of all liens and encumbrances thereon.

Sec. 6. Section 1, page 88, Laws of 1890 as amended by section 1, chapter 64, Laws of 1987 and by section 302, chapter 442, Laws of 1987 and RCW 6.15.020 are each reenacted and amended to read as follows:

(1) Unless otherwise provided by federal law, any money received by any citizen of the state of Washington as a pension from the government of the United States, whether the same be in the actual possession of such person or be deposited or loaned, shall be exempt from execution, attachment, garnishment, or seizure by or under any legal process whatever, and when a debtor dies, or absconds, and leaves his or her family any money exempted by this section, the same shall be exempt to the family as provided in this section.

(2) The right of a person to a pension, annuity, or retirement allowance or disability allowance, or death benefits, or any optional benefit, or any other right accrued or accruing to any citizen of the state of Washington under any employee benefit plan, and any fund created by such a plan or arrangement, shall be exempt from execution, attachment, or seizure by or under any legal process whatever: PROVIDED, That this subsection shall permit benefits under any such plan or arrangement to be payable to a spouse, former spouse, child, or other dependent of a participant in such plan to the extent expressly provided for in a qualified domestic relations order (as such term is defined in section 206(d) of the federal employee

retirement income security act of 1974, as amended, 29 U.S.C. Sec. 1056(d) or in section 401(a)(13) of the internal revenue code of 1954, as amended).

(3) For the purposes of this section, the term 'employee benefit plan' means any plan or arrangement that is subject to the provisions of the federal employee retirement income security act of 1974, as amended, 29 U.S.C. Secs. ~~((10+))~~ 1001 through 1461 or that is described in sections 401(a), 403(a), 403(b), 408, or 409 (as in effect before January 1, 1984) of the internal revenue code of 1954, as amended, or both: PROVIDED, That the term 'employee benefit plan' shall not include any employee benefit plan that is excluded from the application of the federal employee retirement income security act of 1974, as amended, pursuant to section 4(b)(1) of that act, 29 U.S.C. Sec. 1003(b)(1).

Sec. 7, Section 346, page 88, Laws of 1869 as last amended by section 306, chapter 442, Laws of 1987 and RCW 6.15.060 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, property claimed exempt under RCW 6.15.010 shall be selected by the individual entitled to the exemption, or by the husband or wife entitled to a community exemption, in the manner described in subsection (3) of this section.

(2) If, at the time of seizure under execution or attachment of property exemptible under RCW 6.15.010(3) (a), (b), or (c), the individual or the husband or wife entitled to claim the exemption is not present, then the sheriff or deputy shall make a selection equal in value to the applicable exemptions and, if no appraisal is required and no objection is made by the creditor as permitted under subsection (4) of this section, the officer shall return the same as exempt by inventory. Any selection made as provided shall be prima facie evidence (a) that the property so selected is exempt from execution and attachment, and (b) that the property so selected is not in excess of the values specified for the exemptions.

(3)(a) A debtor who claims personal property as exempt against execution or attachment shall, at any time before sale, deliver to the officer making the levy a list by separate items of the property claimed as exempt, together with an itemized list of all the personal property owned or claimed by the debtor, including money, bonds, bills, notes, claims and demands, with the residence of the person indebted upon the said bonds, bills, notes, claims and demands, and shall verify such list by affidavit. The officer shall immediately advise the creditor, attorney, or agent of the exemption claim and, if no appraisal is required and no objection is made by the creditor as permitted under subsection (4) of this section, the officer shall return with the process the list of property claimed as exempt.

(b) A debtor who claims personal property exempt against garnishment shall proceed as provided in RCW 6.27.160.

(c) A debtor who claims as a homestead, under chapter 6.13 RCW, a mobile home that is not yet occupied as a homestead and that is located on land not owned by the debtor shall claim the homestead as against a specific levy by delivering to the sheriff who levied on the mobile home, before sale under the levy, a declaration of homestead that contains (i) a declaration that the debtor owns the mobile home, intends to reside therein, and claims it as a homestead, and (ii) a description of the mobile home, a statement where it is located or was located before the levy, and an estimate of its actual cash value.

(4)(a) Except as provided in (b) of this subsection, a creditor, or the agent or attorney of a creditor, who wishes to object to a claim of exemption shall proceed as provided in RCW 6.27.160 and shall give notice of the objection to the officer not later than seven days after the officer's giving notice of the exemption claim.

(b) A creditor, or the agent or attorney of the creditor, who wishes to object to a claim of exemption made to a levying officer, on the ground that the property claimed exceeds exemptible value, may demand appraisal. ~~((In the absence of such demand within seven days following the officer's giving of notice of the claim, the officer shall release to the debtor the property claimed as exempt.))~~ If the creditor, or the agent or attorney of the creditor, demands an appraisal, two disinterested persons shall be chosen to appraise the property, one by the debtor and the other by the creditor, agent or attorney, and these two, if they cannot agree, shall select a third; but if either party fails to choose an appraiser, or the two fail to select a third, or if one or more of the appraisers fail to act, the court shall appoint one or more as the circumstances require. The appraisers shall forthwith proceed to make a list by separate items, of the personal property selected by the debtor as exempt, which they shall declare as exempt, stating the value of each article, and annexing to the list their affidavit to the following effect: 'We solemnly swear that to the best of our judgment the above is a fair cash valuation of the property therein described,' which affidavit shall be signed by two appraisers at least, and be certified by the officer administering the oaths. The list shall be delivered to the officer holding the execution or attachment and be annexed to and made part of the return, and the property therein specified shall be exempt from levy and sale, but the other personal estate of the debtor shall remain subject to execution, attachment, or garnishment. Each appraiser shall be entitled to fifteen dollars or such larger fee as shall be fixed by the court, to be paid by the creditor if all the property claimed by the debtor shall be exempt; otherwise to be paid by the debtor.

(c) If, within seven days following the giving of notice to a creditor of an exemption claim, the officer has received no notice from the creditor of an objection to the claim or a demand for appraisal, the officer shall release the claimed property to the debtor.

Sec. 8. Section 4, chapter 329, Laws of 1981 as amended by section 410, chapter 442, Laws of 1987 and RCW 6.17.100 are each amended to read as follows:

(1) Before a writ of execution may issue on any real property, the judgment creditor must file with the court an affidavit as described in subsection (4) of this section and must mail a copy of the affidavit to the judgment debtor at the debtor's last known address.

(2) If the affidavit attests that the premises are occupied or otherwise claimed as a homestead by the judgment debtor, the execution for the enforcement of a judgment obtained in a case not within the classes enumerated in RCW 6.13.080 must comply with RCW 6.13.100 through 6.13.170.

(3) The term 'due diligence,' as used in subsection (4) of this section, includes but is not limited to the creditor or the creditor's representative personally visiting the premises, contacting the occupants and inquiring about their relationship to the judgment debtor, contacting immediate neighbors of the premises, and searching the records of the auditor of the county in which the property is located to determine if a declaration of homestead or nonabandonment has been recorded by the judgment debtor. An examination of the debtor in supplemental proceedings on the points to be covered in the affidavit constitutes 'due diligence.'

(4) The affidavit required by this section shall include:

(a) A statement that the judgment creditor has exercised due diligence to ascertain whether the judgment debtor has sufficient nonexempt personal property to satisfy the judgment with interest and believes that there is not sufficient nonexempt personal property belonging to the judgment debtor to so satisfy the judgment. A list of personal property located shall be attached with an indication of any items that the judgment creditor believes to be exempt.

(b) A statement that the judgment creditor has exercised due diligence to ascertain whether the property is occupied or otherwise claimed by the judgment debtor as a homestead as defined in chapter 6.13 RCW.

(c) A statement based on belief whether the judgment debtor is currently occupying the property as the judgment debtor's principal residence and whether there is a declaration of homestead or nonabandonment of record. If the affidavit alleges that the property is not occupied or claimed as a homestead, the creditor must list the facts relied upon to reach that conclusion.

(d) If the judgment debtor is not occupying the property and there is no declaration of nonabandonment of record, a statement based on belief whether the judgment debtor has been absent for a period of at least six months, with facts relied upon to reach that conclusion, and, if known, the judgment debtor's current address.

Sec. 9. Section 4, chapter 25, Laws of 1929 as last amended by section 411, chapter 442, Laws of 1987 and RCW 6.17.110 are each amended to read as follows:

(1) The writ of execution shall be issued in the name of the state of Washington, sealed with the seal of the court, and subscribed by the clerk of the court in which the judgment was entered or to which it has been transferred, and shall be directed to the sheriff of the county in which the property is situated. The writ shall intelligibly refer to the judgment, stating the court, the county where the judgment was rendered, the names of the parties, the amount of the judgment if it be for money, and the amount actually due thereon; and if the judgment has been recorded, the writ shall so indicate and shall state the recording number.

(2) Before an execution is delivered on a judgment of a district court of this state, the amount of the judgment, or damages and costs, and the fees due to each person separately shall be entered in the docket and on the back of the execution. In any proceeding to enforce a judgment certified to a district court from the small claims department under RCW 12.40.110, the execution shall include the amount of the judgment owed plus reasonable costs and reasonable attorneys' fees incurred by the judgment creditor in seeking enforcement of the judgment in district court.

(3) A writ shall require substantially as follows:

(a) If the execution is against the property of the judgment debtor, it shall require the officer to satisfy the judgment out of the personal property of the debtor unless an affidavit has been filed with the court pursuant to RCW 6.17.100, in which case it shall require that the judgment be satisfied out of the real property of the debtor.

(b) If the execution is against real or personal property in the hands of a personal representative, heir, devisee, legatee, tenant of real property, or trustee, it shall require the officer to satisfy the judgment out of such property.

(c) If the execution is for the delivery of real or personal property, it shall particularly describe the property and state its value and require the officer to deliver possession of it to the party entitled thereto, and may, at the same time, require the officer to satisfy any charges, damages, or rents and profits recovered by the same judgment, out of the personal property of the party against whom it was rendered. If the property described in the execution cannot be

delivered, and if sufficient personal property cannot be found to satisfy the judgment, it shall be satisfied out of the real property of the party against whom the judgment was rendered.

(d) If the execution is to enforce obedience to any order, it shall particularly command what is required to be done or to be omitted.

(e) If the nature of the case requires it, the execution may embrace two or more of the requirements of this section.

(f) In all cases the execution shall require the collection of all interest, costs, and increased costs thereon.

Sec. 10. Section 351, page 91, Laws of 1869 as last amended by section 413, chapter 442, Laws of 1987 and RCW 6.17.130 are each amended to read as follows:

When the writ of execution is against the property of the judgment debtor, the sheriff shall set the date of sale and serve on the debtor, in the same manner as service of a summons in a civil action, or cause to be transmitted by both regular mail and certified mail, return receipt requested, a copy of the writ, together with copies of RCW 6.13.010, 6.13.030, and 6.13.040(;) if real property is to be levied on, or copies of RCW 6.15.010(;) and 6.15.060 if personal property is to be levied on, and shall at the time of service, or with the mailing, notify the judgment debtor of the date of sale. If service on the judgment debtor must be effected by publication, only the following notice need be published under the caption of the case:

To Judgment Debtor:

A writ of execution has been issued in the above-captioned case, directed to the sheriff of county, commanding the sheriff as follows:

'WHEREAS, ... (Quoting body of writ of execution).'

The sale date has been set for YOU MAY HAVE A RIGHT TO EXEMPT PROPERTY from the sale under statutes of this state, including sections 6.13.010, 6.13.030, 6.13.040, 6.15.010, and 6.15.060 of the Revised Code of Washington, in the manner described in those statutes.

Sec. 11. Section 414, chapter 442, Laws of 1987 and RCW 6.17.140 are each amended to read as follows:

The sheriff shall, at a time as near before or after service of the writ on, or mailing of the writ to, the judgment debtor as is possible, execute the writ as follows:

(1) If property has been attached, the sheriff shall indorse on the execution, and pay to the clerk forthwith, if he or she has not already done so, the amount of the proceeds of sales of perishable property or debts due the defendant previously received, sufficient to satisfy the judgment.

(2) If the judgment is not then satisfied, and property has been attached and remains in custody, the sheriff shall sell the same, or sufficient thereof to satisfy the judgment. When property has been attached and it is probable that such property will not be sufficient to satisfy the judgment, the sheriff may, on instructions from the judgment creditor, levy on other property of the judgment debtor without delay.

(3) If then any portion of the judgment remains unsatisfied, or if no property has been attached or the same has been discharged, the sheriff shall levy on the property of the judgment debtor, sufficient to satisfy the judgment, in the manner described in RCW 6.17.160.

(4) If, after the judgment is satisfied, any property remains in custody, the sheriff shall deliver it to the judgment debtor.

(5) Until a levy, personal property shall not be affected by the execution.

(6) When property has been sold or debts received on execution, the sheriff shall pay the proceeds to the clerk who issued the writ, for satisfaction of the judgment as commanded in the writ or for return of any excess proceeds to the judgment debtor. No sheriff or other officer may retain any moneys collected on execution more than twenty days before paying the same to the clerk of the court who issued the writ.

Sec. 12. Section 13, page 42, Laws of 1886 as last amended by section 416, chapter 442, Laws of 1987 and RCW 6.17.160 are each amended to read as follows:

The sheriff to whom the writ is directed and delivered shall execute the same without delay as follows:

(1) Real property, including a vendee's interests under a real estate contract, shall be levied on by recording a copy of the writ, together with a description of the property attached, with the recording officer of the county in which the real estate is situated.

(2) Personal property, capable of manual delivery, shall be levied on by taking into custody.

(3) Shares of stock and other investment securities shall be levied on in accordance with the requirements of RCW 62A.8-317.

(4) A fund in court shall be levied on by leaving a copy of the writ with the clerk of the court with notice in writing specifying the fund.

(5) A franchise granted by a public or quasi-public corporation shall be levied on by (a) serving a copy of the writ on, or mailing it to, the judgment debtor as required by RCW 6.17.130 and (b) filing a copy of the writ in the office of the auditor of the county in which the franchise was granted together with a notice in writing that the franchise has been levied on to be sold,

specifying the time and place of sale, the name of the owner, the amount of the judgment for which the franchise is to be sold, and the name of the judgment creditor.

(6) A vendor's interest under a real estate contract shall be levied on by (a) recording a copy of the writ, with descriptions of the contract and of the real property covered by the contract, with the recording officer of the county in which the real estate is located and (b) serving a copy of the writ, with a copy of the descriptions, on, or mailing the same to, the judgment debtor and the vendee under the contract in the manner as ((required by)) described in RCW 6.17.130.

(7) Other intangible personal property may be levied on by serving a copy of the writ on, or mailing it to, the judgment debtor in the manner as required by RCW 6.17.130, together with a description of the property. If the property is a claim on which suit has been commenced, a copy of the writ and of the description shall also be filed with the clerk of the court in which the suit is pending.

Sec. 13. Section 268, page 182, Laws of 1854 as last amended by section 419, chapter 442, Laws of 1987 and RCW 6.17.190 are each amended to read as follows:

(1) After levy of execution upon personal property, the sheriff may permit the judgment debtor to retain possession of the property or any part of it until the day of sale, upon the debtor executing a written bond to the sheriff with sufficient surety, in double the value of such property, to the effect that it shall be delivered to the sheriff at the time and place of sale, and for nondelivery thereof, an action may be maintained upon such bond by the sheriff or the judgment creditor, or the judgment creditor may, on motion supported by affidavit that the property has not been delivered and the judgment remains unpaid, stating the amount unpaid, have judgment against the surety on the bond for the balance remaining due.

(2) In the alternative, the sheriff may appoint the judgment debtor as an agent to keep the property, without bond, upon written approval by the judgment creditor.

Sec. 14. Section 1, chapter 35, Laws of 1935 as last amended by section 602, chapter 442, Laws of 1987 and RCW 6.21.020 are each amended to read as follows:

Before the sale of personal property under execution, order of sale or decree, notice thereof shall be given as follows:

(1) The judgment creditor shall, not less than thirty days prior to the day of sale, cause a copy of the notice of sale to be transmitted both by regular mail and by certified mail, return receipt requested, to the judgment debtor at the debtor's last known address, and by regular mail to the attorney of record for the judgment debtor, if any. The judgment creditor shall file an affidavit with the court showing compliance with the requirements of this subsection.

(2) The sheriff shall post typed or printed notice of the time and place of the sale in three public places in the county in which the sale is to take place, for a period of not less than four weeks prior to the day of sale.

Sec. 15. Section 807, chapter 442, Laws of 1987 and RCW 6.25.070 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the court shall issue a writ of attachment only after prior notice to defendant, given in the manner prescribed in subsections (4) and (5) of this section, with an opportunity for a prior hearing at which the plaintiff shall establish the probable validity of the claim sued on and that there is probable cause to believe that the alleged ground for attachment exists.

(2) Subject to subsection (3) of this section, the court shall issue the writ without prior notice to defendant and an opportunity for a prior hearing only if:

(a)(i) The attachment is to be levied only on real property, or (ii) if it is to be levied on personal property, the ground alleged for issuance of attachment is one appearing in RCW 6.25.030 (5) through (7) or in RCW 6.25.040(1) or, if attachment is necessary for the court to obtain jurisdiction of the action, the ground alleged is one appearing in RCW 6.25.030 (1) through (4); and

(b) The court finds, on the basis of specific facts alleged in the affidavit, after an ex parte hearing, that there is probable cause to believe the allegations of plaintiff's affidavit.

(3) If a writ is issued under subsection (2) of this section without prior notice to defendant, after seizure of property under the writ the defendant shall be entitled to prompt notice of the seizure and of a right to an early hearing, if requested, at which the plaintiff shall establish the probable validity of the claim sued on and that there is probable cause to believe that the alleged ground for attachment exists. Such notice shall be given in the manner prescribed in subsections (4) and (5) of this section.

(4) When notice and a hearing are required under this section, notice may be given by a show cause order stating the date, time, and place of the hearing. Notice required under this section shall be jurisdictional and, except as provided for published notice in subsection (5) of this section, notice shall be served in the same manner as a summons in a civil action and shall be served together with: (a) ((Copies)) A copy of the plaintiff's affidavit and a copy of the writ if already issued; (b) if the defendant is an individual, copies of homestead statutes, RCW 6.13-.010, 6.13.030, and 6.13.040, if real property is to be attached, or copies of exemption statutes, RCW 6.15.010 and 6.15.060, if personal property is to be attached; and (c) if the plaintiff has

proceeded under subsection (2) of this section, a copy of a 'Notice of Right to Hearing' in substantially the following form:

NOTICE OF RIGHT TO HEARING

In a lawsuit against you, a Washington court has issued ~~((the))~~ or will issue a Writ of Attachment ~~((included with this notice))~~ against your property. Under the writ a sheriff or sheriff's deputy has or will put a lien against your real estate or has seized or will seize other property of yours to hold until the court decides the lawsuit.

Delivery of this notice of your rights is required by law.

YOU HAVE THE RIGHT TO A PROMPT HEARING. If notice of a hearing date and time is not served with this notice, you have a right to request the hearing. At the hearing, the plaintiff must give evidence that there is probable cause to believe that the statements in the enclosed affidavit are true and also that the claim stated in the lawsuit is probably valid, or else your property will be released.

If the defendant is an individual, the following paragraph shall be added to the notice:

YOU MAY ALSO HAVE A RIGHT TO HAVE YOUR PROPERTY RELEASED if it is exempt property as described in the copies of statutes included with this notice and if you claim your exemptions in the way described in the statutes.

(5) If service of notice on the defendant must be effected by publication, only the following notice need be published under the caption of the case:

To Defendant:

A writ of attachment has been issued in the above-captioned case, directed to the Sheriff of County, commanding the Sheriff as follows:

'WHEREAS, . . . (Quoting body of writ of attachment)'

YOU HAVE A RIGHT TO ASK FOR A HEARING. At the hearing, the plaintiff must give evidence that there is probable cause to believe that the ground for attachment alleged in an affidavit filed with the court exists and also that the claim stated in the lawsuit is probably valid, or else the attachment will be discharged.

If the defendant is an individual, the following paragraph shall be added to the published notice:

YOU MAY ALSO HAVE A RIGHT TO HAVE YOUR PROPERTY RELEASED if it is exempt property as described in Washington exemption statutes, including sections 6.13.010, 6.13.030, 6.13.040, 6.15.010, and 6.15.060 of the Revised Code of Washington, in the manner described in those statutes.

Sec. 16. Section 6, page 40, Laws of 1886 as last amended by section 133, chapter 202, Laws of 1987 and by section 808, chapter 442, Laws of 1987 and RCW 6.25.080 are each reenacted to read as follows:

(1) Except as provided in subsection (2) of this section, before the writ of attachment shall issue, the plaintiff, or someone in the plaintiff's behalf, shall execute and file with the clerk a surety bond or undertaking in the sum in no case less than three thousand dollars, in the superior court, nor less than five hundred dollars in the district court, and double the amount for which plaintiff demands judgment, or such other amount as the court shall fix, conditional that the plaintiff will prosecute the action without delay and will pay all costs that may be adjudged to the defendant, and all damages that the defendant may sustain by reason of the writ of attachment or of additional writs issued as permitted under RCW 6.25.120, not exceeding the amount specified in such bond or undertaking, as the penalty thereof, should the same be wrongfully, oppressively or maliciously sued out.

(2) If it is desired to attach real estate only, and such fact is stated in the affidavit for attachment, and the ground of attachment is that the defendant is a foreign corporation or is not a resident of the state, or conceals himself or herself or has absconded or is absent from his or her usual place of abode so that the ordinary process of law cannot be served upon him or her, the writ of attachment shall issue without bond or undertaking by or on behalf of the plaintiff.

(3) If the plaintiff sues on an assigned claim and the plaintiff's immediate or any other assignor thereof retains or has any interest in the claim, then the plaintiff and every assignor who retains or has any interest therein shall be jointly and severally liable for all costs that may be adjudged to the defendant and for all damages that the defendant may sustain by reason of the attachment, should the same be wrongfully, oppressively or maliciously sued out.

Sec. 17. Section 10, page 41, Laws of 1886 as amended by section 812, chapter 442, Laws of 1987 and RCW 6.25.120 are each amended to read as follows:

If issuance of a writ of attachment has been ((issued)) ordered by the court in a case, other writs of attachment may be issued in the same case from the court to different counties, and several may, at the option of the plaintiff, be issued at the same time, or in succession and subsequently, until sufficient property has been attached; but only those executed shall be taxed in the costs, unless otherwise ordered by the court, and if more property is attached in the aggregate than the plaintiff is entitled to have held, the surplus must be abandoned and the plaintiff pay all costs incurred in relation to such surplus. After the first writ has issued, it shall not be necessary for the plaintiff to file any further affidavit or bond unless the court otherwise

directs, but the plaintiff shall be entitled to as many writs as may be necessary to secure the amount claimed.

Sec. 18. Section 901, chapter 442, Laws of 1987 and RCW 6.26.010 are each amended to read as follows:

Except as limited by RCW 6.27.040, relating to the state and other public entities, and RCW 6.27.330, relating to continuing liens on earnings, the plaintiff at the time of commencing an action, or at any time thereafter before judgment in an action, may obtain a prejudgment writ of garnishment from a superior or district court of this state before which the action is pending on the following grounds:

(1) If the writ is (~~directed to other than an employer and~~) issued for a purpose other than garnishing a defendant's earnings as defined in RCW 6.27.010, (a) on the ground that an attachment has been issued in accordance with chapter 6.25 RCW, (b) on the ground that the plaintiff sues on a debt that is due and owing and unpaid, or (c) on one or more of the grounds for issuance of attachment stated in RCW 6.25.030 or 6.25.040; or

(2) If the writ is directed to an employer for the purpose of garnishing earnings of a defendant, on the grounds that the defendant:

(a) Is not a resident of this state, or is about to move from this state; or

(b) Has concealed himself or herself, absconded, or absented himself or herself so that ordinary process of law cannot be served on him or her; or

(c) Has removed or is about to remove any of his or her property from this state, with intent to delay or defraud his or her creditors.

Sec. 19. Section 3, chapter 264, Laws of 1969 ex. sess. as amended by section 902, chapter 442, Laws of 1987 and RCW 6.26.020 are each amended to read as follows:

In all cases of garnishment before judgment, before the writ shall issue, the plaintiff shall pay the fee described in RCW 6.27.060 and shall execute and file with the clerk a bond with sufficient sureties, to be approved by the clerk of the court issuing the writ, payable to the defendant in the suit, in double the amount of the debt claimed therein, or such other amount as the court shall fix, conditioned that the plaintiff will prosecute the suit without delay and pay all damages and costs that may be adjudged against him or her for wrongfully suing out such garnishment.

Sec. 20. Section 906, chapter 442, Laws of 1987 and RCW 6.26.060 are each amended to read as follows:

(1) When application is made for a prejudgment writ of garnishment, the court shall issue the writ in substantially the form prescribed in RCW 6.27.070(~~(-7-33-120;))~~ and 6.27.100 directing that the garnishee withhold an amount as prescribed in RCW 6.27.090, but, except as provided in subsection (2) of this section, the court shall issue the writ only after prior notice to the defendant, given in the manner prescribed in subsections (4) and (5) of this section, with an opportunity for a prior hearing at which the plaintiff shall establish the probable validity of the plaintiff's claim and that there is probable cause to believe that the alleged ground for garnishment exists.

(2) Subject to subsection (3) of this section, the court shall issue the writ without prior notice to the defendant and without an opportunity for a prior hearing only if:

(a) A ground alleged in the plaintiff's affidavit is: (i) A ground appearing in RCW 6.26.010(2)(c) if the writ is to be directed to an employer for the purpose of garnishing the defendant's earnings; or (ii) a ground appearing in RCW 6.25.030 (5) through (7) or in RCW 6.25.040(1) of the attachment chapter; or (iii) if garnishment is necessary to permit the court to acquire jurisdiction over the action, the ground alleged is one appearing in RCW 6.25.030 (1) through (4) or in RCW 6.26.010(2)(a) or (b); and

(b) The court finds on the basis of specific facts, after an ex parte hearing, that there is probable cause to believe the allegations of the plaintiff's affidavit.

(3) If a writ is issued under subsection (2) of this section without prior notice to the defendant, after service of the writ on the garnishee, the defendant shall be entitled to prompt notice of the garnishment and a right to an early hearing, if requested, at which the plaintiff shall establish the probable validity of the claim sued on and that there is probable cause to believe that the alleged ground for garnishment exists.

(4) When notice and a hearing are required under this section, notice may be given by a show cause order stating the date, time, and place of the hearing. Notice required under this section shall be jurisdictional and, except as provided for published notice in subsection (5) of this section, notice required under this section shall be served in the same manner as a summons in a civil action and shall be served together with (a) (~~copies~~) a copy of plaintiff's affidavit and a copy of the writ if already issued, and (b) a copy of the following 'Notice of Right to a Hearing' in substantially the following form or, if defendant is an individual, a copy of the claim form and the 'Notice of Garnishment and of Your Rights' prescribed by RCW 6.27.140, in which the following notice is substituted for the first paragraph of said Notice:

NOTICE OF RIGHT TO HEARING

~~(The)~~ A writ of garnishment (~~(served with this Notice)~~) has been or will be issued by a Washington court and has been or will be served on the garnishee defendant. It will require the garnishee defendant to withhold payment of money that may be due to

you and to withhold other property of yours that the garnishee may hold or control until a lawsuit in which you are a defendant has been decided by the court. Service of this notice of your rights is required by law.

YOU HAVE A RIGHT TO A PROMPT HEARING. If notice of a hearing date and time is not served with this notice, you have the right to request the hearing. At the hearing, the plaintiff must give evidence that there is probable cause to believe that the statements in the enclosed affidavit are true and also that the claim stated in the lawsuit is probably valid, or else the garnishment will be released.

(5) If service of notice on the defendant must be effected by publication, only the following notice need be published under the caption of the case:

To, Defendant:

A writ of prejudgment garnishment has been issued in the above captioned case, directed to as Garnishee Defendant, commanding the Garnishee to withhold amounts due you or to withhold any of your property in the Garnishee's possession or control for application to any judgment that may be entered for plaintiff in the case.

YOU HAVE A RIGHT TO ASK FOR A HEARING. At the hearing, the plaintiff must give evidence that there is probable cause to believe that the ground for garnishment alleged in an affidavit filed with the court exists and also that the claim stated in the lawsuit is probably valid, or else the garnishment will be released.

If the defendant is an individual, the following paragraph shall be added to the published notice:

YOU MAY ALSO HAVE A RIGHT TO HAVE THE GARNISHMENT RELEASED if amounts or property withheld are exempt under federal or state statutes, for example, bank accounts in which benefits such as Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), Social Security, United States pension, Unemployment Compensation, or Veterans' benefits have been deposited or certain personal property described in section 6.15.010 of the Revised Code of Washington.

NEW SECTION. Sec. 21. A new section is added to chapter 6.26 RCW to read as follows:

If issuance of a writ of garnishment or of a writ of attachment has been ordered by the court in a case, other writs of garnishment to different garnishees may be issued in the same case under the circumstances and restrictions stated in RCW 6.25.120 for issuance of successive writs of attachment.

Sec. 22. Section 4, chapter 264, Laws of 1969 ex. sess. as last amended by section 133, chapter 202, Laws of 1987 and by section 1006, chapter 442, Laws of 1987 and RCW 6.27.060 are each reenacted to read as follows:

The judgment creditor as the plaintiff or someone in the judgment creditor's behalf shall apply for a writ of garnishment by affidavit, stating the following facts: (1) The plaintiff has a judgment wholly or partially unsatisfied in the court from which the writ is sought; (2) the amount alleged to be due under that judgment; (3) the plaintiff has reason to believe, and does believe that the garnishee, stating the garnishee's name and residence or place of business, is indebted to the defendant in amounts exceeding those exempted from garnishment by any state or federal law, or that the garnishee has possession or control of personal property or effects belonging to the defendant which are not exempted from garnishment by any state or federal law; and (4) whether or not the garnishee is the employer of the judgment debtor.

The judgment creditor shall pay to the clerk of the superior court the fee provided by RCW 36.18.020, or to the clerk of the district court the fee of two dollars.

Sec. 23. Section 1008, chapter 442, Laws of 1987 and RCW 6.27.080 are each amended to read as follows:

(1) A writ of garnishment directed to a bank, ~~(banking association, mutual savings bank,)~~ savings and loan association, or credit union that maintains branch offices ~~(may)~~ shall identify either a particular branch of the financial institution or the financial institution as the garnishee defendant ~~(-and)~~. The head office of a financial institution shall be considered a separate branch for purposes of this section. The statement required by (RCW 6.27.110(2)) subsection (2) of this section may be incorporated in the writ or served separately.

(2) Service shall be as required by RCW 6.27.110 (1) and (3) and shall be by certified mail, return receipt requested, directed to or by personal service, in the same manner as a summons in a civil action is served, on the manager, cashier, or assistant cashier of the financial institution, except that, if the financial institution, and not a branch, is named as garnishee defendant, service shall be either on the head office or on ~~(any other office)~~ the place designated by the financial institution for receipt of service of process. There shall be served with the writ, as part of the service, a statement in writing signed by the plaintiff or plaintiff's attorney, stating (a) the defendant's place of residence and business, occupation, trade, or profession, or (b) the defendant's federal tax identification number, or (c) the defendant's account number, if such information is not incorporated in the writ. If the statement is not served with the writ and such information is not included in the writ, the service shall be deemed incomplete and the garnishee shall not be held liable for funds owing to the defendant or property of the defendant in the possession of or under the control of the garnishee defendant that it fails to discover.

~~((if the)) (3) A writ naming the financial institution as the garnishee defendant shall be effective only to attach deposits of the defendant in the financial institution and compensation payable for personal services due the defendant from the financial institution. A writ naming a branch ((is named)) as garnishee defendant(~~(- service shall be as required by RCW 6.27.116 and)) shall be effective only to attach the deposits, accounts, credits, or other personal property of the defendant (excluding compensation payable for personal services) in the possession or control of the particular branch to which the writ is directed and on which service is made.~~~~

A writ of garnishment is effective against property in the possession or control of a financial institution only if the writ of garnishment is directed to and names a branch as garnishee defendant.

Sec. 24. Section 9, chapter 264, Laws of 1969 ex. sess. as amended by section 1009, chapter 442, Laws of 1987 and RCW 6.27.090 are each amend to read as follows:

(1) The writ of garnishment shall set forth in the first paragraph the amount that garnishee is required to hold, which shall be an amount determined as follows: ~~((+)) (a) if after judgment, the amount of the judgment remaining unsatisfied ((or if before judgment, the amount prayed for in the complaint. (2))) plus interest to the date of garnishment, as provided in RCW 4.56.110((- (3) plus whichever shall be greater of (a) fifty dollars, (b) statutory costs, or (c) ten percent of (i) the amount of the judgment remaining unsatisfied or (ii) the amount prayed for in the complaint)); plus taxable costs and attorney's fees, or (ii) if before judgment, the amount prayed for in the complaint plus estimated taxable costs of suit and attorneys' fees, together with, (b) whether before or after judgment, estimated costs of garnishment as provided in subsection (2) of this section. The court may, by order, set a higher amount to be held upon a showing of good cause by plaintiff.~~

(2) Costs recoverable in garnishment proceedings, to be estimated for purposes of subsection (1) of this section, include filing fee, service and affidavit fees, postage and costs of certified mail, answer fee or fees, and a garnishment attorney fee in the amount of the greater of fifty dollars or ten percent of (a) the amount of the judgment remaining unsatisfied or (b) the amount prayed for in the complaint.

Sec. 25. Section 11, chapter 264, Laws of 1969 ex. sess. as last amended by section 1010, chapter 442, Laws of 1987 and RCW 6.27.100 are each amended to read as follows:

The writ shall be substantially in the following form: PROVIDED, That if the writ is issued under a court order or judgment for child support, the following statement shall appear conspicuously in the caption: This garnishment is based on a judgment or court order for child support; AND PROVIDED FURTHER, That if the garnishment is for a continuing lien, the form shall be modified as provided in RCW 6.27.340; AND PROVIDED FURTHER, That if the writ is not directed to an employer for the purpose of garnishing a defendant's earnings, the paragraph relating to the earnings exemption may be omitted:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF

Plaintiff, vs. Defendant Garnishee Defendant THE STATE OF WASHINGTON TO:	No. WRIT OF GARNISHMENT Garnishee Defendant
AND TO:	Defendant

The above-named plaintiff has applied for a writ of garnishment against you, claiming that the above-named defendant is indebted to plaintiff and that the amount to be held to satisfy that indebtedness is \$, consisting of:

Balance on Judgment or Amount of Claim	\$	
Interest under Judgment from	\$	
((Allowed)) Taxable Costs and Attorneys' Fees	\$	
Estimated Garnishment Costs:		
Filing Fee	\$	
Service and Affidavit Fees	\$	
Postage and Costs of Certified Mail	\$	
((Attorney's Fee	\$	50.00))
Answer Fee or Fees	\$	
((Other)) Garnishment Attorney Fee	\$	

YOU ARE HEREBY COMMANDED, unless otherwise directed by this court or by this writ, not to pay any debt, whether ~~((wages)) earnings~~ subject to this garnishment or any other debt.

owed to the defendant at the time this writ was served and not to deliver, sell, or transfer, or recognize any sale or transfer of, any personal property or effects of the defendant in your possession or control at the time when this writ was served. Any such payment, delivery, sale, or transfer is void to the extent necessary to satisfy the plaintiff's claim and costs for this writ with interest.

YOU ARE FURTHER COMMANDED to answer this writ by filling in the attached form according to the instructions in this writ and in the answer forms and, within twenty days after the service of the writ upon you, to mail or deliver the original of such answer to the court, one copy to the plaintiff or the plaintiff's attorney, and one copy to the defendant, in the envelopes provided.

If, at the time this writ was served, you owed the defendant any earnings (that is, wages, salary, commission, bonus, or other compensation for personal services or any periodic payments pursuant to a pension or retirement program), the defendant is entitled to receive amounts that are exempt from garnishment under federal and state law. You must pay the exempt amounts to the defendant on the day you would customarily pay the compensation or other periodic payment. As more fully explained in the answer, the basic exempt amount is the greater of seventy-five percent of disposable earnings or (~~(\$..... for each week of compensation or other periodic payment due)~~) a minimum amount determined by reference to the employee's pay period, to be calculated as provided in the answer. However, if this writ carries a statement in the heading that 'This garnishment is based on a judgment or court order for child support,' the basic exempt amount is forty percent of disposable earnings.

If you owe the defendant a debt payable in money in excess of the amount set forth in the first paragraph of this writ, hold only the amount set forth in the first paragraph and release all additional funds or property to defendant.

YOUR FAILURE TO ANSWER THIS WRIT AS COMMANDED WILL RESULT IN A JUDGMENT BEING ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM AGAINST THE DEFENDANT WITH ACCRUING INTERESTS AND COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT.

Witness, the Honorable Judge of the Superior Court, and the seal thereof, this day of 19.....
(Seal)

.....
Attorney for
Plaintiff (or
Plaintiff,
if no attorney)

.....
Clerk of
Superior
Court

.....
Address

.....
By

.....
Address

Sec. 26, Section 13, chapter 264, Laws of 1969 ex. sess. as last amended by section 1011, chapter 442, Laws of 1987 and RCW 6.27.110 are each amended to read as follows:

(1) Service of the writ of garnishment on the garnishee is invalid unless the writ is served together with: (a) Four answer forms as prescribed in RCW 6.27.190; (b) three stamped envelopes addressed respectively to the clerk of the court issuing the writ, the attorney for the plaintiff (or to the plaintiff if the plaintiff has no attorney), and the defendant; and (c) cash or a check made payable to the garnishee in the amount of ten dollars.

(2) Except as provided in RCW 6.27.080 for service on a bank, savings and loan association, or credit union, the writ of garnishment shall be mailed to the garnishee by certified mail, return receipt requested, addressed in the same manner as a summons in a civil action, and will be binding upon the garnishee on the day set forth on the return receipt. In the alternative, the writ shall be served by the sheriff of the county in which the garnishee lives or has its place of business or by any person qualified to serve process in the same manner as a summons in a civil action is served (~~(- PROVIDED, HOWEVER, That a writ directed to a bank, banking association, mutual savings bank or savings and loan association maintaining branch offices, as garnishee, shall be served by mail directed to, or by service on, the manager or other officer or cashier or assistant cashier of such bank or association at its office or branch that allegedly carries an account for defendant or allegedly holds or controls property belonging to the defendant and, in addition, there shall be served with the writ, as part of the service, a statement in writing signed by the plaintiff or plaintiff's attorney, stating (a) the defendant's place of residence and business, occupation, trade, or profession, or (b) the defendant's account number, if such information is not incorporated in the writ. If the statement is not served with the writ and such information is not included in the writ, the service shall be deemed incomplete and the garnishee shall not be held liable for funds owing to the defendant that it fails to discover)~~).

(3) If a writ of garnishment is served by a sheriff, the sheriff shall file with the clerk of the court that issued the writ a signed return showing the time, place, and manner of service and that the writ was accompanied by answer forms, addressed envelopes, and cash or a check as required by this section, and noting thereon fees for making the service. If service is made

by any person other than a sheriff, such person shall file ~~((a signed return))~~ an affidavit including the same information and ~~((shall also attach to the return an affidavit))~~ showing qualifications to make such service. If a writ of garnishment is served by mail, the person making the mailing shall file ~~((a signed return))~~ an affidavit showing the time, place, and manner of mailing and that the writ was accompanied by answer forms, addressed envelopes, and cash or a check as required by this section and shall attach ~~((to the return a copy of))~~ the return receipt to the affidavit.

Sec. 27. Section 32, chapter 264, Laws of 1969 ex. sess. as amended by section 1013, chapter 442, Laws of 1987 and RCW 6.27.130 are each amended to read as follows:

(1) When a writ is issued under a judgment, on or before the date of service of the writ on the garnishee, the judgment creditor shall mail or cause to be mailed to the judgment debtor, by certified mail, addressed to the last known post office address of the judgment debtor, (a) a copy of the writ and a copy of the judgment or, if it is a district court judgment, a copy of the judgment creditor's affidavit submitted in application for the writ, and (b) if the judgment debtor is an individual, the notice and claim form prescribed in RCW 6.27.140. In the alternative, on or before the day of the service of the writ on the garnishee or within two days thereafter, the stated documents shall be served on the judgment debtor in the same manner as is required for personal service of summons upon a party to an action.

(2) The requirements of this section shall not be jurisdictional, but (a) no disbursement order or judgment against the garnishee defendant shall be entered unless there is on file the return or affidavit of service or mailing required by subsection (3) of this section, and (b) if the copies of the writ and judgment or affidavit, and the notice and claim form if the defendant is an individual, are not mailed or served as herein provided, or if any irregularity appears with respect to the mailing or service, the court, in its discretion, on motion of the judgment debtor promptly made and supported by affidavit showing that the judgment debtor has suffered substantial injury from the plaintiff's failure to mail or otherwise to serve such copies, may set aside the garnishment and award to the judgment debtor an amount equal to the damages suffered because of such failure.

(3) If the service on the judgment debtor is made by a sheriff, the sheriff shall file with the clerk of the court that issued the writ a signed return showing the time, place, and manner of service and that the copy of the writ was accompanied by a copy of a judgment or affidavit, and by a notice and claim form if required by this section, and shall note thereon fees for making such service. If service is made by any person other than a sheriff, such person shall file ~~((a signed return))~~ an affidavit including the same information and ~~((shall also attach to the return an affidavit))~~ showing qualifications to make such service. If service on the judgment debtor is made by mail, the person making the mailing shall file ~~((a signed return))~~ an affidavit including the same information as required for return on service and, in addition, showing the address of the mailing and attaching the return receipt or the mailing should it be returned to the sender as undeliverable.

Sec. 28. Section 1016, chapter 442, Laws of 1987 and RCW 6.27.160 are each amended to read as follows:

(1) A defendant may claim exemptions from garnishment in the manner specified by the statute that creates the exemption or by delivering to or mailing by first class mail to the clerk of the court out of which the writ was issued a declaration in substantially the following form or in the form set forth in RCW 6.27.140 and mailing a copy of the form by first class mail to the plaintiff or plaintiff's attorney at the address shown on the writ of garnishment, all not later than twenty-eight days after the date stated on the writ except that the time shall be extended to allow a declaration mailed or delivered to the clerk within twenty-one days after service of the writ on the garnishee if service on the garnishee is delayed more than seven days after the date of the writ.

(NAME OF COURT)

No.

Plaintiff

Defendant

CLAIM OF EXEMPTION

Garnishee

I/We claim the following described property or money as exempt from execution:

I/We believe the property is exempt because:

Print name

Print name of spouse,
if married

Signature

Signature

Address

Address

Telephone number

Telephone number

(2) A plaintiff who wishes to object to an exemption claim must, not later than seven days after receipt of the claim, cause to be delivered or mailed to the defendant by first class mail, to the address shown on the exemption claim, a declaration by self, attorney, or agent, alleging the facts on which the objection is based, together with notice of date, time, and place of a hearing on the objection, which hearing the plaintiff must cause to be noted for a hearing date not later than fourteen days after the receipt of the claim. After a hearing on an objection to an exemption claim, the court shall award costs to the prevailing party and may also award an attorney's fee to the prevailing party if the court concludes that the exemption claim or the objection to the claim was not made in good faith.

(3) If the plaintiff elects not to object to the claim of exemption, the plaintiff shall, not later than ten days after receipt of the claim, obtain from the court and deliver to the garnishee an order directing the garnishee to release such part of the debt, property, or effects as is covered by the exemption claim. If the plaintiff fails to obtain and deliver the order as required or otherwise to effect release of the exempt funds or property, the defendant shall be entitled to recover fifty dollars from the plaintiff, in addition to actual damages suffered by the defendant from the failure to release the exempt property.

Sec. 29. Section 17, chapter 264, Laws of 1969 ex. sess. as amended by section 1018, chapter 442, Laws of 1987 and RCW 6.27.180 are each amended to read as follows:

If the defendant in the principal action causes a bond to be executed to the plaintiff with sufficient sureties, to be approved by the officer having the writ of garnishment(~~(- or after the return of said writ.)~~) or by the clerk of the court out of which the writ was issued, conditioned that the defendant will perform the judgment of the court, the writ of garnishment shall, upon the filing of said bond with the clerk, be immediately discharged, and all proceedings under the writ shall be vacated: PROVIDED, That the garnishee shall not be thereby deprived from recovering any costs in said proceeding, to which the garnishee would otherwise be entitled under this chapter. The bond shall be part of the record and, if judgment is against the defendant, it shall be entered against defendant and the sureties.

Sec. 30. Section 15, chapter 264, Laws of 1969 ex. sess. as amended by section 1019, chapter 442, Laws of 1987 and RCW 6.27.190 are each amended to read as follows:

The answer of the garnishee shall be signed by the garnishee or attorney or if the garnishee is a corporation, by an officer, attorney or duly authorized agent of the garnishee, under penalty of perjury, and the original delivered, either personally or by mail, to the clerk of the court that issued the writ, one copy to the plaintiff or the plaintiff's attorney, and one copy to the defendant. The answer shall be made on a form substantially as appears in this section, served on the garnishee with the writ, with ~~((exempt))~~ minimum exemption amounts for ~~((relevant))~~ the different pay periods filled in by the plaintiff before service of the answer forms(~~(- except))~~; PROVIDED, That, if the garnishment is for a continuing lien, the answer forms shall be as prescribed in RCW 6.27.340 and 6.27.350: AND PROVIDED FURTHER, That if the writ is not directed to an employer for the purpose of garnishing the defendant's wages, paragraphs relating to the earnings exemptions may be omitted.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF

Plaintiff
vs.

NO.

Defendant

ANSWER
TO WRIT OF
GARNISHMENT

Garnishee Defendant

At the time of service of the writ of garnishment on the garnishee there was due and owing from the garnishee to the above-named defendant \$..... (On the reverse side of this answer form, or on an attached page, give an explanation of the dollar amount stated, or give reasons why there is uncertainty about your answer.)

If the above amount or any part of it is for personal earnings (that is, compensation payable for personal services, whether called wages, salary, commission, bonus, or otherwise, and including periodic payments pursuant to a pension or retirement program): Garnishee has deducted from this amount \$..... which is the exemption to which the defendant is entitled,

leaving \$..... that garnishee holds under the writ. The exempt amount is calculated as follows:

Total compensation due defendant	\$
LESS deductions for social security and withholding taxes and any other deduction required by law (list separately and identify)	((\$.....))
Disposable ((wages)) earnings	\$

If the title of this writ indicates that this is a garnishment under a child support judgment, enter forty percent of disposable ((wages)) earnings: \$..... This amount is exempt and must be paid to the defendant at the regular pay time.

If this is not a garnishment for child support, enter seventy-five percent of disposable ((wages)) earnings: \$..... From the listing in the following paragraph, choose the amount for the relevant pay period and enter that amount: \$..... (If amounts for more than one pay period are due, multiply the preceding amount by the number of pay periods and/or fraction of pay period for which amounts are due and enter that amount: \$.....) The greater of the amounts entered in this paragraph is the exempt amount and must be paid to the defendant at the regular pay time.

Minimum exempt amounts for different pay periods: Weekly \$.....; Biweekly \$.....; Semimonthly \$.....; Monthly \$.....

List all of the personal property or effects of defendant in the garnishee's possession or control when the writ was served. (Use the reverse side of this answer form or attach a schedule if necessary.)

An attorney may answer for the garnishee.

Under penalty of perjury, I affirm that I have examined this answer, including accompanying schedules, and to the best of my knowledge and belief it is true, correct, and complete.

Signature of Garnishee Defendant	Date
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Signature of person answering for garnishee	Connection with garnishee
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Address of Garnishee

Sec. 31. Section 19, chapter 264, Laws of 1969 ex. sess. as last amended by section 1020, chapter 442, Laws of 1987 and RCW 6.27.200 are each amended to read as follows:

If the garnishee fails to answer the writ within the time prescribed in the writ, after the time to answer the writ has expired and after required returns or affidavits have been filed, showing service on the garnishee and service on or mailing to the defendant, it shall be lawful for the court to render judgment by default against such garnishee, in accordance with rules relating to entry of default judgments, for the full amount claimed by the plaintiff against the defendant, or in case the plaintiff has a judgment against the defendant, for the full amount of the plaintiff's unpaid judgment against the defendant with all accruing interest and costs as prescribed in RCW 6.27.090: PROVIDED, That upon motion by the garnishee at any time (~~prior to issuance of a writ of execution~~) within seven days following service on, or mailing to, the garnishee defendant of a copy of a writ of execution or a writ of garnishment under such judgment, the judgment against the garnishee shall be reduced to the amount of any nonexempt funds or property which was actually in the possession of the garnishee at the time the writ was served, plus the cumulative amount of the nonexempt earnings subject to the lien provided for in RCW 6.27.350, or the sum of one hundred dollars, whichever is more, but in no event to exceed the full amount claimed by the plaintiff or the amount of the unpaid judgment against the principal defendant plus all accruing interest and costs and attorney's fees as prescribed in RCW 6.27.090, and in addition the plaintiff shall be entitled to a reasonable attorney's fee for the plaintiff's response to the garnishee's motion to reduce said judgment against the garnishee under this proviso and the court may allow additional attorney's fees for other actions taken because of the garnishee's failure to answer.

Sec. 32. Section 20, chapter 264, Laws of 1969 ex. sess. as amended by section 1025, chapter 442, Laws of 1987 and RCW 6.27.250 are each amended to read as follows:

(1) If it appears from the answer of the garnishee or if it is otherwise made to appear that the garnishee was indebted to the defendant in any amount, not exempt, when the writ of garnishment was served, and if the required return or affidavit showing service on or mailing to the defendant is on file, the court shall render judgment for the plaintiff against such garnishee for the amount so admitted or found to be due to the defendant from the garnishee, unless such amount exceeds the amount of the plaintiff's claim or judgment against the defendant with accruing interest and costs and attorney's fees as prescribed in RCW 6.27.090, in

which case it shall be for the amount of such claim or judgment, with said interest, costs, and fees.

(2) If it shall appear from the answer of the garnishee and the same is not controverted, or if it shall appear from the hearing or trial on controversion or by stipulation of the parties that the garnishee is indebted to the principal defendant in any sum, but that such indebtedness is not matured and is not due and payable, and if the required return or affidavit showing service on or mailing to the defendant is on file, the court shall make an order requiring the garnishee to pay such sum into court when the same becomes due, the date when such payment is to be made to be specified in the order, and in default thereof that judgment shall be entered against the garnishee for the amount of such indebtedness so admitted or found due. In case the garnishee pays the sum at the time specified in the order, the payment shall operate as a discharge, otherwise judgment shall be entered against the garnishee for the amount of such indebtedness, which judgment shall have the same force and effect, and be enforced in the same manner as other judgments entered against garnishees as provided in this chapter: PROVIDED, That if judgment is rendered in favor of the principal defendant, or if any judgment rendered against the principal defendant is satisfied prior to the date of payment specified in an order of payment entered under this subsection, the garnishee shall not be required to make the payment, nor shall any judgment in such case be entered against the garnishee.

Sec. 33. Section 22, chapter 264, Laws of 1969 ex. sess. as amended by section 1027, chapter 442, Laws of 1987 and RCW 6.27.270 are each amended to read as follows:

If it appears from the garnishee's answer or otherwise that the garnishee had possession or control, when the writ was served, of any personal property or effects of the defendant liable to execution, and if the required return or affidavit showing service on or mailing to the defendant is on file, the court shall render a decree requiring the garnishee to deliver up to the sheriff on demand, and after making arrangements with the sheriff as to time and place of delivery, such personal property or effects or so much of them as may be necessary to satisfy the plaintiff's claim. If a judgment has been rendered in favor of the plaintiff against the defendant, such personal property or effects may be sold in the same manner as any other property is sold upon an execution issued on said judgment. If judgment has not been rendered in the principal action, the sheriff shall retain possession of the personal property or effects until the rendition of judgment therein, and, if judgment is thereafter rendered in favor of the plaintiff, said personal property or effects, or sufficient of them to satisfy such judgment, may be sold in the same manner as other property is sold on execution, by virtue of an execution issued on the judgment in the principal action. If judgment is rendered in the action against the plaintiff and in favor of the defendant, such effects and personal property shall be returned to the defendant by the sheriff: PROVIDED, HOWEVER, That if such effects or personal property are of a perishable nature, or the interests of the parties will be subserved by making a sale thereof before judgment, the court may order a sale thereof by the sheriff in the same manner as sales upon execution are made, and the proceeds of such sale shall be paid to the clerk of the court that issued the writ, and the same disposition shall be made of the proceeds at the termination of the action as would have been made of the personal property or effects under the provisions of this section in case the sale had not been made.

Sec. 34. Section 6, chapter 61, Laws of 1970 ex. sess. as amended by section 1033, chapter 442, Laws of 1987 and RCW 6.27.340 are each amended to read as follows:

(1) Service of a writ for a continuing lien shall comply fully with RCW 6.27.110.

(2) The caption of the writ shall be marked 'CONTINUING LIEN ON EARNINGS' and the following additional paragraph shall be included in the writ form prescribed in RCW 6.27.100: 'THIS IS A WRIT FOR A CONTINUING LIEN. THE GARNISHEE SHALL HOLD the nonexempt portion of the defendant's earnings due at the time of service of this writ and shall also hold the defendant's nonexempt earnings that accrue through the last payroll period ending on or before SIXTY days after the date of service of this writ. HOWEVER, IF THE GARNISHEE IS PRESENTLY HOLDING THE NONEXEMPT PORTION OF THE DEFENDANT'S EARNINGS UNDER A PREVIOUSLY SERVED WRIT FOR A CONTINUING LIEN, THE GARNISHEE SHALL HOLD UNDER THIS WRIT only the defendant's nonexempt earnings that accrue from the date the previously served writ or writs terminate and through the last payroll period ending on or before sixty days after the date of termination of the previous writ or writs. IN EITHER CASE, THE GARNISHEE SHALL STOP WITHHOLDING WHEN THE SUM WITHHELD EQUALS THE AMOUNT STATED IN THIS WRIT OF GARNISHMENT.'

(3) The answer forms served on an employer with the writ shall include in the caption, 'ANSWER TO WRIT OF GARNISHMENT FOR CONTINUING LIEN ON EARNINGS,' and the following paragraph shall be added as the first paragraph of the answer form prescribed in RCW 6.27.190:

'If you are withholding the defendant's nonexempt ((wages)) earnings under a previously served writ for a continuing lien, answer only this portion of this form and mail or deliver the forms as directed in the writ. Withhold from the defendant's future nonexempt earnings as directed in the writ, and a second set of answer forms will be forwarded to you later.

ANSWER: I am presently holding the defendant's nonexempt earnings under a previous writ served on that will terminate not later than 19...

If you are NOT withholding the defendant's earnings under a previously served writ for a continuing lien, answer the following portion of this form and mail or deliver the forms as directed in the writ. A second set of answer forms will be forwarded to you later for subsequently withheld earnings.'

(4) In the event plaintiff fails to comply with this section, employer may elect to treat the garnishment as one not creating a continuing lien.

Sec. 35. Section 7, chapter 61, Laws of 1970 ex. sess. as amended by section 1034, chapter 442, Laws of 1987 and RCW 6.27.350 are each amended to read as follows:

(1) Where the garnishee's answer to a garnishment for a continuing lien reflects that the defendant is employed by the garnishee, the judgment or balance due thereon as reflected on the writ of garnishment shall become a lien on earnings due at the time of the effective date of the writ, as defined in this subsection, to the extent that they are not exempt from garnishment, and such lien shall continue as to subsequent nonexempt earnings until the total subject to the lien equals the amount stated on the writ of garnishment or until the expiration of the employer's payroll period ending on or before sixty days after the effective date of the writ, whichever occurs first, except that such lien on subsequent earnings shall terminate sooner if the employment relationship is terminated or if the underlying judgment is vacated, modified, or satisfied in full or if the writ is dismissed. The 'effective date' of a writ is the date of service of the writ if there is no previously served writ; otherwise, it is the date of termination of a previously served writ or writs.

(2) At the time of the expected termination of the lien, the plaintiff shall mail to the garnishee cash or a check made payable to the garnishee in the amount of ten dollars, three additional stamped envelopes addressed as provided in RCW 6.27.110, and four additional copies of the answer form (conspicuously marked at the top) prescribed in RCW 6.27.190. (a) with a statement in substantially the following form added as the first paragraph: 'ANSWER THE SECOND PART OF THIS FORM WITH RESPECT TO THE TOTAL AMOUNT OF ((WAGES)) EARNINGS WITHHELD UNDER THIS GARNISHMENT, INCLUDING THE AMOUNT, IF ANY, STATED IN YOUR FIRST ANSWER, AND WITHIN TWENTY DAYS AFTER YOU RECEIVE THESE FORMS, MAIL OR DELIVER THEM AS DIRECTED IN THE WRIT((:))' and (b) with the following lines substituted for the first sentence of the form prescribed in RCW 6.27.190:

<u>Amount due and owing stated in first answer</u>	\$.....
<u>Amount accrued since first answer</u>	\$.....

(3) Within twenty days of receipt of the second answer form the garnishee shall file a second answer, in the form as provided in subsection (2) of this section, stating the total amount held subject to the garnishment.

Sec. 36. Section 1, chapter 53, Laws of 1899 and RCW 61.12.090 are each amended to read as follows:

A decree of foreclosure of mortgage or other lien may be enforced by execution as an ordinary judgment or decree for the payment of money. The execution shall contain a description of the property described in the decree. The sheriff shall endorse upon the execution the time when he receives it, and he shall thereupon forthwith proceed to sell such property, or so much thereof as may be necessary to satisfy the judgment, interest and costs upon giving the notice prescribed in RCW ((6-21-020)) 6.21.030.

NEW SECTION. Sec. 37. The following acts or parts of acts are each repealed:

(1) Section 1, page 377, Laws of 1854, section 1, page 328, Laws of 1860, section 331, page 84, Laws of 1869, section 339, page 70, Laws of 1877, section 335, Code of 1881, section 27, chapter 81, Laws of 1971 and RCW 6.08.010;

(2) Section 2, page 378, Laws of 1854, section 332, page 85, Laws of 1869, section 340, page 71, Laws of 1877, section 336, Code of 1881 and RCW 6.08.020;

(3) Section 4, page 378, Laws of 1854, section 334, page 85, Laws of 1869, section 342, page 71, Laws of 1877, section 338, Code of 1881, section 4, chapter 8, Laws of 1957 and RCW 6.08.030;

(4) Section 5, page 378, Laws of 1854, section 335, page 85, Laws of 1869, section 343, page 71, Laws of 1877, section 339, Code of 1881 and RCW 6.08.040;

(5) Section 6, page 378, Laws of 1854, section 336, page 85, Laws of 1869, section 334, page 71, Laws of 1877, section 340, Code of 1881 and RCW 6.08.050;

(6) Section 3, page 378, Laws of 1854, section 33, page 85, Laws of 1869, section 341, page 71, Laws of 1877, section 337, Code of 1881, section 6, chapter 9, Laws of 1957 and RCW 6.08.060. and

(7) Section 821, chapter 442, Laws of 1987 and RCW 6.25.210.

NEW SECTION. Sec. 38. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 39. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.'

On page 1, line 1 of the title, after "judgments;" strike the remainder of the title and insert "amending RCW 6.13.080, 6.13.090, 6.15.010, 6.15.060, 6.17.100, 6.17.110, 6.17.130, 6.17.140, 6.17.160, 6.17.190, 6.21.020, 6.25.070, 6.25.120, 6.26.010, 6.26.020, 6.26.060, 6.27.080, 6.27.090, 6.27.100, 6.27.110, 6.27.130, 6.27.160, 6.27.180, 6.27.190, 6.27.200, 6.27.250, 6.27.270, 6.27.340, 6.27.350, and 6.12.090; reenacting and amending RCW 6.15.020; reenacting RCW 6.25.080 and 6.27.060; adding new sections to chapter 6.01 RCW; adding a new section to chapter 6.26 RCW; repealing RCW 6.08.010, 6.08.020, 6.08.030, 6.08.040, 6.08.050, 6.08.060, and 6.25.210; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1368 and ask the Senate to recede therefrom.

Mr. Armstrong spoke in favor of the motion.

MOTION

Mr. Padden moved that the House do concur in the Senate amendments to Substitute House Bill No. 1368

Representatives Padden, P. King and Heavey spoke in favor of the motion, and Mr. Armstrong opposed it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Padden that the House do concur in the Senate amendments to Substitute House Bill No. 1368, and the motion was lost by the following vote: Yeas, 31; nays, 67.

Voting yea: Representatives Allen, Amondson, Ballard, Barnes, Beck, Bumgarner, Cantwell, Doty, Ferguson, Fuhrman, Hargrove, Heavey, Holland, Holm, King P. Lewis, May, McLean, Meyers, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schoon, Smith C, Sommers D, Walker, Williams B. Winsley - 31.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Hine, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Moyer, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Wang, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 67.

The Speaker (Mr. O'Brien presiding) stated that, by its action, the House did not concur in the Senate amendments to Substitute House Bill No. 1368 and asks the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1565 with the following amendments:

On page 4, line 21, after "December 1, 1989," insert "This new section shall expire July 1, 1990, unless extended by law."

On page 5, after line 4, insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 18.72 RCW to read as follows:

All treatment or pretreatment records of license holders referred to or voluntarily participating in approved programs shall be confidential, shall be exempt from RCW 42.17.250 through 42.17.450, and shall not be subject to discovery by subpoena or admissible as evidence except for monitoring records reported to the disciplining authority for cause. Monitoring records relating to license holders referred to the program by the disciplining authority or relating to license holders reported to the disciplining authority by the program for cause, shall be released to the disciplining authority at the request of the disciplining authority. Records held by the disciplining authority under this section shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena except by the license holder."

Renumber the following section consecutively.

On page 1, line 2 of the title, after "74.50.060;" insert "adding a new section to chapter 18.72 RCW;"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Ms. Brekke moved that the House do concur in the Senate amendment on page 4, line 21 to Second Substitute House Bill No. 1565.

Ms. Brekke spoke in favor of the motion, and it was carried.

MOTION

Ms. Brekke moved that the House do not concur in the Senate amendments on page 5, after line 4, and on page 1, line 2 of the title, to Second Substitute House Bill No. 1565 and ask the Senate to recede therefrom.

Representatives Brekke and Winsley spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker called the House to order.

Representative Allen was excused.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1685 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 138, Laws of 1984 as last amended by section 10, chapter 502, Laws of 1987 and by section 79, chapter 505, Laws of 1987 and RCW 82.01.120 are each reenacted and amended to read as follows:

(1) The director shall employ an economic and revenue forecast supervisor to supervise the preparation of all economic and revenue forecasts. ~~((As used in this section and RCW 82.01.125 and 82.01.130, "supervisor" means the economic and revenue forecast supervisor.))~~

(2) The director of financial management shall employ a caseload forecast supervisor to supervise the preparation of all state caseload forecasts. The caseload forecast supervisor should possess broad training and experience in the social sciences, which may include, but need not be limited or restricted to, quantitative analysis and forecasting methods, economics, labor market economics, sociology, and social psychology.

(3) Approval by an affirmative vote of at least five members of the economic ((and)), revenue, and caseload forecast council is required for any decisions regarding employment of the supervisor. Employment of ((the)) a supervisor shall terminate after each term of three years, unless the supervisor is reappointed ((by the director)) and is approved by the economic ((and)), revenue, and caseload forecast council for another three years. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

~~((2))~~ (4) Four times each year, the economic and revenue forecast supervisor shall prepare, subject to the approval of the economic ((and)), revenue, and caseload forecast council under RCW 82.01.130(2):

(a) An official state economic and revenue forecast;

(b) An unofficial state economic and revenue forecast based on optimistic economic and revenue projections; and

(c) An unofficial state economic and revenue forecast based on pessimistic economic and revenue projections.

~~((3))~~ (5) Four times each year, the caseload forecast supervisor shall prepare, subject to the approval of the economic, revenue, and caseload forecast council under RCW 82.01.130(2):

(a) An official state caseload forecast;

(b) An unofficial state caseload forecast based on optimistic caseload projections; and

(c) An unofficial state caseload forecast based on pessimistic caseload projections.

(6) The supervisors shall submit forecasts prepared under this section, along with any unofficial forecasts provided under RCW 82.01.130(3), to the governor and the members of the committees on ways and means and the chairs of the committees on transportation of the senate and house of representatives and the chair of the legislative transportation committee, including one copy to the staff of each of the committees, on or before November 20th, February 20th in the even-numbered years, March 20th in the odd-numbered years, June 20th, and September 20th. All economic and revenue forecasts shall include both estimated receipts and estimated revenues in conformance with generally accepted accounting principles as provided by RCW 43.88.037.

(7) 'Caseload,' as used in this section and RCW 82.01.125 through 82.01.135, means the number of persons expected to meet eligibility requirements or require services from the aid to families with dependent children program, the community mental health and involuntary treatment program, the medicaid program, the nursing home program, state correctional institutions, state institutions for the mentally ill, developmentally disabled, and juvenile offenders, and other state-funded programs as determined by the council.

Sec. 2. Section 3, chapter 138, Laws of 1984 and RCW 82.01.125 are each amended to read as follows:

The administrator of the legislative evaluation and accountability program committee may request, and the supervisors shall provide, alternative economic ~~((and))~~, revenue, and caseload forecasts based on assumptions specified by the administrator.

Sec. 3. Section 4, chapter 138, Laws of 1984 and RCW 82.01.130 are each amended to read as follows:

(1) The economic ~~((and))~~, revenue, and caseload forecast council is hereby created. The council shall consist of two individuals appointed by the governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives. In making the two appointments to the council, the governor may designate two other persons to serve as members, in lieu of the two primary appointees, when the council is dealing with issues directly related to caseload forecasts.

The chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary.

(2) The economic ~~((and))~~, revenue, and caseload forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official, optimistic, and pessimistic state economic ~~((and))~~, revenue, and caseload forecasts prepared under RCW 82.01.120. If the council is unable to approve a forecast before a date required in RCW 82.01.120, the supervisors shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(3) A council member who does not cast an affirmative vote for approval of the official economic ~~((and))~~, revenue, and caseload forecast may request, and the supervisors shall provide, an alternative economic ~~((and))~~, revenue, and caseload forecast based on assumptions specified by the member.

(4) Members of the economic ~~((and))~~, revenue, and caseload forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) Revenue and caseload forecasts adopted by the council shall indicate whenever the official forecast differs from staff recommendations.

Sec. 4. Section 5, chapter 138, Laws of 1984 as amended by section 23, chapter 158, Laws of 1986 and RCW 82.01.135 are each amended to read as follows:

(1) To promote the free flow of information and to promote legislative input in the preparation of forecasts, immediate access to all information relating to economic ~~((and))~~, revenue, and caseload forecasts shall be available to the economic ~~((and))~~, revenue, and caseload forecast work group, hereby created. Revenue collection information shall be available to the economic and revenue forecast work group the first business day following the conclusion of each collection period. Each state agency affected by caseloads shall submit caseload reports and data to the council as soon as the reports and data are available and shall provide to the council and the caseload forecast supervisor such additional raw, program-level data or information as may be necessary for discharge of their respective duties. The economic ~~((and))~~, revenue, and caseload forecast work group shall consist of one staff member selected by the executive head or chairperson of each of the following agencies or committees:

- (a) Department of revenue;
- (b) Office of financial management;
- (c) Legislative evaluation and accountability program committee;
- (d) Ways and means committee of the senate; and
- (e) Ways and means committee of the house of representatives.

(2) The economic ~~((and))~~, revenue, and caseload forecast work group shall provide technical support to the economic ~~((and))~~, revenue, and caseload forecast council. Meetings of the economic ~~((and))~~, revenue, and caseload forecast work group may be called by any member of the group for the purpose of assisting the ~~((economic and revenue forecast))~~ council, reviewing ~~((the state economic and revenue))~~ forecasts, or reviewing monthly revenue collection data or for any other purpose which may assist the ~~((economic and revenue forecast))~~ council.

Sec. 5. Section 2, chapter 138, Laws of 1984 and RCW 41.06.087 are each amended to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, this chapter does not apply to the economic ~~((and))~~, revenue, and caseload forecast supervisors and staff employed under RCW 82.01.120.

Sec. 6, Section 2, chapter 502, Laws of 1987 and RCW 43.88.030 are each amended to read as follows:

(1) The director of financial management shall provide all agencies with a complete set of instructions for submitting biennial budget requests to the director at least three months before agency budget documents are due into the office of financial management. The budget document or documents shall consist of the governor's budget message which shall be explanatory of the budget and shall contain an outline of the proposed financial policies of the state for the ensuing fiscal period and shall describe in connection therewith the important features of the budget. The message shall set forth the reasons for salient changes from the previous fiscal period in expenditure and revenue items and shall explain any major changes in financial policy. Attached to the budget message shall be such supporting schedules, exhibits and other explanatory material in respect to both current operations and capital improvements as the governor shall deem to be useful to the legislature. The budget document or documents shall set forth a proposal for expenditures in the ensuing fiscal period based upon the estimated revenues and caseloads as approved by the economic ~~((and))~~, revenue and caseload forecast council for such fiscal period from the source and at the rates existing by law at the time of submission of the budget document. However, the estimated revenues or caseloads for use in the governor's budget document may be adjusted to reflect budgetary revenue transfers ~~((and))~~, revenue estimates dependent upon budgetary assumptions of enrollments, workloads, and caseloads, and policy and program changes. All adjustments to the approved estimated revenues and caseloads must be set forth in the budget document. The governor may additionally submit, as an appendix to each agency budget or to the budget document or documents, a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes.

The budget document or documents shall also contain:

(a) Revenues classified by fund and source for the immediately past fiscal period, those received or anticipated for the current fiscal period, and those anticipated for the ensuing biennium;

(b) The undesignated fund balance or deficit, by fund;

(c) Such additional information dealing with expenditures, revenues, workload, performance and personnel as the legislature may direct by law or concurrent resolution;

(d) Such additional information dealing with revenues and expenditures as the governor shall deem pertinent and useful to the legislature;

(e) Tabulations showing expenditures classified by fund, function, activity and object; and

(f) A delineation of each agency's activities, including those activities funded from non-budgeted, nonappropriated sources, including funds maintained outside the state treasury.

(2) The budget document or documents shall include detailed estimates of all anticipated revenues applicable to proposed operating or capital expenditures and shall also include all proposed operating or capital expenditures. The total of beginning undesignated fund balance and estimated revenues less working capital and other reserves shall equal or exceed the total of proposed applicable expenditures. The budget document or documents shall further include:

(a) Interest, amortization and redemption charges on the state debt;

(b) Payments of all reliefs, judgments and claims;

(c) Other statutory expenditures;

(d) Expenditures incident to the operation for each agency;

(e) Revenues derived from agency operations;

(f) Expenditures and revenues shall be given in comparative form showing those incurred or received for the immediately past fiscal period and those anticipated for the current biennium and next ensuing biennium;

(h) Common school expenditures on a fiscal-year basis.

(3) A separate budget document or schedule may be submitted consisting of:

(a) Expenditures incident to current or pending capital projects and to proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts proposed to be raised therefor by the issuance of bonds during the fiscal period;

(b) A capital program consisting of proposed capital projects for at least the two fiscal periods succeeding the next fiscal period. The capital program shall include for each proposed project a statement of the reason or purpose for the project along with an estimate of its cost;

(c) Such other information bearing upon capital projects as the governor shall deem to be useful to the legislature;

(d) Such other information relating to capital improvement projects as the legislature may direct by law or concurrent resolution.

(4) No change affecting the comparability of agency or program information relating to expenditures, revenues, workload, performance and personnel shall be made in the format of any budget document or report presented to the legislature under this section or RCW 43.88.160(1) relative to the format of the budget document or report which was presented to the

previous regular session of the legislature during an odd-numbered year without prior legislative concurrence. Prior legislative concurrence shall consist of (a) a favorable majority vote on the proposal by the standing committees on ways and means of both houses if the legislature is in session or (b) a favorable majority vote on the proposal by members of the legislative evaluation and accountability program committee if the legislature is not in session.

Sec. 7. Section 43.88.120, chapter 8, Laws of 1965 as last amended by section 6, chapter 502, Laws of 1987 and RCW 43.88.120 are each amended to read as follows:

Each agency engaged in the collection of revenues shall prepare estimated revenues and estimated receipts for the current and ensuing biennium and shall submit the estimates to the director of financial management and the director of revenue at times and in the form specified by the directors, along with any other information which the directors may request.

A copy of such revenue estimates shall be simultaneously submitted to the economic and revenue forecast work group when required by the office of the economic ((and)), revenue, and caseload forecast council."

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "amending RCW 82.01.125, 82.01.130, 82.01.135, 41.06.087, 43.88.030, and 43.88.120; and reenacting and amending RCW 82.01.120."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Grimm moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1685 and ask the Senate to recede therefrom. The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. PURPOSE. The legislature finds that there is an increasing need for local and regional transportation improvements as the result of both existing demands and the foreseeable future demands from economic growth and development within the state, including residential, commercial, and industrial development.

The legislature intends with this chapter to enable local governments to develop and adopt programs for the purpose of jointly funding, from public and private sources, transportation improvements necessitated in whole or in part by economic development and growth within their respective jurisdictions. The programs should provide a fair and predictable method for allocating the cost of necessary transportation improvements between the public and private sectors. The programs should include consideration of public transportation as a method of reducing off-site transportation impacts from development. The legislature finds that the private funds authorized to be collected pursuant to this chapter are for the purpose of mitigating the impacts of development and are not taxes. The state shall encourage and give priority to the state funding of local and regional transportation improvements that are funded in part by local, public, and private funds.

The authority provided by this act for local governments to create and implement local transportation programs is intended to be supplemental, except as expressly provided in sections 3(9), 6, and 7 of this act, to the existing authorities and responsibilities of local governments to regulate development and provide public facilities.

NEW SECTION. Sec. 2. DEFINITIONS. The definitions set forth in this section apply throughout this chapter.

(1) 'Developer' means an individual, group of individuals, partnership, corporation, association, municipal corporation, state agency, or other person undertaking development and their successors and assigns.

(2) 'Development' means the subdivision or short platting of land or the construction or reconstruction of residential, commercial, industrial, public, or any other building, building space, or land.

(3) 'Direct result of the proposed development' means those quantifiable transportation impacts that are caused by vehicles or pedestrians whose trip origin or destination is the proposed development.

(4) 'Local government' means all counties, cities, and towns in the state of Washington and transportation benefit districts created pursuant to chapter 36.73 RCW.

(5) 'Off-site transportation improvements' means those transportation capital improvements designated in the local plan adopted under this chapter that are authorized to be undertaken by local government and that serve the transportation needs of more than one development.

(6) 'Transportation impact fee' means a monetary charge imposed on new development for the purpose of mitigating off-site transportation impacts that are a direct result of the proposed development.

(7) 'Fair market value' means the highest price in terms of money that a property will bring in a competitive and open market under all conditions of a fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus, measured at the time of the dedication to local government of land or improved transportation facilities.

NEW SECTION. Sec. 3. LOCAL PROGRAMS AUTHORIZED. Local governments may develop and adopt programs for the purpose of jointly funding, from public and private sources, transportation improvements necessitated in whole or in part by economic development and growth within their respective jurisdictions. Local governments shall adopt the programs by ordinance after notice and public hearing. Each program shall contain the elements described in this section.

(1) The program shall identify the geographic boundaries of the entire area or areas generally benefited by the proposed off-site transportation improvements and within which transportation impact fees will be imposed under this chapter.

(2) The program shall be based on an adopted comprehensive, long-term transportation plan identifying the proposed off-site transportation improvements reasonable and necessary to meet the future growth needs of the designated plan area and intended to be covered by this joint funding program, including acquisition of right of way, construction and reconstruction of all major and minor arterials and intersection improvements, and identifying design standards, levels of service, capacities, and costs applicable to the program. The program shall also indicate how the transportation plan is coordinated with applicable transportation plans for the region and for adjacent jurisdictions. The program shall also indicate how public transportation and ride-sharing improvements and services will be used to reduce off-site transportation impacts from development.

(3) The program shall include at least a six-year capital funding program, updated annually, identifying the specific public sources and amounts of revenue necessary to pay for that portion of the cost of all off-site transportation improvements contained in the transportation plan that will not foreseeably be funded by transportation impact fees. The program shall include a proposed schedule for construction and expenditures of funds. The funding plan shall consider the additional local tax revenue estimated to be generated by new development within the plan area if all or a portion of the additional revenue is proposed to be earmarked as future appropriations for such off-site transportation improvements.

(4) The program shall authorize transportation impact fees to be imposed on new development within the plan area for the purpose of providing a portion of the funding for reasonable and necessary off-site transportation improvements to solve the cumulative impacts of planned growth and development in the plan area. Off-site transportation impacts shall be measured as a pro rata share of the capacity of the off-site transportation improvements being funded under the program. The fees shall not exceed the amount that the local government can demonstrate is reasonably necessary as a direct result of the proposed development.

(5) The program shall provide that the funds collected as a result of a particular new development shall be used in substantial part to pay for improvements mitigating the impacts of the development or be refunded to the property owners of record. Fees paid toward more than one transportation improvement may be pooled and expended on any one of the improvements mitigating the impact of the development. The funds shall be expended in all cases within six years of collection by the local government or the unexpended funds shall be refunded.

(6) The program shall also describe the formula, timing, security, credits, and other terms and conditions affecting the amount and method of payment of the transportation impact fees as further provided for in section 4 of this act. In calculating the amount of the fee, local government shall consider and give credit for the developer's participation in public transportation and ride-sharing improvements and services.

(7) The administrative element of the program shall include: an opportunity for administrative appeal by the developer and hearing before an independent examiner of the amount of the transportation impact fee imposed; establishment of a designated account for the public and private funds appropriated or collected for the transportation improvements identified in the plan; methods to enforce collection of the public and private funds identified in the program; designation of the administrative departments or other entities responsible for administering the program, including determination of fee amounts, transportation planning, and construction; and provisions for future amendment of the program including the addition of other off-site transportation improvements. The program shall not be amended in a manner to relieve local government of any contractual obligations made to prior developers.

(8) The program shall provide that private transportation impact fees shall not be collected for any off-site transportation improvement that is incapable of being reasonably carried out because of lack of public funds or other foreseeable impediment.

(9) The program shall provide that no transportation impact fee may be imposed on a development by local government pursuant to this program when mitigation of the same off-site transportation impacts for the development is being required by any government agency pursuant to any other local, state, or federal law.

NEW SECTION. Sec. 4. TRANSPORTATION IMPACT FEE. The program shall describe the formula or method for calculating the amount of the transportation impact fees to be imposed on new development within the plan area. The program may require developers to pay a transportation impact fee for off-site transportation improvements not yet constructed and for those jointly-funded improvements constructed since the commencement of the program.

The program shall define the event in the development approval process that triggers a determination of the amount of the transportation impact fees and the event that triggers the obligation to make actual payment of the fees. However, the payment obligation shall not commence before the date the developer has obtained a building permit for the new development or, in the case of residential subdivisions or short plats, at the time of final plat approval, at the developer's option. If the developer of a residential subdivision or short plat elects to pay the fee at the date a building permit has been obtained, the option to pay the transportation impact fee by installments as authorized by this section is deemed to have been waived by the developer. The developer shall be given the option to pay the transportation impact fee in a lump sum, without interest, or by installment with reasonable interest over a period of five years or more as specified by the local government.

The local government shall require security for the obligation to pay the transportation impact fee, in the form of a recorded agreement, deed of trust, letter of credit, or other instrument determined satisfactory by the local government. The developer shall also be given credit against its obligations for the transportation impact fee, for the fair market value of off-site land or improved transportation facilities dedicated to the local government. If the value of the dedication exceeds the amount of transportation impact fee obligation, the developer is entitled to reimbursement from transportation impact fees attributable to the dedicated facilities and paid by subsequent developers within the plan area.

Payment of the transportation impact fee entitles the developer and its successors and assigns to credit against any other fee, local improvement district assessment, or other monetary imposition made specifically for the designated off-site transportation improvements intended to be covered by the transportation impact fee imposed pursuant to this program. The program shall also define the criteria for establishing periodic fee increases attributable to construction and related cost increases for the improvements designated in the program.

NEW SECTION. Sec. 5. INTERLOCAL COOPERATION—CONSISTENCY AND ASSISTANCE. Local governments are authorized and encouraged to enter into interlocal agreements to jointly develop and adopt with other local governments the transportation programs authorized by this chapter for the purpose of accomplishing regional transportation planning and development. Local governments shall also seek, to the greatest degree practicable, consistency among jurisdictions in the terms and conditions of their programs for the purpose of increasing fairness and predictability on a regional basis. Local governments shall seek comment, in the development of their programs, from other affected local governments, state agencies, and governments authorized to perform public transportation functions. Local governments are also encouraged to enter into interlocal agreements to provide technical assistance to each other, in return for reasonable reimbursement, for the purpose of developing and implementing such transportation programs.

Sec. 6. Section 82.02.020, chapter 15, Laws of 1961 as last amended by section 17, chapter 327, Laws of 1987 and RCW 82.02.020 are each amended to read as follows:

Except only as expressly provided in RCW 67.28.180 and 67.28.190 and the provisions of chapter 82.14 RCW, the state preempts the field of imposing taxes upon retail sales of tangible personal property, the use of tangible personal property, parimutuel wagering authorized pursuant to RCW 67.16.060, conveyances, and cigarettes, and no county, town, or other municipal subdivision shall have the right to impose taxes of that nature. No county, city, town, or other municipal corporation shall impose any tax, fee, or charge, either direct or indirect, on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, subdivision, classification, or reclassification of land. However, this section does not preclude dedications of land or easements pursuant to RCW 58.17.110 within the proposed development or plat which the county, city, town, or other municipal corporation can demonstrate are reasonably necessary as a direct result of the proposed development or plat to which the dedication of land or easement is to apply.

This section does not prohibit voluntary agreements with counties, cities, towns, or other municipal corporations that allow a payment in lieu of a dedication of land or to mitigate a direct impact that has been identified as a consequence of a proposed development, subdivision, or plat(~~(-PROVIDED, That)~~). A local government shall not use such voluntary agreements for local off-site transportation improvements within the geographic boundaries of the area or

areas covered by an adopted transportation program authorized by chapter 39.— RCW (sections 1 through 5 of this act). Any such voluntary agreement (~~(shall be)~~) is subject to the following provisions:

- (1) The payment shall be held in a reserve account and may only be expended to fund a capital improvement agreed upon by the parties to mitigate the identified, direct impact;
- (2) The payment shall be expended in all cases within five years of collection; and
- (3) Any payment not so expended shall be refunded with interest at the rate applied to judgments to the property owners of record at the time of the refund; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

No county, city, town, or other municipal corporation shall require any payment as part of such a voluntary agreement which the county, city, town, or other municipal corporation cannot establish is reasonably necessary as a direct result of the proposed development or plat.

Nothing in this section prohibits cities, towns, counties, or other municipal corporations from collecting reasonable fees from an applicant for a permit or other governmental approval to cover the cost to the city, town, county, or other municipal corporation of processing applications, inspecting and reviewing plans, or preparing detailed statements required by chapter 43.21C RCW.

This section does not limit the existing authority of any county, city, town, or other municipal corporation to impose special assessments on property specifically benefited thereby in the manner prescribed by law.

Nothing in this section prohibits counties, cities, or towns from imposing or permits counties, cities, or towns to impose water, sewer, natural gas, drainage utility, and drainage system charges: PROVIDED, That no such charge shall exceed the proportionate share of such utility or system's capital costs which the county, city, or town can demonstrate are attributable to the property being charged: PROVIDED FURTHER, That these provisions shall not be interpreted to expand or contract any existing authority of counties, cities, or towns to impose such charges.

Nothing in this section prohibits a transportation benefit district from imposing fees or charges authorized in RCW 36.73.120 nor prohibits the legislative authority of a county, city, or town from approving the imposition of such fees within a transportation benefit district.

Nothing in this section prohibits counties, cities, or towns from imposing transportation impact fees authorized pursuant to chapter 39.— RCW (sections 1 through 5 of this act).

This section does not apply to special purpose districts formed and acting pursuant to Titles 54, 56, 57, or 87 RCW, nor is the authority conferred by these titles affected.

Sec. 7. Section 12, chapter 327, Laws of 1987 and RCW 36.73.120 are each amended to read as follows:

(1) A transportation benefit district may impose a fee or charge (~~(either direct or indirect)~~) on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, subdivision, classification, or reclassification of land only if done in accordance with chapter 39.— RCW (sections 1 through 5 of this act).

(2) Any fee or charge imposed under this section shall be used exclusively for transportation improvements constructed by a transportation benefit district. The fees or charges so imposed must be reasonably necessary as a result of the impact of (~~(collective)~~) development, construction, or classification or reclassification of land on identified transportation needs.

(3) When fees or charges are imposed by a district within which there is more than one city or both incorporated and unincorporated areas, the legislative authority for each city in the district and the county legislative authority for the unincorporated area must approve the imposition of such fees or charges before they take effect.

NEW SECTION. Sec. 8. WAIVERS OF PROTEST—RECORDING—LIMITS ON ENFORCEABILITY. If an owner of property enters into an agreement with a city or town waiving the property owner's right under RCW 35.43.180 to protest formation of a local improvement district, the agreement must specify the improvements to be financed by the district and shall set forth the effective term of the agreement, which shall not exceed ten years. The agreement must be recorded with the auditor of the county in which the property is located. It is against public policy and void for an owner, by agreement, as a condition imposed in connection with proposed property development, or otherwise, to waive rights to object to the property owner's individual assessment (including the determination of special benefits allocable to the property), or to appeal to the superior court the decision of the city or town council affirming the final assessment roll.

NEW SECTION. Sec. 9. PREFORMATION EXPENDITURES. The city or town engineer or other designated official may contract with owners of real property to provide for payment by the owners of the cost of the preparation of engineering plans, surveys, studies, appraisals, legal services, and other expenses associated with improvements to be financed in whole or in part by a local improvement district (not including the cost of actual construction of such improvements), that the owners elect to undertake. The contract may provide for reimbursement to the owner of such costs from the proceeds of bonds issued by the district after formation of a district under this chapter, from assessments paid to the district as appropriate, or by a credit in the

amount of such costs against future assessments assessed against such property under the district. Such reimbursement shall be made to the owner of the property at the time of reimbursement. The contract shall also provide that such costs shall not be reimbursed to the owner if a district to construct the specified improvements (as the project may be amended) is not formed within six years of the date of the contract. The contract shall provide that any preformation work shall be conducted only under the direction of the city or town engineer or other appropriate city or town authority.

NEW SECTION. Sec. 10. CREDITS FOR OTHER ASSESSMENTS. A city or town ordering a local improvement upon which special assessments on property specifically benefitted by the improvement are levied and collected, may provide as part of the ordinance creating the local improvement district that moneys paid or the cost of facilities constructed by a property owner in the district in satisfaction of obligations under chapter 39, RCW (sections 1 through 5 of this act), shall be credited against assessments due from the owner of such property at the time the credit is made, if those moneys paid or facilities constructed directly defray the cost of the specified improvements under the district and if credit for such amounts is reflected in the final assessment roll confirmed for the district.

NEW SECTION. Sec. 11. ASSESSMENT REIMBURSEMENT ACCOUNTS. A city or town ordering a local improvement upon which special assessments on property specifically benefitted by the improvement are levied and collected, may provide as part of the ordinance creating the local improvement district that the payment of an assessment levied for the district on underdeveloped properties may be made by owners of other properties within the district, if they so elect, subject to terms of reimbursement set forth in the ordinance. The terms for reimbursement shall require the owners of underdeveloped properties on whose behalf payments of assessments have been made to reimburse all such assessment payments to the party who made them when those properties are developed or redeveloped, together with interest at a rate specified in the ordinance. The ordinance may provide that reimbursement shall be made on a one-time, lump sum basis, or may provide that reimbursement shall be made over a period not to exceed five years. The ordinance may provide that reimbursement shall be made no later than the time of dissolution of the district, or may provide that no reimbursement is due if the underdeveloped properties are not developed or redeveloped before the dissolution of the district. Reimbursement amounts due from underdeveloped properties under this section are liens upon the underdeveloped properties in the same manner and with like effect as assessments made under this chapter. For the purposes of this section, 'underdeveloped properties' may include those properties that, in the discretion of the legislative body of the city or town, (1) are undeveloped or are not developed to their highest and best use, and (2) are likely to be developed or redeveloped before the dissolution of the district.

NEW SECTION. Sec. 12. WAIVERS OF PROTEST—RECORDING—LIMITS ON ENFORCEABILITY. If an owner of property enters into an agreement with a county waiving the property owner's right under RCW 36.88.030, 36.88.040, 36.88.050, 36.88.060, and 36.88.065 to protest formation of a road improvement district, the agreement must specify the improvements to be financed by the district and shall set forth the effective term of the agreement, which shall not exceed ten years. The agreement must be recorded with the auditor of the county in which the property is located. It is against public policy and void for an owner, by agreement, as a condition imposed in connection with proposed property development, or otherwise, to waive rights to object to the property owner's individual assessment (including the determination of special benefits allocable to the property), or to appeal to the superior court the decision of the county council affirming the final assessment roll.

NEW SECTION. Sec. 13. PREFORMATION EXPENDITURES. The county engineer or other designated official may contract with owners of real property to provide for payment by the owners of the cost of the preparation of engineering plans, surveys, studies, appraisals, legal services, and other expenses associated with improvements to be financed in whole or in part by a local improvement district (not including the cost of actual construction of such improvements), that the owners elect to undertake. The contract may provide for reimbursement to the owner of such costs from the proceeds of bonds issued by the district after formation of a district under this chapter, from assessments paid to the district as appropriate, or by a credit in the amount of such costs against future assessments assessed against such property. Such reimbursement shall be made to the owner of the property at the time of reimbursement. The contract shall also provide that such costs shall not be reimbursed to the owner if a district to construct the specified improvements (as the project may be amended) is not formed within six years of the date of the contract. The contract shall provide that any preformation work shall be conducted only under the direction of the county engineer or other appropriate county authority.

NEW SECTION. Sec. 14. CREDITS FOR OTHER ASSESSMENTS. A county ordering a road improvement upon which special assessments on property specifically benefitted by the improvements are levied and collected, may provide as part of the ordinance creating the road improvement district that moneys paid or the cost of facilities constructed by a property owner in the district in satisfaction of obligations under chapter 39, RCW (sections 1 through 5 of this act), shall be credited against assessments due from the owner of such property at the

time the credit is made, if those moneys paid or facilities constructed directly defray the cost of the specified improvements under the district and if credit for such amounts is reflected in the final assessment roll confirmed for the district.

NEW SECTION. Sec. 15. ASSESSMENT REIMBURSEMENT ACCOUNTS. A county ordering a road improvement upon which special assessments on property specifically benefited by the improvement are levied and collected, may provide as part of the ordinance creating the road improvement district that the payment of an assessment levied for the district on underdeveloped properties may be made by owners of other properties within the district if they so elect, subject to terms of reimbursement set forth in the ordinance. The terms for reimbursement shall require the owners of underdeveloped properties on whose behalf payments of assessments have been made to reimburse all such assessment payments to the party who made them when those properties are developed or redeveloped, together with interest at a rate specified in the ordinance. The ordinance may provide that reimbursement shall be made on a one-time, lump sum basis, or may provide that reimbursement shall be made over a period not to exceed five years. The ordinance may provide that reimbursement shall be made no later than the time of dissolution of the district, or may provide that no reimbursement is due if the underdeveloped properties are not developed or redeveloped before the dissolution of the district. Reimbursement amounts due from underdeveloped properties under this section are liens upon the underdeveloped properties in the same manner and with like effect as assessments made under this chapter. For the purposes of this section, 'underdeveloped properties' may include those properties that, in the discretion of the county legislative authority, (1) are undeveloped or are not developed to their highest and best use, and (2) are likely to be developed or redeveloped before the dissolution of the district.

Sec. 16. Section 4, chapter 126, Laws of 1983 and RCW 35.72.040 are each amended to read as follows:

The procedures for assessment reimbursement contracts shall be governed by the following:

(1) An assessment reimbursement area shall be formulated by the city, town, or county based upon a determination by the city, town, or county of which parcels adjacent to the improvements would require similar street improvements upon development.

(2) The preliminary determination of area boundaries and assessments, along with a description of the property owners' rights and options, shall be forwarded by ((registered)) certified mail to the property owners of record within the proposed assessment area. If any property owner requests a hearing in writing within twenty days of the mailing of the preliminary determination, a hearing shall be held before the legislative body, notice of which shall be given to all affected property owners. The legislative body's ruling is determinative and final.

(3) The contract must be recorded in the appropriate county auditor's office within thirty days of the final execution of the agreement.

(4) If the contract is so filed, it shall be binding on owners of record within the assessment area who are not party to the contract.

NEW SECTION. Sec. 17. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. This act is intended to be prospective, not retroactive, in its application.

NEW SECTION. Sec. 18. Section captions used in this act do not constitute any part of the law.

NEW SECTION. Sec. 19. Sections 1 through 5 of this act constitute a new chapter in Title 39 RCW entitled 'Local Transportation Act.' Sections 8 through 11 of this act are added to chapter 35.43 RCW. Sections 12 through 15 of this act are added to chapter 36.88 RCW."

In line 1 of the title, after "improvements;" strike the remainder of the title and insert "amending RCW 82.02.020, 36.73.120, and 35.72.040; adding new sections to chapter 35.43 RCW; adding new sections to chapter 36.88 RCW; adding a new chapter to Title 39 RCW; and creating a new section."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Walk moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 1817 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Walk, Hine and Schmidt as conferees on Engrossed Substitute House Bill No. 1817.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that, due to statutory and constitutional limitations, the interdependence of the regular property tax levies of the state, counties, county road districts, cities and towns, and junior taxing districts can cause significant reductions in the otherwise authorized levies of those taxing districts. The purpose of this act is to avoid unnecessary reductions in regular property tax revenue without exceeding existing statutory and constitutional limitations on cumulative regular property tax levy rates. The legislature declares that it is a purpose of the state, counties, county road districts, cities and towns, public hospital districts, library districts, fire protection districts, metropolitan park districts, and other taxing districts, to participate in the methods provided in this act by which revenue levels supporting the services provided by all taxing districts might be maintained.

Sec. 2. Section 1, chapter 107, Laws of 1986 and RCW 39.67.010 are each amended to read as follows:

Any agreement or contract between two taxing districts other than the state which is otherwise authorized by law may be made contingent upon a particular property tax levy rate of an identified taxing district other than the state where such rate affects the regular property tax rate of one of the parties to the contract and therefore affects the party's resources with which to perform under the contract: PROVIDED, That whenever a junior taxing district becomes a party to such an agreement, and that agreement affects another junior taxing district, each affected junior taxing district shall be a party to such a contract.

~~((This section shall expire December 31, 1988:))~~

Sec. 3. Section 2, chapter 107, Laws of 1986 and RCW 39.67.020 are each amended to read as follows:

Any taxing district other than the state may transfer funds to another taxing district other than the state where the regular property tax levy rate of the second district may affect the regular property tax levy rate of the first district and where such transfer is part of an agreement whereby proration or reduction of property taxes is lessened or avoided: PROVIDED, That whenever a junior taxing district becomes a party to such an agreement, and that agreement affects another junior taxing district, each affected junior taxing district shall be a party to such a agreement.

~~((This section shall expire December 31, 1988:))~~

Sec. 4. Section 3, chapter 107, Laws of 1986 and RCW 84.55.092 are each amended to read as follows:

The regular property tax ~~((levies))~~ levy for each taxing district other than the state ~~((for taxes due in 1987 through 1991))~~ may be set at the amount which would ~~((otherwise))~~ be allowed otherwise under this chapter if the regular property tax levy for the district for taxes due in prior years beginning with 1986 ~~((and 1987))~~ had been set at the full amount allowed under this chapter.

~~((This section shall expire December 31, 1991:))~~

Sec. 5. Section 84.52.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 255, Laws of 1987 and RCW 84.52.010 are each amended to read as follows:

Except as is permitted under RCW 84.55.050, all taxes shall be levied or voted in specific amounts.

The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, shall be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county shall be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, as now or hereafter amended, exceeds the limitations provided in either of these sections, the assessor shall recompute and establish a consolidated levy in the following manner:

(1) The full certified rates of tax levy for state, county, county road district, and city or town purposes shall be extended on the tax rolls in amounts not exceeding the limitations established by law ~~((PROVIDED, That in the event of a levy made pursuant to RCW 84.34.230, the rates of levy for county and county road district purposes shall be reduced in such uniform percentages as will result in a consolidated levy by such taxing districts which will be no greater on any property than a consolidated levy by such taxing districts would be if the levy had not been made pursuant to RCW 84.34.230))~~, subject to section 8(1) of this 1988 act and

subsection (2)(e) of this section; however any state levy shall take precedence over all other levies and shall not be reduced for any purpose other than that required by RCW 84.55.010; and

(2) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property shall be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(a) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, and 67.38.130 shall be reduced on a pro rata basis or eliminated;

(b) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts shall be reduced on a pro rata basis or eliminated;

(c) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, public hospital districts, metropolitan park districts, and library districts, shall be reduced on a pro rata basis or eliminated;

(d) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 shall be reduced on a pro rata basis or eliminated; ~~((and))~~

(e) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for cities and towns, fire protection districts under RCW 52.16.130, public hospital districts, metropolitan park districts, and library districts shall be adjusted as provided in section 8(2) of this 1988 act; and

(f) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.130, and the certified property tax levy rates of public hospital districts, metropolitan park districts, and library districts, shall be reduced on a pro rata basis or eliminated.

Sec. 6. Section 7, chapter 138, Laws of 1987 and RCW 84.52.100 are each amended to read as follows:

(1) The governing body of any library district, public hospital district, metropolitan park district, or fire protection district may provide for the submission of a ballot proposition to the voters of the taxing district authorizing the taxing district to maintain its otherwise authorized tax levy rate, and authorizing an increase in the cumulative regular property tax limitation of nine dollars and fifteen cents per thousand dollars of assessed valuation within the taxing district, as provided in this section. A fire protection district may use this authority to increase its regular property tax levy up to fifty cents per thousand dollars of assessed valuation.

(2) A resolution by a governing body, requesting that a special election be called to submit such a ballot proposition to the voters, must be transmitted to the county legislative authority of the county, or county legislative authorities of the counties, within which the taxing district is located, at least forty-five days before the special election date at which the ballot proposition is submitted. The ballot proposition shall be worded substantially as follows:

'Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period allowing (insert the name of the taxing district) to maintain its otherwise statutory authorized property tax rate?'

The ballot proposition for a fire protection district shall be worded substantially as follows:

'Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period allowing (insert the name of the taxing district) to permit the fire protection district to impose its property tax at a value up to fifty cents per thousand dollars of assessed valuation?'

Approval of this ballot proposition by a simple majority vote shall authorize the following for the succeeding five consecutive year period: (a) Property tax rates of junior taxing districts are calculated first as if this proposition had not been approved; (b) subject to the one hundred six percent limitation, the regular property tax rate of the taxing district receiving such authorization is increased to a level not exceeding the lesser of: (i) its maximum statutory authorized regular property tax rate; or (ii) whatever tax rate it otherwise would have been able to impose plus an additional thirty-five cents per thousand dollars of assessed valuation; and (c) the cumulative property tax rate limitation is increased within the boundaries of the taxing district receiving this authorization to an amount equal to nine dollars and fifteen cents per thousand dollars of assessed valuation plus the increased amount of the regular levy rate of this taxing district, but not to exceed nine dollars and fifty cents per thousand dollars of assessed valuation.

(3) If two or more taxing districts that occupy a portion of the same territory receive such approval, the additional authorized taxing capacity above nine dollars and fifteen cents per thousand dollars of assessed valuation shall be distributed among these taxing districts by adjusting their levy rate requests in the same manner and under the same conditions as if they were the only taxing districts in the area subject to adjustment of their property tax rates and

the levy rate adjustments were being made with the cumulative limitation of nine dollars and fifteen cents per thousand dollars of assessed valuation.

(4) Levies authorized under RCW 84.52.069 are not subject to the rate adjustments and the nine dollar and fifty cent per thousand dollar of assessed valuation cumulative limitation on regular property tax rates established by this section.

NEW SECTION, Sec. 7. A new section is added to chapter 82.14 RCW to read as follows:

There is hereby created in the state treasury an account to be known as the 'municipal buy-down account.' Effective July 1, 1989, one-half of the investment income earned on moneys in the local sales and use tax account created by RCW 82.14.050 and which has not been distributed according to RCW 82.14.060 shall be placed in this account. Any moneys in the account on May 1 and on November 1 of each year shall be transferred to the general fund.

NEW SECTION, Sec. 8. A new section is added to chapter 84.52 RCW to read as follows:

(1) If the aggregate levies for the state, a county, and any city or town located within counties of the fifth class and under exceed the aggregate limitations in RCW 84.52.043 or 84.52.050, the municipality's levy shall be reduced in the following manner:

(a) The city's or town's levy rate shall be reduced in the amount necessary that the limitations shall not be exceeded; and

(b) The state treasurer, upon direction of the department of revenue, shall distribute to the city or town from the account created by section 7 of this act, an amount equal to the amount the levy rate is reduced times the assessed value of the city or town. If there are insufficient funds in the account to make the distribution under this subsection (1)(b), the county in which the city or town is located shall pay to the city or town the amount of the insufficiency.

(2) In any county, if, after any reduction in levy rates required by RCW 84.52.010(2)(a) through (d) and any reduction required by subsection (1) of this section, the consolidated tax levy rate still exceeds the limitations in RCW 84.52.043 or 84.52.050, then the department pursuant to rules shall direct the county assessor to adjust the regular property tax levy rates in the following manner:

(a) First, the assessor determines a first preliminary rate pursuant to RCW 84.52.010(2)(f).

(b) Second, the assessor determines a second preliminary rate which is the additional rate, if any, permitted by RCW 84.52.100.

(i) If the preliminary rates together are sufficient to permit all rates subject to RCW 84.52.010(2)(f) to be levied without reduction, then the assessor shall extend on the tax rolls the full certified rates pursuant to RCW 84.52.010(2)(f) and 84.52.100.

(ii) If the preliminary rates together are not sufficient to permit all rates subject to RCW 84.52.010(2)(f) to be levied without reduction pursuant to both RCW 84.52.010(2)(f) and 84.52.100, the assessor shall reduce the rate of the taxing district subject to RCW 84.52.010(2)(e) with the smallest assessed valuation such that, after first allowing for any additional rate permitted by RCW 84.52.100, there is no reduction of the rates under RCW 84.52.010(2)(f). Where the reduction of the levy of a taxing district is not sufficient, the taxing district with the next smallest assessed valuation shall have its levy reduced under this subsection until there is no reduction of rates under RCW 84.52.010(2)(f). The assessor shall then extend on the tax rolls the rates derived pursuant to this subsection (b)(ii).

(3) The taxing districts whose levies would have been reduced but for subsection (2) of this section shall pay to each district that had its levy so reduced pursuant to subsection (2) of this section a proportionate share of the reduced amount based on the amount by which each district would have had its total levy rate reduced if subsection (2) of this section were not in effect and the rates had been adjusted pursuant to RCW 84.52.010(2)(f) and 84.52.100.

(a) In the case of a public hospital district, library district, fire protection district, or metropolitan park district whose levy is reduced under subsection (2) of this section, the district shall bear a proportionate share as if its rate were sufficient to collect its certified levy.

(b) In the case of a city or town that is annexed by a library district or a fire protection district, which city's or town's levy is reduced under this section, or is in a tax code area where a levy rate is reduced under this section, the city or town shall forgo receipt of, or pay to each district whose levy rate is reduced, ten percent of the amount which would otherwise be paid from each district whose levy rate is not reduced as a result of subsection (2) of this section, collectively not to exceed one-half of the following amount: The assessed valuation of the reduced district multiplied by a rate equal to the city's or town's levy rate, calculated based on its certified levy request, plus the rate(s) of the annexing district(s) minus the rate the city or town would have been able to levy were it not annexed, not to exceed twenty-two and one-half cents.

(4) Fifty-five percent of the amount under subsection (1) of this section shall be distributed on or before April 30 of the tax collection year for which the levy is reduced and forty-five percent on or before October 31 of that year.

(5) Fifty-five percent of the amount under subsection (2) of this section shall be distributed on or before May 31 of the tax collection year for which the levy is reduced and forty-five percent on or before November 30 of that year.

NEW SECTION. Sec. 9. The department of revenue shall adopt such rules consistent with this act as shall be necessary or desirable to permit its effective administration. The rules shall provide how section 8(2) of this act shall apply to a taxing district that has received authorization to increase its levy according to RCW 84.52.100 and use the method that will be the least costly to all taxing districts involved.

NEW SECTION. Sec. 10. The sum of fifty thousand dollars is transferred from the general fund to the municipal buy-down account created by section 7 of this act and is appropriated from this account to the state treasurer, for the biennium ending June 30, 1989, for the purposes of this act.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "taxes;" strike the remainder of the title and insert "amending RCW 39.67.010, 39.67.020, 84.55.092, 84.52.010, and 84.52.100; adding a new section to chapter 82.14 RCW; adding a new section to chapter 84.52 RCW; creating new sections; and making an appropriation."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Haugen moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 1420 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Appelwick, Haugen and Ferguson as conferees on Engrossed Substitute House Bill No. 1420.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 1, Laws of 1977 ex. sess. as last amended by section 1, chapter 343, Laws of 1987 and RCW 43.83B.300 are each amended to read as follows:

The legislature finds that it is necessary to provide the department of ecology with emergency powers to authorize withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, and construction of facilities in relation thereto, in order to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during 1977 and during 1987.

The legislature further finds that there is a continuing agricultural water supply shortage in many areas of the state and that, in relation to the lessening of that unsatisfactory condition, there is an urgent need to both improve water supply facilities and replace other such facilities.

The legislature further finds that in addition to water storage facilities or other augmentation programs, improved efficiency of water use could provide an important new supply of water in many parts of the state with which to meet future water needs and that improved efficiency of water use should receive greater emphasis in the management of the state's water resources.

In order to provide needed capital for the planning, acquisition, construction, and improvement of water supply facilities to withdraw and distribute water to alleviate unsatisfactory water supply conditions arising from droughts occurring from time to time in the state of Washington, and to carry out a comprehensive water use efficiency study for the state of Washington, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of eighteen million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this section and RCW 43.83B.360 through 43.83B.375 shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

NEW SECTION. Sec. 2. A committee shall be charged with the task of carrying out a comprehensive study of water use efficiency in this state. The study, however, shall neither be considered a water conservation study, nor a comprehensive study encompassing the exclusive means of creating a new supply of water which limits or restricts the use of water storage facilities as an option in creating a new supply of water. The committee, in consultation with

other interested agencies, organizations, and the public, shall investigate and evaluate opportunities and means for achieving water use efficiency improvements. The evaluation shall include but not be limited to the following:

- (1) Review and analysis of water use efficiency initiatives in other states;
- (2) Review of the water use efficiency recommendations of the western governors association;
- (3) Identification of existing institutional and economic disincentives to efficient water use;
- (4) Identification of existing and potential incentives that could bring about improved efficiency of use;
- (5) Identification of alternatives for improving efficiency of use;
- (6) Estimation of potential water savings and public and private costs from implementing alternatives;
- (7) Identification of a recommended approach for improving water use efficiency in municipal and industrial water supply uses, irrigated agriculture and other major out-of-stream uses, and in-stream uses;
- (8) Evaluation of the terminology and development of definitions and methods relating to the efficient utilization of water in chapters 90.03, 90.14, 90.22, 90.44, and 90.54 RCW, and such other provisions of existing law as it finds appropriate;
- (9) Recommendations for a public education program for efficient use of water; and
- (10) Development of recommendations for any needed changes in laws, rules, policies, procedures, and programs to facilitate improved water use efficiency.

NEW SECTION. Sec. 3. (1) The committee created in section 2 of this act shall consist of the following:

(a) Four members of the house of representatives, appointed by the speaker, two from each major political party of which one member from each major political party shall be a member of the agriculture and rural development committee;

(b) Four members of the senate, appointed by the president of the senate, two from each major political party of which one member from each major political party shall be a member of the agriculture committee;

(c) One individual representing each of the departments of ecology, agriculture, social and health services, fisheries, wildlife, and natural resources;

(d) One individual representing the interests of local government;

(e) One individual representing producers of irrigated agricultural products;

(f) One individual representing the governor's office;

(g) One individual representing environmental interests;

(h) One individual representing the interests of the timber industry;

(i) One individual representing the interests of industries' use of water;

(j) One individual representing Indian tribes;

(k) One individual representing the interests of public water utilities;

(l) One individual representing owners and operators of cattle farms;

(m) One individual representing the state-wide water resources association created under chapter 87.76 RCW;

(n) One individual representing hydro power utilities;

(o) One individual representing the recreational or commercial fishing interest; and

(p) One individual representing the interests of water-oriented recreationists.

(2) Each committee representative shall be recommended by their respective designated group or agency to the director of the department of ecology. The director shall submit the list of recommended representatives to the governor who shall use the list to appoint the members of the committee, except for representatives from the legislature, who shall be appointed by the speaker of the house of representatives and the president of the senate.

(3) Members shall serve without compensation but nonlegislative and nonpublic officials or representative members of the committee shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(4) The committee shall expire December 31, 1988.

(5) The committee shall consult on a regular and frequent basis with interested organizations and individuals. The committee shall hold public meetings to inform the public about the study, and to receive public comments on a draft report of its study findings and its recommendations.

(6) The committee shall document public comments and the committee's recommendations in a final water use efficiency report. The final report shall also include an estimate of staffing and funding needed to carry out the recommended approach.

NEW SECTION. Sec. 4. It shall be the responsibility of the department of ecology to provide staff support to the committee and to identify water use efficiency options for the tasks identified in section 2 of this act.

NEW SECTION. Sec. 5. The committee shall report its findings and recommendations to the legislature no later than December 31, 1988. The department shall not implement such recommendations by rule or regulation except upon the enactment of enabling legislation based upon the committee's recommendations.

NEW SECTION. Sec. 6. No aspect of the study authorized by sections 1 through 3 of this act may authorize any interference whatsoever with existing water rights. The study shall in all respects be subject to the provisions of RCW 43.83B.325 to the same extent as any provision of RCW 43.83B.300 through 43.83B.345.

NEW SECTION. Sec. 7. Sections 2 through 6 of this act shall expire June 30, 1989.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, beginning on line 2 of the title, after "43.83B.300;" strike all material down to and including "(uncodified);" on line 3

On page 1, line 3 of the title, after "sections;" strike "making appropriations;" and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Rayburn moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 1594 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Rayburn, H. Sommers and Nealey as conferees on Engrossed Substitute House Bill No. 1594.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1988

Mr. Speaker:

The Senate has passed SECOND SUBSTITUE HOUSE BILL NO. 1640 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that G. Robert Ross, immediate past president of Western Washington University, was an exemplary university president who helped lead his school to a position of increasing excellence and national prominence. Dr. Ross was a convincing spokesperson for excellence in all areas of education and was a leader who strongly encouraged the faculty and staff at Western Washington University to be actively involved in the pursuit of scholarly activities.

The legislature wishes to honor the public spirit, dedication, integrity, perseverance, inspiration, and accomplishments of Western Washington University faculty through the creation of the G. Robert Ross Distinguished Faculty Award.

NEW SECTION. Sec. 2. The G. Robert Ross distinguished faculty award is hereby established. The board of trustees at Western Washington University shall establish the guidelines for the selection of the recipients of the G. Robert Ross distinguished faculty award. The board shall establish a local endowment fund for the deposit of all state funds appropriated for this purpose and any private donations. The board shall administer the endowment fund and the award. The principal of the invested endowment fund shall not be invaded and the proceeds from the endowment fund may be used to supplement the salary of the holder of the award, to pay salaries of his or her assistants, and to pay expenses associated with the holder's scholarly work.

Sec. 3. Section 5, chapter 8, Laws of 1987 and RCW 28B.10.870 are each amended to read as follows:

All state four-year institutions of higher education shall be eligible for matching trust funds. An institution may apply to the higher education coordinating board for two hundred fifty thousand dollars from the fund when the institution can match the state funds with an equal amount of pledged or contributed private donations or with funds received through legislative appropriation specifically for the G. Robert Ross distinguished faculty award and designated as being qualified to be matched from trust fund moneys. These donations shall be made specifically to the professorship program, and shall be donated after July 1, 1985.

Upon an application by an institution, the board may designate two hundred fifty thousand dollars from the trust fund for that institution's pledged professorship. If the pledged two hundred fifty thousand dollars is not received within three years, the board shall make the designated funds available for another pledged professorship.

Once the private donation is received by the institution, the higher education coordinating board shall ask the state treasurer to release the state matching funds to a local endowment fund established by the institution for the professorship.

Sec. 4. Section 12, chapter 8, Laws of 1987 (uncodified) is amended to read as follows:

(1) For the biennium ending June 30, 1989, all appropriations to the Washington distinguished professorship trust fund shall be allocated as provided in this section. The state treasurer shall reserve the following amounts in the trust fund for distribution to four-year higher

education institutions at such time as qualifying gifts as defined in section 1 of this act for distinguished professorships have been deposited:

(a) ~~((Forty-five percent))~~ Two million two hundred fifty thousand dollars of the appropriation for the University of Washington;

(b) ~~((Thirty percent))~~ One million five hundred thousand dollars of the appropriation for Washington State University;

(c) ~~((Twenty-five percent))~~ One million dollars of the appropriation divided among Eastern Washington University, Central Washington University, Western Washington University, and The Evergreen State College.

(2) Distribution of funds allocated in subsection (1)(c) of this section shall be made in the following manner: Eastern Washington University, Central Washington University, Western Washington University, and The Evergreen State College are guaranteed one professorship. ~~((The remaining professorship shall be allocated on a first come first served basis to a regional university or The Evergreen State College which has used the professorship guaranteed it, and qualified for an additional professorship under section 5 of this act. If the regional universities and The Evergreen State College have not obligated the unassigned professorship by May 1, 1989, that professorship may be allocated to either the University of Washington or Washington State University in accordance with rules promulgated by the higher education coordinating board.))~~

(3) As of January 1, 1989, if any funds reserved in subsection (1) (a) or (b) of this section have not been designated as matching funds for qualifying gifts, any four-year institution of higher education, which has already fully utilized the professorships allocated to it by this section, and, in the case of the regional universities and The Evergreen State College, has exhausted the allocation in subsection (1)(c) of this section, may be eligible for such funds under rules promulgated by the higher education coordinating board.

NEW SECTION, Sec. 5. A shortage of high-quality equipment in Washington's institutions of higher education hinders the ability of those institutions to provide the advanced instruction needed to maintain industrial competitiveness and spur economic development in the state. This problem can be at least partially solved by encouraging donations of modern equipment.

NEW SECTION, Sec. 6. Unless the context clearly requires otherwise, the definitions in this section apply throughout this section and section 7 of this act:

(1) 'Modern equipment' means equipment that is useful in the course of postsecondary and graduate instruction or research and is comparable to state-of-the-art equipment or equipment widely used currently in private industry, not-for-profit organizations, or government laboratories. This definition only applies to equipment that retains at least one-half its useful life at the time of donation.

(2) 'Institutions of higher education' means those institutions of higher education defined in RCW 28B.10.016.

(3) 'Donation' means a transfer to an institution of higher education of modern equipment that is not encumbered in any manner.

NEW SECTION, Sec. 7. (1) After issuing a need statement and accepting a donation of modern equipment, an institution of higher education shall promptly have the fair market value of such equipment assessed by a qualified, independent expert. However, when the price of the donated modern equipment is listed in current catalogs or price lists available to the general public, an independent expert need not be used. The assessed fair market value of such equipment or the listed value shall then be reported to the higher education coordinating board, along with such other information as the board deems necessary.

(2) Upon receipt of a report under subsection (1) of this section, the board may distribute to the recipient institution of higher education, if funds are available, an amount up to the fair market value of the donated equipment. These funds, and the proceeds of the funds, shall be used for the initial installation, operation, and maintenance of and training in the use of the donated equipment and the purchase of software or new equipment that will optimize the use of the donated equipment. If funding requested under this section is unavailable, the institution may, at its discretion, cancel and return the donation.

(3) In consultation with institutions of higher education, the board shall adopt rules and guidelines for the program. These rules and guidelines may include an allocation system based on factors including but not limited to: The amount of funding available for the program and the needs of special programs which have been designated as priority programs by the legislature, the governor, or the institutions.

NEW SECTION, Sec. 8. The sum of two hundred fifty thousand dollars is appropriated for the biennium ending June 30, 1989, from the state general fund to the Western Washington University for deposit in the G. Robert Ross distinguished faculty endowment fund. The appropriation in this section shall fulfill the matching requirements in RCW 28B.10.870 for an additional two hundred fifty thousand dollars from the distinguished professorship trust fund. This appropriation along with the matching money from the distinguished professorship trust fund will result in a total amount of five hundred thousand dollars to be deposited into the G. Robert Ross distinguished faculty endowment fund.

NEW SECTION, Sec. 9. Section 2 of this act is added to Title 28B RCW."

Renumber the remaining sections consecutively and correct any internal references accordingly

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28B.10.870; amending section 12, chapter 8, Laws of 1987 (uncodified); adding a new section to Title 28B RCW; creating new sections; and making an appropriation." and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Jacobsen moved that the House do concur in the Senate amendments to Second Substitute House Bill No. 1640.

POINT OF ORDER

Mr. Grimm: I would ask that you rule on the scope and object of the Senate amendments to Second Substitute House Bill No. 1640.

SPEAKER'S RULING

The Speaker: Representative Grimm, the Speaker has examined Second Substitute House Bill No. 1640. The bill as passed by the House pertained to the establishment of an award and only the establishment of an award. The effect of the Senate amendments instruct the Higher Education Coordinating Board to administer a program to match the value of modern equipment donated to state institutions of higher education with state funds. I find, therefore, Representative Grimm, that your point is well taken. The Senate amendments to Second Substitute House Bill No. 1640 do change the original scope and object of the bill and are outside the original scope and object of the bill. Your point is well taken.

MOTION

Mr. Jacobsen moved that the House refuse to concur in the Senate amendments to Second Substitute House Bill No. 1640 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Jacobsen, Fox and Miller as conferees on Second Substitute House Bill No. 1640.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 657 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 42.17 RCW to read as follows:

The definitions in this section apply throughout RCW 42.17.510 through 42.17.540.

(1) 'Actual malice' means to act with knowledge of falsity or with reckless disregard as to truth or falsity.

(2) 'Sponsor' means the candidate, political committee, or person paying for the advertisement. If a person acts as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

(3) 'Incumbent' means a person who is in present possession of an elected office.

(4) 'Charitable organization' means an organization that is required to be registered with the secretary of state in compliance with RCW 19.09.075.

(5) 'Solicitation' means any oral or written request for a contribution, as defined in RCW 19.09.020.

Sec. 2. Section 3, chapter 216, Laws of 1984 and RCW 42.17.530 are each amended to read as follows:

(A person shall not sponsor political advertising which contains information that the person knows, or should reasonably be expected to know, to be false. No political advertising may falsely represent that a candidate is an incumbent for the office sought. A person or candidate shall not make, either directly or indirectly, a false claim stating or implying the support or endorsement of any person or organization:)) (1) It is a violation of this chapter for a person to sponsor, prepare, or cause to be prepared with actual malice:

(a) Political advertising that contains a false statement of material fact;

(b) Political advertising that falsely represents that a candidate is the incumbent for the office sought when in fact the candidate is not the incumbent; or

(c) Political advertising that makes either directly or indirectly, a false claim stating or implying the support or endorsement of any person or organization when in fact the candidate does not have such support or endorsement.

(2) A charitable organization is deemed to conduct a false political advertisement if the charitable organization:

(a) Intends to use or uses any funds received as a result of a solicitation as a contribution in support of, or in opposition to, a candidate or ballot proposition; and

(b) Fails to comply with the written disclosure and reporting requirements of section 4 of this 1988 act.

(3) Any violation of this section shall be proven by clear and convincing evidence.

Sec. 3, Section 4, chapter 216, Laws of 1984 and RCW 42.17.540 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the responsibility for compliance with RCW 42.17.510 through 42.17.530 shall rest with the ~~(sponsor of)~~ person who sponsors, prepares, or causes to be prepared the political advertising and not with the broadcasting station or other medium.

(2) If a broadcasting station or other medium changes the content of a political advertisement, the station or medium shall be responsible for any failure of the advertisement to comply with RCW 42.17.510 through 42.17.530 that results from that change.

NEW SECTION. Sec. 4. A new section is added to chapter 19.09 RCW to read as follows:

(1) No funds solicited by a charitable organization may be used by a charitable organization as a contribution in support of, or in opposition to, any candidate or any ballot proposition unless the charitable organization using the funds for such support or opposition:

(a) First discloses to the donor that part or all of the contribution may be used in such manner. The disclosure required by this section shall be conspicuously made in writing to each person or organization solicited before the receipt of the contribution, in the same manner as required by RCW 19.09.100 (2) and (3).

(b) Has filed a statement with the secretary indicating that the organization expects to receive or expend funds to support or oppose a candidate or ballot proposition. The statement shall identify the maximum percentage of funds raised from solicitations that may be dedicated for use as contributions in support of, or opposition to, any candidate or ballot proposition.

(c) Accounts for funds that may be used as a contribution in support of, or in opposition to, a candidate or ballot proposition separate from funds that may be used for other purposes. Funds shall be dedicated upon receipt. Once dedicated to any other purpose, or transferred from the special accounting for political contributions, funds shall not be transferred or otherwise redirected in any manner to political contributions.

(2) Funds dedicated for political contributions, as provided in subsection (1)(c) of this section, shall be reported to the public disclosure commission, as required by RCW 42.17.090, and excluded from the report of solicitations activity for the charitable organization as required under RCW 19.09.075(7), unless, before the close of the organization's accounting year, the funds are transferred or otherwise redirected to another purpose of the charitable organization.

(3)(a) A charitable organization required to report to the public disclosure commission under subsection (2) of this section that reports under subsection (1)(b) of this section that no more than ten percent of funds raised from solicitations may be dedicated for use as contributions in support of, or in opposition to, a candidate or ballot proposition shall file the report required by RCW 42.17.090 with the commission by the tenth day of the month following the close of the charitable organization's accounting quarter. The report need only be filed if the charitable organization has dedicated funds to the political contribution account in an amount of five hundred dollars or more or has made a contribution in support of, or in opposition to, a political candidate or ballot proposition in the preceding accounting quarter, or since the last report.

(b) A charitable organization required to report to the public disclosure commission under subsection (2) of this section that reports under subsection (1)(b) of this section that more than ten percent of funds raised from solicitations may be dedicated for use as contributions in support of, or in opposition to, a candidate or ballot proposition shall file the report required by RCW 42.17.090 at the intervals required under RCW 42.17.080."

On page 1, line 1 of the title, after "42.17.530" insert "and 42.17.540: adding a new section to chapter 19.09 RCW"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

POINT OF ORDER

Ms. Fisher: Mr. Speaker, I would ask you to rule on the scope and object of the Senate amendments.

SPEAKER'S RULING

The Speaker: Representative Fisher, the Speaker has examined Substitute House Bill No. 657 and finds that it deals with false advertising as referenced in the Public Disclosure section of the code. The Senate amendments to Substitute House Bill No. 657 deal with funds raised by charitable organizations and amends the charitable solicitation section and would, if allowed, broaden the scope of the bill. The Speaker finds, therefore, that your point is well taken. The Senate amendments are outside the original scope and object of Substitute House Bill No. 657.

MOTION

Ms. Fisher moved that the House do not concur in the Senate amendments to Substitute House Bill No. 657 and ask the Senate to recede therefrom. The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1884 with the following amendments:

By Senator West:

On page 5, after line 14, insert the following:

*NEW SECTION. Sec. 2. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.010;
- (2) Section 2, chapter 22, Laws of 1963 ex. sess., section 1, chapter 67, Laws of 1965, section 225, chapter 158, Laws of 1979, section 223, chapter 3, Laws of 1983 and RCW 82.37.020;
- (3) Section 3, chapter 22, Laws of 1963 ex. sess., section 4, chapter 83, Laws of 1967 ex. sess., section 4, chapter 317, Laws of 1977 ex. sess., section 29, chapter 49, Laws of 1983 1st ex. sess. and RCW 82.37.030;
- (4) Section 4, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.040;
- (5) Section 5, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.050;
- (6) Section 6, chapter 22, Laws of 1963 ex. sess., section 2, chapter 67, Laws of 1965 and RCW 82.37.060;
- (7) Section 7, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.070;
- (8) Section 8, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.080;
- (9) Section 9, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.090;
- (10) Section 10, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.100;
- (11) Section 11, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.110;
- (12) Section 12, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.120;
- (13) Section 13, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.130;
- (14) Section 14, chapter 22, Laws of 1963 ex. sess., section 3, chapter 67, Laws of 1965 and RCW 82.37.140;
- (15) Section 5, chapter 67, Laws of 1965 and RCW 82.37.145;
- (16) Section 15, chapter 22, Laws of 1963 ex. sess., section 4, chapter 67, Laws of 1965 and RCW 82.37.150;
- (17) Section 16, chapter 22, Laws of 1963 ex. sess., section 7, chapter 89, Laws of 1967 ex. sess. and RCW 82.37.160;
- (18) Section 17, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.170;
- (19) Section 13, chapter 161, Laws of 1982 and RCW 82.37.175;
- (20) Section 18, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.180;
- (21) Section 2, chapter 28, Laws of 1974 ex. sess. and RCW 82.37.190;
- (22) Section 22, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.900;
- (23) Section 23, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.910; and
- (24) Section 24, chapter 22, Laws of 1963 ex. sess. and RCW 82.37.920."

In line 1 of the title, after "vehicles;" strike "and" and after "46.44.041" insert "; and repealing RCW 82.37.010, 82.37.020, 82.37.030, 82.37.040, 82.37.050, 82.37.060, 82.37.070, 82.37.080, 82.37.090, 82.37.100, 82.37.110, 82.37.120, 82.37.130, 82.37.140, 82.37.145, 82.37.150, 82.37.160, 82.37.170, 82.37.175, 82.37.180, 82.37.190, 82.37.900, 82.37.910, and 82.37.920"

By Senators Anderson and McMullen:

On page 5, after line 14, insert the following:

*NEW SECTION. Sec. 2. The legislature finds and declares that certain counties and municipalities near international borders are subjected to a constant volume and flow of travelers and visitors for whom local government services must be provided. The legislature further finds that it is in the public interest and for the protection of the health, property, and welfare of the residents and visitors to provide supplemental resources to augment and maintain existing levels of police protection in such areas and to alleviate the impact of such added burdens.

NEW SECTION. Sec. 3. A new section is added to chapter 66.08 RCW to read as follows:

For the purposes of this section, the term 'border area' means Blaine, Everson, Friday Harbor, Lynden, Nooksack, Northport, Oroville, Port Angeles, Sumas, and that area of Whatcom county commonly referred to as Point Roberts.

Funds allocable to border areas under RCW 66.08.190 shall be distributed pursuant to a formula developed by the department of community development, by rule, based on border traffic and historical public impacts of law enforcement problems caused by the border on local budgets. All such funds received by Whatcom county pursuant to this allocation shall be spent within the Point Roberts area.

Sec. 4. Section 6, chapter 175, Laws of 1957 and RCW 66.08.190 are each amended to read as follows:

When excess funds are distributed, all moneys subject to distribution shall be disbursed as follows:

(1) Three-tenths of one percent to the department of community development to be allocated to border areas under section 3 of this 1988 act; and

(2) From the amount remaining after distribution under subsection (1) of this section, fifty percent to the general fund of the state, ten percent to the counties of the state, and forty percent to the incorporated cities and towns of the state.

NEW SECTION, Sec. 5. Sections 2 through 4 of this act shall take effect July 1, 1989."

In line 1 of the title, after "vehicles;" strike "and" and after "46.44.041" and before the period insert "and 66.08.190; adding a new section to chapter 66.08 RCW; creating a new section; and providing an effective date"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendments by Senators Anderson and McMullen on page 5, after line 14 and on line 1 of the title to Engrossed House Bill No. 1884. The motion was carried.

MOTION

Mr. Walk moved that the House do concur in the Senate amendments by Senator West on page 5, after line 14 and on line 1 of the title to Engrossed House Bill No. 1884.

POINT OF ORDER

Ms. Schmidt: I request a ruling on scope and object.

SPEAKER'S RULING

The Speaker: Representative Schmidt, the Speaker has examined Engrossed House Bill No. 1884 and finds that the House Bill deals with truck load limits. The Senate amendments repeal a motor vehicle fuel importer tax. I find that your point is well taken, that the Senate amendments are outside the scope and object of the original House Bill.

MOTION

Mr. Walk moved that the House do not concur in the Senate amendments by Senator West on page 5, line 14 and on line 1 of the title to Engrossed House Bill No. 1884 and ask the Senate to recede therefrom. The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1387 with the following amendments:

On page 4, after line 23, insert the following:

*NEW SECTION. Sec. 8. As used in this chapter, 'assisted development' means a multifamily rental housing development that receives governmental assistance under any of the following federal programs:

(1) New construction, substantial rehabilitation, moderate rehabilitation, state housing agency, new construction set-aside for section 515 rural rental housing projects, and other special allocations under section 8 of the United States Housing Act of 1937, as amended (42 U.S.C. Sec. 1437f).

(2) The following programs under the following sections of the National Housing Act:

(a) Section 213 (12 U.S.C. Sec. 1715e);

(b) The below-market-interest-rate program under section 221(d)(3) (12 U.S.C. Sec. 1715l(d)(3));

(c) Section 236 (12 U.S.C. Sec. 1715z-1);

(d) Section 202 (12 U.S.C. Sec. 1701a).

(3) Programs for rent supplement assistance under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. Sec. 1701s), as amended.

(4) Programs under the following sections of the Housing Act of 1949, as amended:

(a) Section 514 (42 U.S.C. Sec. 1484);

(b) Section 515 (42 U.S.C. Sec. 1485);

(c) Section 516 (42 U.S.C. Sec. 1486);

(d) Section 521(a)(1)(B) (42 U.S.C. Sec. 1490a(a)(1)); and

(e) Section 521(a)(2) (42 U.S.C. Sec. 1490a(a)(2)).

NEW SECTION. Sec. 9. All owners of an assisted development shall, at least twelve months before the termination of a federal assistance contract or prepayment of a mortgage or loan, serve a written notice of the anticipated termination or prepayment date on each tenant household residing in the development, and on the clerk of the city (or county if in an unincorporated area) in which the property is located, and on the state department of community development. This section shall not in any way prohibit an owner of an assisted development from terminating a federal assistance contract or prepaying a mortgage or loan. The requirement in this section for notice shall not be construed as conferring any new or additional regulatory power upon the city or county clerk or upon the state department of community development.

NEW SECTION. Sec. 10. The notice to tenants required by section 9 of this act shall state the anticipated date of termination or prepayment and the effect, if any, that the termination or prepayment is expected to have upon management and tenant policies and the tenant's rent. The notice to the city or county clerk and to the state department of community development required by section 9 of this act shall state: (1) The number of tenants in the assisted development; (2) the number and size of units that receive federal government assistance; (3) the age, race, family size, and estimated incomes of the tenants who will be affected by the termination or prepayment; (4) the projected rent increases for each affected tenant; and (5) the anticipated date of termination or prepayment.

NEW SECTION. Sec. 11. From the date of service of the notice under section 9 of this act until either twelve months have elapsed or termination or prepayment of the federal assistance contract or mortgage or loan, whichever is later, no owner of a federally assisted development may evict a tenant, or demand possession of any unit in an assisted development, except as authorized by the federal assistance program applicable to the project prior to termination or prepayment of the federal assistance contract or mortgage or loan.

NEW SECTION. Sec. 12. From the date of service of the notice under section 9 of this act until either twelve months have elapsed or termination of the federal assistance contract or prepayment of a mortgage or loan, whichever is later, no owner of an assisted development may increase the rent of a dwelling unit in an assisted development above the amount authorized by the federal assistance program applicable to the project prior to termination or prepayment of the federal assistance contract or mortgage or loan.

NEW SECTION. Sec. 13. Any party who is entitled to receive notice under this chapter may bring a civil action to enjoin or recover damages for any violation of this chapter, together with the costs of the suit, including reasonable attorneys' fees to the prevailing party.

NEW SECTION. Sec. 14. Sections 8 through 13 of this act constitute a new chapter in Title 59 RCW.*

Renumber the remaining section consecutively.

On page 1, line 2 of the title, after "adding" strike the remainder of the title and insert "new chapters to Title 59 RCW; and prescribing penalties."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Nutley moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1387.

POINT OF ORDER

Mr. J. Williams: I would request that the Speaker rule on the scope and object of the Senate amendments to Engrossed House Bill No. 1387.

SPEAKER'S RULING

The Speaker: Representative Williams, the Speaker has examined Engrossed House Bill No. 1387 and the Senate amendments to the House Bill. The House Bill is clear; it deals with the establishment of a rental security deposit guarantee program. The amendments add provisions which require the owner of a multi-family

rental housing development, who has received subsidies from the Department of Housing and Urban Development or the Farmers Home Administration, (to give notice when the subsidy is to be terminated or prepaid by the owner.) Clearly, the Senate amendments are outside the original scope and object of the bill. The Speaker finds that your point is well taken, Representative Williams.

MOTION

Ms. Nutley moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 1387 and ask the Senate to recede therefrom. The motion was carried.

MOTION FOR RECONSIDERATION

Mr. Appelwick, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Substitute House Bill No. 1429 as amended by the Senate passed the House.

Mr. Appelwick spoke in favor of the motion, and Mr. Padden opposed it.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Appelwick to immediately reconsider the vote by which Substitute House Bill No. 1429 as amended by the Senate passed the House.

Representatives Patrick, Chandler and J. Williams spoke against the motion, and Mr. P. King spoke in favor of it. Mr. Appelwick again spoke in favor of the motion.

The motion was lost.

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

INTRODUCTIONS AND FIRST READING

HCR 4447 by Representatives R. King, Patrick, Sayan and Schoon

Providing for the continuation of the Joint-Select Committee on Labor-Management Relations.

Referred to Committee on Commerce & Labor.

HCR 4448 by Representatives Holland, Grimm, Betrozoff, Peery, Taylor, Cole, Prince, Ebersole, Brough and Hine

Establishing a joint select committee on school construction.

Referred to Committee on Ways & Means.

The Speaker (Mr. O'Brien presiding) referred the resolutions listed on today's introduction sheet under the fourth order of business to the committees so designated.

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

MOTIONS

On motion of Mr. Appelwick, the following bills were referred to Committee on Rules 2:

SENATE BILL NO. 6292,
 SUBSTITUTE SENATE BILL NO. 6309,
 ENGROSSED SENATE BILL NO. 6320,
 SENATE BILL NO. 6321,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6380,
 SUBSTITUTE SENATE BILL NO. 6411,
 ENGROSSED SENATE BILL NO. 6460,
 SENATE BILL NO. 6476,
 SUBSTITUTE SENATE BILL NO. 6503,
 SENATE BILL NO. 6515,
 SUBSTITUTE SENATE BILL NO. 6546,
 SUBSTITUTE SENATE BILL NO. 6575,

SUBSTITUTE SENATE BILL NO. 6614,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6672.

On motion of Mr. Appelwick, the following bill was referred to Committee on Rules 3:

SUBSTITUTE HOUSE BILL NO. 1355.

The Speaker (Mr. O'Brien presiding) called on Representative Lux to preside.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4745, by Representatives O'Brien, Cantwell, Barnes, Crane, Ebersole, Hine, Brough and Sanders

WHEREAS, Recently on behalf of charity, one hundred philanthropists assisted in promoting an historic around-the-world trip known as Friendship One; and

WHEREAS, Captain Clay Lacy, one of the four pilots, and two flight engineers, Mr. Joe Clark and Mr. Bruce McCaw, organized the flight; and

WHEREAS, A United Airlines 747SP airplane set a new global speed record by circling the earth in thirty-six hours, fifty-four minutes, and fifteen seconds flying east from Seattle; and

WHEREAS, The special performance of this aircraft eclipsed the old speed record of approximately forty-five hours and thirty minutes set in 1984 and 1987; and

WHEREAS, The approximately one hundred passengers included Commander Neil Armstrong, former astronaut and the first man to walk on the moon, and seventy-seven pilots from various parts of the country, including Stanley O. McNaughton of Seattle; and

WHEREAS, Breaking the around-the-world record was a triumph for the Friendship Foundation, which organized the flight to raise funds for International Children's Hospital and Medical Center and the Museum of Flight's educational program; and

WHEREAS, This was accomplished because of the insight and effort of Mr. Edward Carlson and through the generosity of United Airlines, which donated the airplane and also staffed the flight with eighteen volunteer crew members; and

WHEREAS, The four engine Boeing 747SP, which can fly 7,700 miles without refueling, rode the high altitude jetstream whenever possible, where strong tailwinds increased its speed to a maximum of 893 miles per hour and an average of 632 miles per hour;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives offers heartfelt congratulations to the crew and volunteers who accomplished this achievement; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be forwarded by the Chief Clerk of the House of Representatives to the organizers of this epic flight; Mr. Joe Clark and Mr. Bruce McCaw; Mr. Edward Carlson; the Friendship Foundation and to the Museum of Flight.

Mr. O'Brien moved adoption of the resolution. Representatives O'Brien and Brough spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. Lux presiding) called on Representative O'Brien to preside.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1592 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. A new section is added to chapter 51.12 RCW to read as follows:

(1) The department shall furnish the benefits provided under this title to any worker or beneficiary who may have a right or claim for benefits under the maritime laws of the United States resulting from an asbestos-related disease if (a) there are objective clinical findings to substantiate that the worker has an asbestos-related claim for occupational disease and (b) the worker's employment history has a prima facie indicia of injurious exposure to asbestos fibers while employed in the state of Washington in employment covered under this title. The department shall render a decision as to the liable insurer and shall continue to pay benefits

until the liable insurer initiates payments or benefits are otherwise properly terminated under this title.

(2) The benefits authorized under subsection (1) of this section shall be paid from the medical aid fund, with the self-insurers and the state fund each paying a pro rata share, based on number of worker hours, of the costs necessary to fund the payments. For the purposes of this subsection only, the employees of self-insured employers shall pay an amount equal to one-half of the share charged to the self-insured employer.

(3) If the department determines that the benefits paid under subsection (1) of this section are owed to the worker or beneficiary by a self-insurer or the state fund, then the self-insurer or state fund shall reimburse the medical aid fund for all benefits paid and costs incurred by the fund.

(4) If the department determines that the benefits paid under subsection (1) of this section are owed to the worker or beneficiary by a federal program other than the federal social security, old age survivors, and disability insurance act, 42 U.S.C. or an insurer under the maritime laws of the United States:

(a) The department shall pursue the federal program insurer on behalf of the worker or beneficiary to recover from the federal program insurer the benefits due the worker or beneficiary and on its own behalf to recover the benefits previously paid to the worker or beneficiary and costs incurred;

(b) For the purpose of pursuing recovery under this subsection, the department shall be subrogated to all of the rights of the worker or beneficiary receiving compensation under subsection (1) of this section; and

(c) The department shall not pursue the worker or beneficiary for the recovery of benefits paid under subsection (1) of this section unless the worker or beneficiary receives recovery from the federal program insurer, in addition to receiving benefits authorized under this section. The director may exercise his or her discretion to waive, in whole or in part, the recovery of any such benefits where the recovery would be against equity and good conscience.

(5) The provisions of subsection (1) of this section shall not apply if the worker or beneficiary refuses, for whatever reason, to assist the department in making a proper determination of coverage. If a worker or beneficiary refuses to cooperate with the department, self-insurer, or federal program insurer by failing to provide information that, in the opinion of the department, is relevant in determining the liable insurer, or if a worker refuses to submit to medical examination, or obstructs or fails to cooperate with the examination, the department shall reject the application for benefits. No information obtained under this section is subject to release by subpoena or other legal process.

(6) The amount of any third party recovery by the worker or beneficiary shall be subject to a lien by the department to the full extent that the medical aid fund has not been otherwise reimbursed by another insurer. Reimbursement shall be made immediately to the medical aid fund upon recovery from the third party suit. If the department determines that the benefits paid under subsection (1) of this section are owed to the worker or beneficiary by a federal program insurer, the department shall not participate in the costs or attorneys' fees incurred in bringing the third party suit.

(7) This section shall expire July 1, 1993.

Sec. 2. Section 51.12.100, chapter 23, Laws of 1961 as last amended by section 21, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.100 are each amended to read as follows:

(1) The provisions of this title shall not apply to a master or member of a crew of any vessel, or to employers and workers for whom a right or obligation exists under the maritime laws for personal injuries or death of such workers.

(2) If an accurate segregation of payrolls of workers for whom such a right or obligation exists under the maritime laws cannot be made by the employer, the director is hereby authorized and directed to fix from time to time a basis for the approximate segregation of the payrolls of employees to cover the part of their work for which no right or obligation exists under the maritime laws for injuries or death occurring in such work, and the employer, if not a self-insurer, shall pay premiums on that basis for the time such workers are engaged in their work.

(3) Where two or more employers are simultaneously engaged in a common enterprise at one and the same site or place in maritime occupations under circumstances in which no right or obligation exists under the maritime laws for personal injuries or death of such workers, such site or place shall be deemed for the purposes of this title to be the common plant of such employers.

(4) In the event payments are made under this title prior to the final determination under the maritime laws, such benefits shall be repaid by the worker or beneficiary if recovery is subsequently made under the maritime laws.

Sec. 3. Section 51.32.180, chapter 23, Laws of 1961 as last amended by section 53, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.180 are each amended to read as follows:

Every worker who suffers disability from an occupational disease in the course of employment under the mandatory or elective adoption provisions of this title, or his or her family and dependents in case of death of the worker from such disease or infection, shall receive the

same compensation benefits and medical, surgical and hospital care and treatment as would be paid and provided for a worker injured or killed in employment under this title (~~PROVIDED; HOWEVER, That~~) except as follows: (1) This section and RCW 51.16.040 shall not apply where the last exposure to the hazards of the disease or infection occurred prior to January 1, 1937; and (2) for claims filed on or after July 1, 1988, the rate of compensation for occupational diseases shall be established as of the date the disease requires medical treatment or becomes totally or partially disabling, whichever occurs first, and without regard to the date of the contraction of the disease or the date of filing the claim.

NEW SECTION. Sec. 4. The department of labor and industries shall conduct a study of the program established by section 1 of this act. The department's study shall include the use of benefits under the program and the cost of the program. The department shall report the results of the study to the economic development and labor committee of the senate and the commerce and labor committee of the house of representatives, or the appropriate successor committees, at the start of the 1993 regular legislative session.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act shall take effect July 1, 1988, and shall apply to all claims filed on or after that date or pending a final determination on that date.

Sec. 6. Section 1, chapter 387, Laws of 1985 and RCW 49.26.100 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 49.26.100 through 49.26.140.

(1) 'Asbestos project' means the construction, demolition, repair, maintenance, remodeling, or renovation of any public or private building or mechanical piping equipment or systems involving the demolition, removal, encapsulation, salvage, or disposal of material, or outdoor activity, releasing or likely to release asbestos fibers into the air.

(2) 'Department' means the department of labor and industries.

(3) 'Person' means any partnership, firm, association, corporation, sole proprietorship, or the state of Washington or its political subdivisions.

(4) 'Certified asbestos supervisor' means an individual who is certified by the department to supervise an asbestos project.

(5) ~~((Qualified))~~ Certified asbestos worker' means an individual who is certified by the department to ~~((undertake))~~ work on an asbestos project.

~~((5))~~ (6) 'Certified asbestos contractor' means any partnership, firm, association, corporation or sole proprietorship registered under chapter 18.27 RCW that submits a bid or contracts to ~~((perform the removal or encapsulation of))~~ remove or encapsulate asbestos for another and is certified by the department to remove or encapsulate asbestos.

(7) 'Owner' means the owner of any public or private building, structure, facility or mechanical system, or the agent of such owner.

NEW SECTION. Sec. 7. A new section is added to chapter 49.26 RCW to read as follows:

(1) Any owner or owner's agent who allows or authorizes any construction, renovation, remodeling, maintenance, repair, or demolition project which has a reasonable possibility, as defined by the department, of disturbing or releasing asbestos into the air, shall perform or cause to be performed, using practices approved by the department, a good faith inspection to determine whether the proposed project will disturb or release any material containing asbestos into the air.

An inspection under this section is not required if the owner or owner's agent is reasonably certain that asbestos will not be disturbed or assumes that asbestos will be disturbed by a project which involves construction, renovation, remodeling, maintenance, repair, or demolition and takes the maximum precautions as required by all applicable federal and state requirements.

(2) Except as provided in section 13 of this act, a written report describing each inspection, or a statement of assumption of the presence or reasonable certainty of the absence of asbestos, shall be included as part of the written notice of the asbestos project required in RCW 49.26.120. A copy of the written report or statement shall be given to the collective bargaining representatives or employee representatives, if any, of employees who may be exposed to any asbestos or material containing asbestos. A copy shall be posted as prescribed by the department in a place that is easily accessible to such employees.

NEW SECTION. Sec. 8. A new section is added to chapter 49.26 RCW to read as follows:

(1) Any owner or owner's agent who allows the start of any construction, renovation, remodeling, maintenance, repair, or demolition without first (a) conducting the inspection and submitting the report of the inspection, or submitting a statement of assumption of the presence or reasonable certainty of the absence of asbestos, as required under section 7 of this act; and (b) submitting the additional written description of the project as required under RCW 49.26.120 shall be subject to a mandatory fine of not less than two hundred fifty dollars for each violation. Each day the violation continues shall be considered a separate violation. In addition, any construction, renovation, remodeling, maintenance, repair, or demolition which was started without meeting the requirements of section 7 of this act and RCW 49.26.120 shall be halted immediately and cannot be resumed before meeting such requirements. Any costs resulting

from the halt of the project incurred by contractors or other parties affected by the halt of the project shall be paid by the owner or the owner's agent.

(2) It is the responsibility of any contractor registered under chapter 18.27 RCW to request in writing a copy of the written report or statement required under section 7 of this act from the owner or the owner's agent. No contractor may commence any construction, renovation, remodeling, maintenance, repair or demolition project without receiving the copy of the written report or statement from the owner or the owner's agent. Any contractor who begins any project without the copy of the written report or statement shall be subject to a mandatory fine of not less than two hundred and fifty dollars per day. Each day the violation continues shall be considered a separate violation.

(3) Any partnership, firm, corporation or sole proprietorship that begins any construction, renovation, remodeling, maintenance, repair, or demolition without meeting the requirements of section 7 of this act and the notification requirement under RCW 49.26.120 shall lose the exemptions provided in RCW 49.26.110 and 49.26.120 for a period of not less than six months.

(4) The certificate of any asbestos contractor who knowingly violates any provision of this chapter or any rule adopted under this chapter shall be revoked for a period of not less than six months.

(5) The penalties imposed in this section are in addition to any penalties under RCW 49.26.140.

NEW SECTION. Sec. 9. A new section is added to chapter 49.26 RCW to read as follows:

A safety conference shall be held for all asbestos projects within seven days before the start of actual work. A weekly safety conference shall suffice for purposes of this section as long as all asbestos projects that will be started that week at the same location are discussed. The conference shall include representatives of the owner or contracting agency, the certified asbestos contractor, the employer, the employees of the certified asbestos contractor and the employer including the certified asbestos workers, and the employees' representatives or collective bargaining representatives. It shall include a discussion of the employer's and contractor's safety program and such means, methods, devices, processes, practices, conditions, or operations the employer and contractors intend to use in providing a safe work environment.

Minutes shall be kept of each safety meeting and shall include the date of the meeting, the names of the individuals in attendance and the issues discussed. One copy of the meeting minutes shall be kept on file at the company and one copy shall be given to the employees' collective bargaining representative, or employee representative, if any, and shall be posted as prescribed by the department in a place that is easily accessible to employees.

Sec. 10. Section 2, chapter 387, Laws of 1985 and RCW 49.26.110 are each amended to read as follows:

(1) No ~~((contractor.))~~ employee~~((;))~~ or other individual is eligible to do work ~~((on an asbestos project))~~ governed by this chapter unless issued a certificate by the department except, in the case of an asbestos project undertaken by any partnership, firm, corporation or sole proprietorship which has not lost this exemption under section 8(3) of this 1988 act, and conducted in its own facility and by its own employees under the direct, on-site supervision of a ~~((qualified))~~ certified asbestos ~~((worker))~~ supervisor. For the purposes of this chapter, on-site supervision shall include all activities taking place in the performance of a contract at one project location. In cases excepted under this section, the partnership, firm, corporation or sole proprietorship shall submit a written description to the department of the kinds of asbestos projects expected to be undertaken and the procedures to be used in undertaking asbestos projects, which description shall demonstrate competence in performing the work in compliance with the requirements of this chapter, rules adopted under this chapter, and any other requirements of law for the safe demolition, removal, encapsulation, salvage, and disposal of asbestos. To qualify for a certificate ~~((the contractor, employee, or other individual))~~; (a) Certified asbestos workers and supervisors must have successfully completed a ~~((basic))~~ training course of at least thirty hours, provided or approved by the department, on the health and safety aspects of the removal and encapsulation of asbestos including but not limited to the federal and state standards regarding protective clothing, respirator use, disposal, air monitoring, cleaning, and decontamination, and shall meet such additional qualifications as may be established by the department by rule for the type of certification sought; and (b) all applicants for certification as asbestos workers or supervisors must pass an examination in the type of certification sought which shall be provided or approved by the department. ~~((This training is))~~ These requirements are intended to represent the minimum ~~((training and education))~~ requirements for certification and shall not preclude contractors or employers from providing additional education or training. The department may require the successful completion of annual refresher courses provided or approved by the department for continued certification as an asbestos worker or supervisor.

(2) The department may deny, suspend, or revoke a certificate, ((in accordance with chapter 34.04 RCW)) as provided under RCW 49.26.140, for failure of the holder to comply with any requirement of this chapter or chapter 49.17 RCW, or any rule adopted under those chapters, or applicable health and safety standards and regulations. In addition to any penalty

imposed under section 8 of this 1988 act, the department may suspend or revoke any certificate issued under this chapter for a period of not less than six months upon the following grounds:

(a) The certificate was obtained through error or fraud; or

(b) The holder thereof is judged to be incompetent to carry out the work for which the certificate was issued.

Before any certificate may be suspended or revoked, the holder thereof shall be given written notice of the department's intention to do so, mailed by registered mail, return receipt requested, to the holder's last known address. The notice shall enumerate the allegations against such holder, and shall give him or her the opportunity to request a hearing before the department. At such hearing, the department and the holder shall have opportunity to produce witnesses and give testimony.

(3) Each person certified under this chapter shall display, upon the request of an authorized representative of the department, valid identification issued by the department.

NEW SECTION, Sec. 11. A new section is added to chapter 49.26 RCW to read as follows:

Before working on an asbestos project, a contractor shall obtain an asbestos contractor's certificate from the department and shall have in its employ at least one certified asbestos supervisor who is responsible for supervising all asbestos projects undertaken by the contractor and for assuring compliance with all state laws and regulations regarding asbestos. The contractor shall apply for certification renewal every year. The department shall ensure that the expiration of the contractor's registration and the expiration of his or her asbestos contractor's certificate coincide.

Sec. 12. Section 4, chapter 387, Laws of 1985 and RCW 49.26.120 are each amended to read as follows:

(1) No person may assign any employee, contract with, or permit any individual or person to remove or encapsulate asbestos in any facility unless performed by a ((qualified)) certified asbestos worker and under the direct, on-site supervision of a certified asbestos supervisor except, in the case of an asbestos project undertaken by any partnership, firm, corporation or sole proprietorship which has not lost this exemption under section 8(3) of this 1988 act, and conducted in its own facility and by its own employees under the direct, on-site supervision of a ((qualified)) certified asbestos ((worker)) supervisor. In cases excepted under this section, the partnership, firm, corporation or sole proprietorship shall submit a written description to the department of the kinds of asbestos projects expected to be undertaken and the procedures to be used in undertaking asbestos projects, which description shall demonstrate competence in performing the work in compliance with the requirements of this chapter, rules adopted under this chapter, and any other requirements of law for the safe demolition, removal, encapsulation, salvage, and disposal of asbestos. The department ((may)) shall require persons undertaking asbestos projects to provide written notice to the department before the commencement of the project except as provided in section 13 of this 1988 act. The notice shall include a written description containing such information as the department requires by rule, including the written report or statement required under section 7 of this 1988 act. The department may by rule allow a person to report multiple projects at one site in one report. The department shall by rule clarify the procedure and criteria by which a person will be considered to have attempted to meet the prenotification requirement.

(2) The department shall by rule, after consultation with the state fire protection policy board, establish policies and procedures for municipal fire department and fire district personnel who clean up sites after fires which have rendered it likely that asbestos has been or will be disturbed or released into the air.

NEW SECTION, Sec. 13. A new section is added to chapter 49.26 RCW to read as follows:

Prenotification to the department under RCW 49.26.120, including submission of the report or statement required under section 7 of this act, shall not be required for:

(1) Any asbestos project involving less than eleven square feet of surface area, or less than ten linear feet of pipe unless the surface area of the pipe is greater than eleven square feet. The person undertaking such a project shall keep the reports, or statements, and written descriptions required under section 7 of this act and RCW 49.26.120 which shall be available upon request by the department. Employees and employee representatives shall be notified as required under section 7(2) of this act.

(2) Projects which are defined as emergencies by the rules of the department. Emergency projects which disturb or release any material containing asbestos into the air shall be reported to the department within three working days after the commencement of the project in the manner otherwise required under this chapter. The person's employees and the employees' collective bargaining representatives, or employee representatives, if any, shall be notified of the emergency as soon as possible by the person undertaking the emergency project.

NEW SECTION, Sec. 14. A new section is added to chapter 49.26 RCW to read as follows:

All owners shall make a good faith effort, using practices approved by the department, to identify all materials which contain asbestos in their facilities and maintain records which catalog the location of the identified materials containing asbestos. Copies of these records shall

be made available on request to the department, the employees' collective bargaining representative, or employee representative, the employees, and any contractor preparing bids for work to be performed on the owner's facilities.

Sec. 15. Section 3, chapter 387, Laws of 1985 as amended by section 1, chapter 219, Laws of 1987 and RCW 49.26.130 are each amended to read as follows:

(1) The department shall administer (~~RCW 49.26.110 through 49.26.140~~) this chapter.

(2) The director of the department shall adopt, in accordance with chapters 34.04 and 49.17 RCW, rules necessary to carry out (~~RCW 49.26.110 through 49.26.140~~) this chapter.

(3) The department (~~may~~) shall prescribe fees for the issuance and renewal of certificates, including recertification, and the administration of examinations, and for the review of training courses.

(4) The asbestos account is hereby established in the state treasury. All fees collected under this chapter shall be deposited in the account. Moneys in the account shall be spent after appropriation only for costs incurred by the department in the administration and enforcement of this chapter. Disbursements from the account shall be on authorization of the director or the director's designee.

NEW SECTION. Sec. 16. A new section is added to chapter 49.26 RCW to read as follows:

Any employee who notifies the department of any activity the employee reasonably believes to be a violation of this chapter or any rule adopted under this chapter or who participates in any proceeding related thereto shall have the same rights and protections against discharge or discrimination as employees are afforded under chapter 49.17 RCW.

NEW SECTION. Sec. 17. A new section is added to chapter 49.26 RCW to read as follows:

Workers previously certified by the department to work on asbestos projects whose certification is valid on the effective date of this act shall be required to attend annual refresher courses to be recertified under this chapter. The department may require all persons who apply for recertification as required under this chapter to successfully complete educational requirements as required by the department by rule and to pass an examination.

NEW SECTION. Sec. 18. There is appropriated from the accident fund to the department of labor and industries for the biennium ending June 30, 1989, the sum of five hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act. Repayment shall be made from the asbestos account to the accident fund of any moneys appropriated by law in order to implement this act.

NEW SECTION. Sec. 19. Sections 15 and 18 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. Sections 6 through 14, 16, and 17 of this act shall take effect January 1, 1989. The department of labor and industries may immediately take such steps as are necessary to ensure that sections 6 through 18 of this act are implemented on those dates."

On page 1, line 2 of the title, after "51.12.100," strike the remainder of the title and insert "51.32.180, 49.26.100, 49.26.110, 49.26.120, and 49.26.130; adding new sections to chapter 49.26 RCW; adding a new section to chapter 51.12 RCW; creating a new section; prescribing penalties; making an appropriation; providing effective dates; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Substitute House Bill No. 1592.

Mr. Wang spoke in favor of the motion, and Mr. Patrick opposed it. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1592 as amended by the Senate.

Representatives Sayan and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1592 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P., King R., Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley,

O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute House Bill No. 1592 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:00 a.m., Tuesday, March 8, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Tuesday, March 8, 1988

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Day, Dorn and Walk. Representatives Allen, Dorn and Walk were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kristin Carter and Michael Grimshaw. Prayer was offered by The Reverend Michael E. Grimshaw, Pastor of the Church of the Nazarene of Bremerton.

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

MESSAGES FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 5016 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 5036 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SENATE BILL NO. 5229 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 5333 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 5586 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 5667 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6024 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6101 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6118 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 6148 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 6178 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6182 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6195 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 6207 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6212 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 6218 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6240 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6243 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 6255 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6260 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 6266 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6271 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 6305 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 6332 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 6342 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6357 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6370 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6372 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6396 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6397 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6408 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6419 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6435 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 6437 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SENATE BILL NO. 6440 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 6446 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SENATE BILL NO. 6447 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6452 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 6466 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 6470 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6474 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6486 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 6513 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SENATE BILL NO. 6519 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6523 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6530 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6569 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6638 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6641 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SENATE BILL NO. 6647 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8430,
and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTION AND FIRST READING

SSCR 8430 by Committee on Governmental Operations (originally sponsored by Senators Talmadge, Owen, Conner, Bender, Pullen, Warnke, McDonald, Bauer, Metcalf and Rasmussen)

Urging the display of the prisoner-of-war and missing-in-action flag.

Referred to Committee on State Government.

The Speaker (Mr. O'Brien presiding) referred the resolution listed on today's introduction sheet under the fourth order of business to the committee so designated.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The President has signed:

SENATE BILL NO. 6578,

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8027,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1515 with the following amendments:

On page 2, after line 20, strike all of the material down to and including the period on line 28

Renumber the remaining parts and sections accordingly.

On page 7, after line 18, strike all material down to and including the period on line 23

On line 5 of the title, after "43.117.910" strike the remainder of the title

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. H. Sommers moved that the House refuse to concur in the Senate amendments to House Bill No. 1515 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives H. Sommers, Locke and Hankins as conferees on House Bill No. 1515.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Sprenkle and Vekich were excused.

Representatives Day and Sprenkle appeared at the bar of the House.

MESSAGES FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 608. The President has appointed the following members as conferees: Senators Pullen, Niemi and McCaslin.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1284. The President has appointed the following members as conferees: Senators Pullen, Talmadge and Smith.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1312. The President has appointed the following members as conferees: Senators McDonald, Gaspard and Hayner.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1835. The President has appointed the following members as conferees: Senators Benitz, Williams and Lee.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420. The President has appointed the following members as conferees: Senators Cantu, Garrett and Lee.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594. The President has appointed the following members as conferees: Senators Barr, DeJarnatt and Bailey.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SECOND SUBSTITUTE HOUSE BILL NO. 1640. The President has appointed the following members as conferees: Senators Saling, McMullen and Patterson.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817. The President has appointed the following members as conferees: Senators Patterson, Bender and Nelson.

W. D. Naismith, Assistant Secretary.

March 5, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 662,
 ENGROSSED HOUSE BILL NO. 1272,
 HOUSE BILL NO. 1280,
 SUBSTITUTE HOUSE BILL NO. 1419,
 HOUSE BILL NO. 1471,
 SUBSTITUTE HOUSE BILL NO. 1525,
 HOUSE BILL NO. 1559,
 SUBSTITUTE HOUSE BILL NO. 1562,
 HOUSE BILL NO. 1616,
 SUBSTITUTE HOUSE BILL NO. 1617,
 ENGROSSED HOUSE BILL NO. 1626,
 HOUSE BILL NO. 1649,
 SUBSTITUTE HOUSE BILL NO. 1680,
 HOUSE BILL NO. 1686,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1740,
 HOUSE BILL NO. 1833.

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 7, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5943,
 SUBSTITUTE SENATE BILL NO. 6147,
 SENATE BILL NO. 6245,
 SUBSTITUTE SENATE BILL NO. 6404,
 SENATE BILL NO. 6418,
 SUBSTITUTE SENATE BILL NO. 6498,
 SUBSTITUTE SENATE BILL NO. 6512,
 SUBSTITUTE SENATE BILL NO. 6548,
 SUBSTITUTE HOUSE BILL NO. 1089,
 HOUSE BILL NO. 1304,
 SUBSTITUTE HOUSE BILL NO. 1329,
 SUBSTITUTE HOUSE BILL NO. 1339,
 SUBSTITUTE HOUSE BILL NO. 1362,
 HOUSE BILL NO. 1371,
 SUBSTITUTE HOUSE BILL NO. 1373,
 SUBSTITUTE HOUSE BILL NO. 1377,
 SUBSTITUTE HOUSE BILL NO. 1388,
 HOUSE BILL NO. 1560,
 HOUSE BILL NO. 1693,
 HOUSE BILL NO. 1694,
 HOUSE BILL NO. 1710,
 HOUSE BILL NO. 1813,
 HOUSE CONCURRENT RESOLUTION NO. 4446.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1445 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the illegal use, sale, and manufacture of drugs and other drug-related activities is a state-wide problem. Innocent persons, especially children, who come into contact with illegal drug-related activity within their own neighborhoods are seriously and adversely affected. Rental property is damaged and devalued by drug activities. The legislature further finds that a rapid and efficient response is necessary to: (1) Lessen the occurrence of drug-related enterprises; (2) reduce the drug use and trafficking problems within this state; and (3) reduce the damage caused to persons and property by drug activity. The legislature finds that it is beneficial to rental property owners and to the public to permit landlords to quickly and efficiently evict persons who engage in drug-related activities at rented premises.

Sec. 2. Section 13, chapter 207, Laws of 1973 1st ex. sess. as amended by section 3, chapter 264, Laws of 1983 and RCW 59.18.130 are each amended to read as follows:

Each tenant shall pay the rental amount at such times and in such amounts as provided for in the rental agreement or as otherwise provided by law and comply with all obligations imposed upon tenants by applicable provisions of all municipal, county, and state codes, statutes, ordinances, and regulations, and in addition shall:

(1) Keep that part of the premises which he occupies and uses as clean and sanitary as the conditions of the premises permit;

(2) Properly dispose from his dwelling unit all rubbish, garbage, and other organic or flammable waste, in a clean and sanitary manner at reasonable and regular intervals, and assume all costs of extermination and fumigation for infestation caused by the tenant;

(3) Properly use and operate all electrical, gas, heating, plumbing and other fixtures and appliances supplied by the landlord;

(4) Not intentionally or negligently destroy, deface, damage, impair, or remove any part of the structure or dwelling, with the appurtenances thereto, including the facilities, equipment, furniture, furnishings, and appliances, or permit any member of his family, invitee, licensee, or any person acting under his control to do so. Violations may be prosecuted under chapter 9A.48 RCW if the destruction is intentional and malicious;

(5) Not permit a nuisance or common waste; ((and))

(6) Not engage in drug-related activity at the rental premises, or allow a subtenant, sublessee, resident, or anyone else to engage in drug-related activity at the rental premises with the knowledge or consent of the tenant. 'Drug-related activity' means that activity which constitutes a violation of chapter 69.41, 69.50, or 69.52 RCW; and

(7) Upon termination and vacation, restore the premises to their initial condition except for reasonable wear and tear or conditions caused by failure of the landlord to comply with his obligations under this chapter: PROVIDED, That the tenant shall not be charged for normal cleaning if he has paid a nonrefundable cleaning fee.

Sec. 3. Section 40, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.390 are each amended to read as follows:

The sheriff shall, upon receiving the writ of restitution, forthwith serve a copy thereof upon the defendant, his agent, or attorney, or a person in possession of the premises, and shall not execute the same for three days thereafter, and the defendant, or person in possession of the premises within three days after the service of the writ of restitution may execute to the plaintiff a bond to be filed with and approved by the clerk of the court in such sum as may be fixed by the judge, with sufficient surety to be approved by the clerk of said court, conditioned that they will pay to the plaintiff such sum as the plaintiff may recover for the use and occupation of the said premises, or any rent found due, together with all damages the plaintiff may sustain by reason of the defendant occupying or keeping possession of said premises, together with all damages which the court theretofore has awarded to the plaintiff as provided in this chapter, and also all the costs of the action. The plaintiff, his agent or attorneys, shall have notice of the time and place where the court or judge thereof shall fix the amount of the defendant's bond, and shall have notice and a reasonable opportunity to examine into the qualification and sufficiency of the sureties upon said bond before said bond shall be approved by the clerk. If the writ of restitution has been based upon a finding by the court that the tenant, subtenant, sublessee, or a person residing at the rental premises has engaged in drug-related activity or has allowed any other person to engage in drug-related activity at those premises with his or her knowledge or approval, neither the tenant, the defendant, nor a person in possession of the premises shall be entitled to post a bond in order to retain possession of the premises. The writ may be served by the sheriff, in the event he shall be unable to find the defendant, an agent or attorney, or a person in possession of the premises, by affixing a copy of said writ in a conspicuous place upon the premises.

Sec. 4. Section 41, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.400 are each amended to read as follows:

On or before the day fixed for his appearance the defendant may appear and answer. The defendant in his answer may assert any legal or equitable defense or set-off arising out of the tenancy. If the complaint alleges that the tenancy should be terminated because the defendant tenant, subtenant, sublessee, or resident engaged in drug-related activity, or allowed any other person to engage in drug-related activity at the rental premises with his or her knowledge or consent, no set-off shall be allowed as a defense to the complaint.

Sec. 5. Section 8, chapter 279, Laws of 1977 ex. sess. as last amended by section 4, chapter 58, Laws of 1984 and RCW 59.20.080 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the landlord shall not terminate a tenancy, of whatever duration except for one or more of the following reasons:

(a) Substantial violation, or repeated or periodic violations of the rules of the mobile home park as established by the landlord at the inception of the tenancy or as assumed subsequently with the consent of the tenant or for violation of the tenant's duties as provided in RCW 59.20.140. The tenant shall be given written notice to cease the rule violation immediately. The notice shall state that failure to cease the violation of the rule or any subsequent violation of that or any other rule shall result in termination of the tenancy, and that the tenant shall vacate the premises within fifteen days: PROVIDED, That for a periodic violation the notice shall also specify that repetition of the same violation shall result in termination: PROVIDED FURTHER, That in the case of a violation of a 'material change' in park rules with respect to pets, tenants with minor children living with them, or recreational facilities, the tenant shall be given written notice under this chapter of a six month period in which to comply or vacate;

(b) Nonpayment of rent or other charges specified in the rental agreement, upon five days written notice to pay rent and/or other charges or to vacate;

(c) Conviction of the tenant of a crime, commission of which threatens the health, safety, or welfare of the other mobile home park tenants. The tenant shall be given written notice of a fifteen day period in which to vacate;

(d) Failure of the tenant to comply with local ordinances and state laws and regulations relating to mobile homes or mobile home living within a reasonable time after the tenant's receipt of notice of such noncompliance from the appropriate governmental agency;

(e) Change of land use of the mobile home park including, but not limited to, conversion to a use other than for mobile homes or conversion of the mobile home park to a mobile home park cooperative or mobile home park subdivision: PROVIDED, That the landlord shall give the tenants twelve months' notice in advance of the proposed effective date of such change;

(f) Engaging in 'drug-related activity.' 'Drug-related activity' means that activity which constitutes a violation of chapter 69.41, 69.50, or 69.52 RCW.

(2) A landlord may terminate any tenancy without cause. Such termination shall be effective twelve months from the date the landlord serves notice of termination upon the tenant or at the end of the current tenancy, whichever is later: PROVIDED, That a landlord shall not terminate a tenancy for any reason or basis which is prohibited under RCW 59.20.070 (3) or (4) or is intended to circumvent the provisions of (1)(e) of this section.

(3) Within five days of a notice of eviction as required by subsection (1)(a) or (2) of this section, the landlord and tenant shall submit any dispute, including the decision to terminate the tenancy without cause, to mediation. The parties may agree in writing to mediation by an independent third party or through industry mediation procedures. If the parties cannot agree, then mediation shall be through industry mediation procedures. A duty is imposed upon both parties to participate in the mediation process in good faith for a period of ten days for an eviction under subsection (1)(a) of this section, or for a period of thirty days for an eviction under subsection (2) of this section. It is a defense to an eviction under subsection (1)(a) or (2) of this section that a landlord did not participate in the mediation process in good faith.

Sec. 6. Section 9, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.140 are each amended to read as follows:

It shall be the duty of the tenant to pay the rental amount at such times and in such amounts as provided for in the rental agreement or as otherwise provided by law and comply with all obligations imposed upon tenants by applicable provisions of all municipal, county, and state codes, statutes, ordinances and regulations, and in addition the tenant shall:

(1) Keep the mobile home lot which he occupies and uses as clean and sanitary as the conditions of the premises permit;

(2) Properly dispose of all rubbish, garbage, and other organic or flammable waste, in a clean and sanitary manner at reasonable and regular intervals, and assume all costs of extermination and fumigation for infestation caused by the tenant on the tenant's leased premises;

(3) Not intentionally or negligently destroy, deface, damage, impair, or remove any facilities, equipment, furniture, furnishings, fixtures or appliances provided by the landlord, or permit any member of his family, invitee, or licensee, or any person acting under his control to do so: ~~((and))~~

(4) Not permit a nuisance or common waste; ~~and~~

(5) Not engage in drug-related activities as defined in RCW 59.20.080.

Sec. 7. Section 18, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.180 are each amended to read as follows:

If the tenant fails to comply with any portion of RCW 59.18.130 or 59.18.140, and such non-compliance can substantially affect the health and safety of the tenant or other tenants, or substantially increase the hazards of fire or accident that can be remedied by repair, replacement of a damaged item, or cleaning, the tenant shall comply within thirty days after written notice by the landlord specifying the noncompliance, or, in the case of emergency as promptly as conditions require. If the tenant fails to remedy the noncompliance within that period the landlord may enter the dwelling unit and cause the work to be done and submit an itemized bill of the actual and reasonable cost of repair, to be payable on the next date when periodic rent is due, or on terms mutually agreed to by the landlord and tenant, or immediately if the rental agreement has terminated. Any substantial noncompliance by the tenant of RCW 59.18.130 or 59.18.140 shall constitute a ground for commencing an action in unlawful detainer in accordance with the provisions of chapter 59.12 RCW, and a landlord may commence such action at any time after written notice pursuant to such chapter. The tenant shall have a defense to an unlawful detainer action filed solely on this ground if it is determined at the hearing authorized under the provisions of chapter 59.12 RCW that the tenant is in substantial compliance with the provisions of this section, or if the tenant remedies the noncomplying condition within the thirty day period provided for above or any shorter period determined at the hearing to have been required because of an emergency: PROVIDED, That if the defective condition is remedied after the commencement of an unlawful detainer action, the tenant may be liable to the landlord for statutory costs and reasonable attorney's fees.

If drug-related activity is alleged to be a basis for termination of tenancy under RCW 59.18.130(6), 59.12.030(5), or 59.20.140(5), the compliance provisions of this section do not apply and the landlord may proceed directly to an unlawful detainer action.

Sec. 8. Section 7, chapter 458, Laws of 1987 and RCW 69.53.010 are each amended to read as follows:

(1) It is unlawful for any person who has under his or her management or control any building, room, space, or enclosure, either as an owner, lessee, agent, employee, or mortgagee, to knowingly rent, lease, or make available for use, with or without compensation, the building, room, space, or enclosure for the purpose of unlawfully manufacturing, delivering, selling, storing, or giving away any controlled substance under chapter 69.50 RCW, legend drug under chapter 69.41 RCW, or imitation controlled substance under chapter 69.52 RCW.

(2) It shall be a defense for an owner, manager, or other person in control pursuant to subsection (1) of this section to, in good faith, notify a law enforcement agency of suspected

drug activity pursuant to subsection (1) of this section, or to process an unlawful detainer action for drug-related activity against the tenant or occupant.

((2)) (3) A violation of this section is a class C felony punishable under chapter 9A.20 RCW.

Sec. 9. Section 8, chapter 458, Laws of 1987 and RCW 69.53.020 are each amended to read as follows:

(1) It is unlawful for any person who has under his or her management or control any building, room, space, or enclosure, either as an owner, lessee, agent, employee, or mortgagee, to knowingly allow the building, room, space, or enclosure to be fortified to suppress law enforcement entry in order to further the unlawful manufacture, delivery, sale, storage, or gift of any controlled substance under chapter 69.50 RCW, legend drug under chapter 69.41 RCW, or imitation controlled substance under chapter 69.52 RCW.

(2) It shall be a defense for an owner, manager, or other person in control pursuant to subsection (1) of this section to, in good faith, notify a law enforcement agency of suspected drug activity pursuant to subsection (1) of this section, or to process an unlawful detainer action for drug-related activity against the tenant or occupant.

((2)) (3) A violation of this section is a class C felony punishable under chapter 9A.20 RCW.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "dwellings;" strike the remainder of the title and insert "amending RCW 59.18.130, 59.18.390, 59.18.400, 59.20.080, 59.20.140, 59.18.180, 69.53.010, and 69.53.020; and creating a new section."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1445 and ask the Senate for a conference thereon.

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

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Armstrong, Wineberry and Padden as conferees on Substitute House Bill No. 1445.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1465 with the following amendments:

On page 2, line 22, after "(1)" insert "(a) Except as provided in (b) of this subsection."

On page 2, after line 25, insert "(b) If approved by a majority vote of the superior court judges of a county, the superior court may adopt by local court rule an economic table that shall be used by the superior court of that county, instead of the economic table adopted by the commission, to determine the appropriate amount of child support. The economic table adopted by the superior court shall not vary by more than twenty-five percent from the economic table adopted by the commission and shall not vary the economic table for combined monthly net income of two thousand five hundred dollars or less."

On page 4, after line 29, insert the following:

"(8) This section shall expire July 1, 1990."

On page 7, line 24, after "every" strike "six" and insert "twelve"

On page 7, after line 1, strike all the material down to and including "motion." on line 28

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, line 32, after "immediately." strike all the material down to and including "1989." on line 33

On page 16, line 28, after "sections" strike "8" and insert "4, 8."

On page 16, line 29, strike "Section 8 of this act is" and insert "Sections 4 and 8 of this act are"

On page 16, after line 20, insert the following:

"Sec. 18. Section 17, chapter 157, Laws of 1973 1st ex. sess. as amended by section 1, chapter 430, Laws of 1987 and RCW 26.09.170 are each amended to read as follows:

(1) Except as otherwise provided in subsection (7) of RCW 26.09.070, the provisions of any decree respecting maintenance or support may be modified only as to installments accruing subsequent to the motion for modification and, except as otherwise provided in subsection (4)

of this section, only upon a showing of a substantial change of circumstances. The provisions as to property disposition may not be revoked or modified, unless the court finds the existence of conditions that justify the reopening of a judgment under the laws of this state.

(2) Unless otherwise agreed in writing or expressly provided in the decree the obligation to pay future maintenance is terminated upon the death of either party or the remarriage of the party receiving maintenance.

(3) Unless otherwise agreed in writing or expressly provided in the decree, provisions for the support of a child are terminated by emancipation of the child or by the death of the parent obligated to support the child.

(4) An order of child support may be modified one year or more after it has been entered without showing a substantial change of circumstances:

(a) If the order in practice works a severe economic hardship on either party or the child;

(b) If a party requests an adjustment in an order for child support which was based on guidelines which determined the amount of support according to the child's age, and the child is no longer in the age category on which the current support amount was based;

(c) If a child is still in high school, upon a finding that there is a need to extend support beyond the eighteenth birthday to complete high school; or

(d) To add an automatic adjustment of support provision consistent with RCW 26.09.100.

(5) An obligor's voluntary unemployment or voluntary underemployment, by itself, is not a substantial change of circumstances.

(6) The department of social and health services may file an action to modify an order of child support if public assistance money is being paid to or for the benefit of the child and the child support order is twenty-five percent or more below the appropriate child support amount set forth in the adopted child support schedule. The determination of twenty-five percent or more shall be based on the current income of the parties and the department shall not be required to show a substantial change of circumstances.

Remember the remaining sections consecutively and correct any internal references accordingly.

On page 16, after line 20, insert the following:

*Sec. 18. Section 17, chapter 157, Laws of 1973 1st ex. sess. as amended by section 1, chapter 430, Laws of 1987 and RCW-26.09.170 are each amended to read as follows:

(1) Except as otherwise provided in subsection (7) of RCW 26.09.070, the provisions of any decree respecting maintenance or support may be modified only as to installments accruing subsequent to the motion for modification and ~~((except as otherwise provided in subsection (4) of this section;))~~ only upon a showing of a substantial change of circumstances. The provisions as to property disposition may not be revoked or modified, unless the court finds the existence of conditions that justify the reopening of a judgment under the laws of this state.

(2) Unless otherwise agreed in writing or expressly provided in the decree the obligation to pay future maintenance is terminated upon the death of either party or the remarriage of the party receiving maintenance.

(3) Unless otherwise agreed in writing or expressly provided in the decree, provisions for the support of a child are terminated by emancipation of the child or by the death of the parent obligated to support the child.

~~(4) ((An order of child support may be modified one year or more after it has been entered without showing a substantial change of circumstances:~~

~~(a) if the order in practice works a severe economic hardship on either party or the child;~~

~~(b) if a party requests an adjustment in an order for child support which was based on guidelines which determined the amount of support according to the child's age, and the child is no longer in the age category on which the current support amount was based;~~

~~(c) if a child is still in high school, upon a finding that there is a need to extend support beyond the eighteenth birthday to complete high school; or~~

~~(d) To add an automatic adjustment of support provision consistent with RCW 26.09.100.~~

~~(5)) An obligor's voluntary unemployment or voluntary underemployment, by itself, is not a substantial change of circumstances.~~

On page 16, after line 20, insert the following:

*Sec. 18. Section 3, chapter 435, Laws of 1987 and RCW 26.23.030 are each amended to read as follows:

There is created a Washington state support registry within the office of support enforcement as the agency designated in Washington state to administer the child support program under Title IV-D of the federal social security act. The registry shall:

(1) Account for and disburse all support payments received by the registry;

(2) Maintain the necessary records including, but not limited to, information on support orders, support debts, the date and amount of support due; the date and amount of payments; and the names, social security numbers, and addresses of the parties;

(3) Develop procedures for providing information to the parties regarding action taken by, and support payments collected and distributed by the registry;

(4) The secretary of social and health services shall adopt rules for the maintenance and retention of records of support payments and for the archiving and destruction of such records

when the support obligation terminates or is satisfied. When a support obligation established under court order entered in a superior court of this state has been satisfied, a satisfaction of judgment form shall be prepared by the registry and filed with the clerk of the court in which the order was entered.

The child support registry shall distribute all moneys received in compliance with 42 U.S.C. Sec. 657. Support received by the office of support enforcement shall be distributed promptly but not later than eight days from the date of receipt unless circumstances exist which make such distribution impossible. Such circumstances include when: (1) The location of the custodial parent is unknown; (2) the child support debt is in litigation; or (3) the responsible parent or custodial parent cannot be identified. When, following termination of public assistance, the office of support enforcement collects support, all moneys collected up to the maximum of the support due for the period following termination from public assistance shall, to the extent permitted by federal law, be paid to the custodial parent before any distribution to the office of support enforcement under 42 U.S.C. Sec. 657. This section shall not apply to support collected through intercepting federal tax refunds under 42 U.S.C. Sec. 664. When a responsible parent has more than one support obligation, or a support debt is owed to more than one party, moneys received will be distributed between the parties proportionally, based upon the amount of the support obligation and/or support debt owed.

If the Washington state support registry distributes a support payment to a person in error, the registry may obtain restitution by means of a set-off against future payments received on behalf of the person receiving the erroneous payment, or may act according to RCW 74.20A.270 as deemed appropriate. Any set-off against future support payments shall be limited to amounts collected on the support debt and up to ten percent of amounts collected as current support.

Sec. 19. Section 22, chapter 171, Laws of 1979 ex. sess. as amended by section 3, chapter 276, Laws of 1985 and RCW 74.20.330 are each amended to read as follows:

(1) Whenever public assistance is paid under this title, each applicant or recipient is deemed to have made assignment to the department of any rights to a support obligation from any other person the applicant or recipient may have in his or her own behalf or in behalf of any other family member for whom the applicant or recipient is applying for or receiving public assistance, including any unpaid support obligation or support debt which has accrued at the time the assignment is made. Payment of public assistance under this title operates as an assignment by operation of law.

(2) ~~Upon the recipient's request, the department ((may, and under appropriate circumstances)) shall(;) continue to establish the support obligation and to enforce and collect the support debt ((for a period not to exceed three months from the month following the month in which such family ceased)) after the family ceases to receive public assistance, and thereafter if a nonassistance request for support enforcement services has been made under RCW 74.20.040 (2) and (3). The department shall distribute all amounts collected in accordance with 42 U.S.C. Sec. 657 and RCW 26.23.030.~~

Sec. 20. Section 3, chapter 164, Laws of 1971 ex. sess. as last amended by section 31, chapter 435, Laws of 1987 and RCW 74.20A.030 are each amended to read as follows:

The department shall be subrogated to the right of any dependent child or children or person having the care, custody, and control of said child or children, if public assistance money is paid to or for the benefit of the child, to prosecute or maintain any support action or execute any administrative remedy existing under the laws of the state of Washington to obtain reimbursement of moneys expended, based on the support obligation of the responsible parent established by a superior court order or RCW 74.20A.055. Distribution of any support moneys shall be made in accordance with 42 U.S.C. Sec. 657.

Public assistance moneys shall be exempt from collection action under this chapter except as provided in RCW 74.20A.270.

No collection action shall be taken against parents of children eligible for admission to, or children who have been released from, a state school for the developmentally disabled as defined by chapter 72.33 RCW.

The department may initiate, continue, maintain, or execute action to establish, enforce, and collect a support obligation, including establishing paternity and performing related services, under this chapter and chapter 74.20 RCW, or through the attorney general or prosecuting attorney under chapter 26.09, 26.18, 26.20, 26.21, or 26.26 RCW or other appropriate statutes or the common law of this state, for a period not to exceed three months from the month following the month in which the family or any member thereof ceases to receive public assistance and thereafter if a nonassistance request for support enforcement services has been made under RCW 74.20.040 and RCW 26.23.030."

On page 1, line 3 of the title, after "26.09.100," insert "26.09.170,"

On page 1, line 3 of the title, after "74.20A.055," strike "and 74.20A.160" and insert ", 74.20A.160, and 26.09.170"

On page 1, line 3 of the title, after "26.09.100," insert "26.23.030, 74.20.330, 74.20A.030,"

On page 1, beginning on line 4 of the title, strike "adding a new section to chapter 36.09 RCW;"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1465.

MOTION

Mr. Padden moved that the question be divided by amendment.

With consent of the House, Mr. Padden withdrew the motion.

MOTION

Mr. Padden moved that the question be divided into two parts, the amendments on page 2 and the remaining amendments.

Mr. Padden spoke in favor of the motion, and Representatives Armstrong and Schmidt spoke against it.

Mr. Padden again spoke in favor of the motion, and Mr. Armstrong again opposed it.

The motion by Mr. Padden to divide the question was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Armstrong to concur in the Senate amendments to Engrossed Substitute House Bill No. 1465.

Representatives Armstrong and Brough spoke in favor of the motion, and Representative Padden opposed it.

Mr. Armstrong again spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1465 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1465 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 10; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Baugher, Day, Dellwo, Doty, Heavey, Lewis, Nutley, Padden, Smith C, Williams J - 10.

Excused: Representatives Allen, Dorn, Vekich, Walk - 4.

Engrossed Substitute House Bill No. 1465 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTION HOUSE BILL NO. 1568 with the following amendments:

By Senate Committee on Education:

On page 2, line 28, following "teachers," insert "educational staff associates."

By Senators Rinehart, Bailey, Smitherman, Saling and Gaspard:

On page 3, after line 9, insert the following:

NEW SECTION. Sec. 4. A new section is added to chapter 28A.04 RCW to read as follows:

(1) The state board of education, with the assistance and advice of the superintendent of public instruction, the higher education coordinating board, institutions of higher education, and representatives of common schools, including teachers and administrators, shall establish a program to encourage and promote collaborative relationships between higher education faculty and the building-level staff of Washington's elementary, junior high/middle, and senior high schools, and school districts' central office administrative staff.

(2) The program established under subsection (1) of this section shall be based on 'school improvement hours.' One school improvement hour shall be based on services provided by higher education faculty to building-level or district-level staff, or both, or services provided by higher education faculty to schools or school districts generally, or both. School improvement hours may be rendered during the school year, or during the interim between school years, or both.

(3) Each professional education advisory board shall recommend annually priority areas of service emphasis. Each board may, and is encouraged to, develop and recommend a framework to permit academic faculty outside the school, college, department, or division of education to participate in the program established under subsection (1) of this section.

(4) The maximum amount of reimbursement that may be distributed to a higher education institution through the professional education advisory boards, based on school improvement hour services provided under subsections (1) and (2) of this section, shall not exceed ten thousand dollars per year per higher education institution.

(5) Any higher education institution with a state board of education approved professional preparation program for teachers, administrators, or educational staff associates shall be eligible to participate in the program established under subsection (1) of this section.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.04 RCW to read as follows:

The state board of education shall, not later than June 30, 1989, adopt rules as necessary to carry out the provisions of section 4 of this act. Such rules shall include a definition of 'school improvement hour services' and assure that services to be provided, to the extent possible, are coordinated with existing and appropriate building-level or district-level committees, advisory groups, or similar entities.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.04 RCW to read as follows:

The state board of education shall submit biennially to the legislature a report on the services provided under the program established under section 4 of this act. The first report shall be submitted not later than January 15, 1991."

On page 1, line 1 of the title, after "education;" strike "and" and on line 2, after "28A.03.535" insert "; and adding new sections to chapter 28A.04 RCW."

By Senators Rinehart, Bailey, Smitherman, Saling, Pullen and Gaspard:

On page 3, after line 9, insert the following:

"Sec. 4. Section 222, chapter 518, Laws of 1987 and RCW 28A.58.217 are each amended to read as follows:

(1) ~~((School districts are hereby authorized to))~~ The superintendent of public instruction shall contract with the University of Washington for the education of ((eligible academically)) highly capable ((high-school)) students ((at such)) below eighteen years of age who are admitted or enrolled at such early entrance program or transition school((s)) as are now or hereafter established and maintained by the University of Washington.

(2) ~~((School districts may authorize))~~ The superintendent of public instruction ((to)) shall allocate directly to the University of Washington all ((or a portion)) of the state basic education allocation moneys, state categorical moneys excepting categorical moneys provided for the highly capable students program under chapter 28A.16 RCW, and federal moneys generated by a student while attending ((a)) an early entrance program or transition school at the University of Washington ((early entrance or transition school pursuant to this section directly to the university. PROVIDED, That)). The allocations shall be according to each student's school district of residence. The expenditure of such ((state)) moneys shall be ~~((expended exclusively for instruction and related activities necessary for students to fulfill the high school graduation requirements established by their school district of enrollment))~~ limited to selection, precollege instruction, special advising, and related activities necessary for the support of students while attending a transition school or early entrance program at the University of Washington.

(3) The provisions of subsections (1) and (2) of this section shall apply during the first three years a student is attending a transition school or early entrance program at the University of Washington or through the academic school year in which the student turns eighteen, whichever occurs first. No more than thirty students shall be admitted and enrolled in the transition school at the University of Washington in any one year.

(4) The superintendent of public instruction shall adopt or amend rules pursuant to chapter 34.04 RCW implementing subsection (2) of this section before August 31, 1988.

Sec. 5. Section 1, chapter 262, Laws of 1979 ex. sess. as last amended by section 3, chapter 232, Laws of 1986 and RCW 28B.15.740 are each amended to read as follows:

(1) The boards of trustees or regents of each of the state's regional universities, The Evergreen State College, or state universities, and the various community colleges, consistent with

regulations and procedures established by the state board for community college education, may waive, in whole or in part, tuition and services and activities fees subject to the limitations set forth in subsection (2).

(2) The total dollar amount of tuition and fee waivers awarded by any state university, regional university, or state college, shall not exceed four percent, and for the community colleges considered as a whole, such amount shall not exceed three percent of an amount determined by estimating the total collections from tuition and services and activities fees had no such waivers been made and deducting the portion of that total amount which is attributable to the difference between resident and nonresident fees: PROVIDED, That at least three-fourths of the dollars waived shall be for needy students who are eligible for resident tuition and fee rates pursuant to RCW 28B.15.012 through 28B.15.015: PROVIDED FURTHER, That the remainder of the dollars waived, not to exceed one-fourth of the total, may be applied to other students at the discretion of the board of trustees or regents, except on the basis of participation in inter-collegiate athletic programs: PROVIDED FURTHER, That for the University of Washington consideration should be given to students attending an early entrance program at the University of Washington: PROVIDED FURTHER, That the waivers for undergraduate and graduate students of foreign nations under RCW 28B.15.556 are not subject to the limitation under this section.

On page 1, line 2 of the title, after "28A.03.532," strike the remainder of the title and insert "28A.03.535, 28A.58.217, and 28B.15.740."

By Senators McMullen and Saling;

On page 3, after line 9, insert the following:

"Sec. 4. Section 202, chapter 525, Laws of 1987 and RCW 28A.04.122 are each amended to read as follows:

(1) No person may be admitted to a professional teacher preparation program within Washington state without first demonstrating that he or she is competent in the basic skills required for oral and written communication and computation. This requirement shall be waived for persons who have completed a baccalaureate degree; or graduate degree program; or who have completed two or more years of college level course work, demonstrated competency through college level course work and a written essay, and are over the age of twenty-one.

(2) After June 30, 1989, no person shall be admitted to a teacher preparation program who has a combined score of less than the state-wide median score for the prior school year scored by all persons taking the Washington precollege test or who has achieved an equivalent standard score on comparable portions of other standardized tests. The state board of education shall develop criteria and adopt rules for exemptions from this subsection.

(3) The state board of education shall adopt rules to implement this section.

On page 1, line 2 of the title, after "28A.03.532," strike "and 28A.03.525" and insert "28A.03.535, and 28A.04.122"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House do concur in the Senate amendments on page 2, line 28 by Senate Committee on Education; on page 3, after line 9 by Senators McMullen and Saling; and the related title amendments to Substitute House Bill No. 1568.

Representatives Peery and Betrozoff spoke in favor of the motion, and it was carried.

POINT OF ORDER

Mr. Peery: I would ask that the Speaker rule on the amendments on page 3, after line 9 marked 3/6A (by Senators Rinehart, Bailey, Smitherman, Saling and Gaspard) and 3/6B (by Senators Rinehart, Bailey, Smitherman, Saling, Pullen and Gaspard) as to their relationship to the scope and object of the bill.

The Speaker (Mr. O'Brien presiding) deferred further consideration of Substitute House Bill No. 1568.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1585 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 38, chapter 291, Laws of 1977 ex. sess. as amended by section 43, chapter 155, Laws of 1979 and RCW 13.34.100 are each amended to read as follows:

The court ~~(-at any stage of a proceeding under this chapter, may)~~ shall appoint an attorney and/or a guardian ad litem for a child who is a party to the proceedings in all contested proceedings under this chapter unless a court, for good cause, finds the appointment unnecessary. An attorney and/or guardian ad litem may be appointed at the discretion of the court in uncontested proceedings: PROVIDED, That the requirement of a guardian ad litem shall be deemed satisfied if the child is represented by counsel in the proceedings. A party to the proceeding or the party's employee or representative shall not be so appointed. Such attorney and/or guardian ad litem shall receive all notice contemplated for a parent in all proceedings under this chapter. A report by the guardian ad litem to the court shall contain, where relevant, information on the legal status of a child's membership in any Indian tribe or band.

Sec. 2. Section 8, chapter 217, Laws of 1975 1st ex. sess. as amended by section 7, chapter 206, Laws of 1987 and by section 11, chapter 524, Laws of 1987 and RCW 26.44.053 are each reenacted and amended to read as follows:

(1) In any contested judicial proceeding in which it is alleged that a child has been subjected to child abuse or neglect, the court shall appoint a guardian ad litem for the child in all contested proceedings under this chapter unless a court, for good cause, finds the appointment unnecessary. An attorney and/or guardian ad litem may be appointed at the discretion of the court in uncontested proceedings: PROVIDED, That the requirement of a guardian ad litem shall be deemed satisfied if the child is represented by counsel in the proceedings.

(2) At any time prior to or during a hearing in such a case, the court may, on its own motion, or the motion of the guardian ad litem, or other parties, order the examination by a physician, psychologist or psychiatrist, of any parent or child or other person having custody of the child at the time of the alleged child abuse or neglect, if the court finds such an examination is necessary to the proper determination of the case. The hearing may be continued pending the completion of such examination. The physician, psychologist or psychiatrist conducting such an examination may be required to testify concerning the results of such examination and may be asked to give his or her opinion as to whether the protection of the child requires that he or she not be returned to the custody of his or her parents or other persons having custody of him or her at the time of the alleged child abuse or neglect. Persons so testifying shall be subject to cross-examination as are other witnesses. No information given at any such examination of the parent or any other person having custody of the child may be used against such person in any subsequent criminal proceedings against such person or custodian concerning the abuse or neglect of the child.

(3) A parent or other person having legal custody of a child alleged to be a child subjected to abuse or neglect shall be a party to any proceeding that may as a practical matter impair or impede such person's interest in custody or control of his or her child."

On page 1, line 1 of the title, after "proceedings;" strike the remainder of the title and insert "amending RCW 13.34.100; and reenacting and amending RCW 26.44.053."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Brekke moved that the House refuse to concur in the Senate amendments to House Bill No. 1585 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Brekke, Leonard and Winsley as conferees on Engrossed House Bill No. 1585.

SENATE AMENDMENT TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1851 with the following amendment:

On page 1, line 16, after "section" insert "for a period of one year following passage of this measure. The department shall prepare a report which evaluates the impact on the Frances Haddon Morgan Center of the age restriction limit. The department shall include in this report an implementation plan for housing residents of the center who reach the age of twenty-one, together with a comparison of the costs of housing residents at the center and in the community. This report shall be transmitted to the legislature no later than January 1, 1989"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Brekke moved that the House refuse to concur in the Senate amendment to Engrossed House Bill No. 1851 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Sayan, Brekke and Winsley as conferees on Engrossed House Bill No. 1851.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1340 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that land disposal and incineration of solid and hazardous waste can be both harmful to the environment and costly to those who must dispose of the waste. In order to address this problem in the most cost-effective and environmentally sound manner, and to implement the highest waste management priority as articulated in RCW 70.95.010 and 70.105.150, public and private efforts should focus on reducing the generation of waste. Waste reduction can be achieved by encouraging voluntary efforts to redesign industrial, commercial, production, and other processes to result in the reduction or elimination of waste byproducts and to maximize the in-process reuse or reclamation of valuable spent material.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of ecology.

(2) 'Director' means the director of the department of ecology or the director's designee.

(3) 'Office' means the office of waste reduction.

(4) 'Process' means all industrial, commercial, production, and other processes that result in the generation of waste.

(5) 'Waste' means any solid waste as defined under RCW 70.95.030, any hazardous waste as defined under RCW 70.105.010(15), any hazardous substance as defined under RCW 70.105.010(14), any air contaminant as defined under RCW 70.94.030, and any organic or inorganic matter that shall cause or tend to cause water pollution as defined under RCW 90.48.020.

(6) 'Waste generator' means any individual, business, government agency, or any other organization that generates waste.

(7) 'Waste reduction' means all in-plant practices that reduce, avoid, or eliminate the amount or toxicity of waste generated.

NEW SECTION, Sec. 3. (1) There is established in the department an office of waste reduction. The office shall use its authorities to encourage the voluntary reduction of waste by waste generators. The office shall prepare and submit a quarterly progress report to the director and the director shall submit an annual progress report to the appropriate environmental standing committees of the legislature beginning December 31, 1988.

(2) The office shall be the coordinating center for all state agency programs that provide technical assistance to waste generators and shall serve as the state's lead agency and promoter for such programs. In addition to this coordinating function, the office shall encourage waste reduction by:

(a) Providing for the rendering of advice and consultation to waste generators on waste reduction techniques;

(b) Sponsoring or co-sponsoring with public or private organizations technical workshops and seminars on waste reduction;

(c) Administering a waste reduction data base and hotline providing comprehensive referral services to waste generators;

(d) Administering a waste reduction research and development program;

(e) Coordinating a waste reduction public education program that includes the utilization of existing publications from public and private sources, as well as publishing necessary new materials on waste reduction;

(f) Recommending to institutions of higher education in the state courses and curricula in areas related to waste reduction; and

(g) Requiring energy and incineration facilities to retain records of monitoring and operating data for a minimum of ten years after permanent closure of the facility.

NEW SECTION, Sec. 4. (1) The office shall establish a waste reduction consultation program to be coordinated with other state waste reduction consultation programs.

(2) The director may grant a request by any waste generator for advice and consultation on waste reduction techniques. Pursuant to a request, the director may visit any business, governmental entity, or other process site in the state for the purposes of observing the waste-generating process, obtaining information relevant to waste reduction, rendering advice, and making recommendations. No such visit may be regarded as an inspection or investigation, and no notices or citations may be issued, or civil penalty be assessed, upon such a visit. No representative of the director designated to render advisory or consultative services may have any enforcement authority.

(3) Consultation and advice given under this section shall be limited to the matters specified in the request and shall include specific techniques of waste reduction tailored to the relevant process. In granting any request for advisory or consultative services, the director may provide for an alternative means of affording consultation and advice other than on-site consultation.

(4) Any proprietary information obtained by the director while carrying out the duties required under this section shall remain confidential and shall not become part of the data base established under section 6 of this act.

NEW SECTION, Sec. 5. The office, in coordination with all other state waste reduction technical assistance programs, shall sponsor technical workshops and seminars on waste reduction techniques that have been successfully used to eliminate or reduce substantially the amount of waste or toxicity of hazardous waste generated, or that use in-process reclamation or reuse of spent material.

NEW SECTION, Sec. 6. (1) The office shall establish a state-wide waste reduction hotline with the capacity to refer waste generators and the public to sources of information on specific waste reduction techniques and procedures. The hotline shall coordinate with all other state waste hotlines.

(2) The director shall work with the state library to establish a data base system that shall include proven waste reduction techniques and case studies of effective waste reduction. The data base system shall be: (a) Coordinated with all other state agency data bases on waste reduction; (b) administered in conjunction with the state-wide waste reduction hotline; and (c) readily accessible to the public.

NEW SECTION, Sec. 7. (1) The office may administer a waste reduction research and development program. The director may contract with any public or private organization for the purpose of developing methods and technologies that achieve waste reduction. All research performed and all methods or technologies developed as a result of a contract entered into under this section shall become the property of the state and shall be incorporated into the data base system established under section 6 of this act.

(2) Any contract entered into under this section shall be awarded only after requests for proposals have been circulated to persons, firms, or organizations who have requested that their names be placed on a proposal list. The director shall establish a proposal list and shall review and evaluate all proposals received.

NEW SECTION, Sec. 8. (1) The director may solicit and accept gifts, grants, conveyances, bequests, and devises, in trust or otherwise, to be directed to the office of waste reduction.

(2) The director may enter into contracts with any public or private organization to carry out the purposes of this chapter.

NEW SECTION, Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 70 RCW."

On page 1, line 1 of the title, after "reduction;" strike the remainder of the title and insert "and adding a new chapter to Title 70 RCW."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Rust moved that the House do concur in the Senate amendments to Substitute House Bill No. 1340.

Ms. Rust spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1340 as amended by the Senate.

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1340 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 3; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Beck, Belcher, Holm - 3.

Excused: Representatives Allen, Dorn, Vekich, Walk - 4.

Substitute House Bill No. 1340 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Let the Journal show that I inadvertently voted for SHB 1340. My vote should have been "No" on SHB 1340 as amended by the Senate.

NEIL AMONDSON, 20th District.

Representative Vekich appeared at the bar of the House.

The Speaker (Mr. O'Brien presiding) called on Representative Dellwo to preside.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4755, by Representatives O'Brien, Betzoff, Jacobsen, Taylor, Peery, Sayan, Ebersole, Schoon, Hine, Leonard, Nutley, Walker, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Holland, Holm, Jesernig, Jones, J. King, P. King, R. King, Kremen, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Padden, Patrick, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, In January 1989, the Honorable Frank "Buster" Brouillet will retire after thirty-two years of distinguished service as an elected official in the State of Washington; and

WHEREAS, Buster Brouillet is our state's leading educator, possessing a Bachelor's Degree in Education and Bachelor's and Master's Degrees in Economics, all from the College of Puget Sound; a Doctorate in Education from the University of Washington and an Honorary Doctor of Humanities Degree from Seattle University; and

WHEREAS, Buster Brouillet has received honors including the First Annual Distinguished Alumni Award from the University of Washington; the distinguished Alumni of the University of Puget Sound; the Elected Official Environmentalist Award; and the Washington Art Association Appreciation Award for Advancing Art Education; and

WHEREAS, Buster Brouillet has been recognized as one of the four national figures honored for his contribution, dedication and commitment to the education of migrant children; and

WHEREAS, Buster Brouillet is nationally recognized for his coordination of teacher/student exchanges between Washington State and the People's Republic of China in the furtherance of international education and is the author of numerous scholarly publications concerning the coordination of higher education and education in the People's Republic of China; and

WHEREAS, Buster Brouillet has been recognized nationally by his peers and has represented them as President of the Council of Chief State School Officers and has served as Chairman of many of the Council's committees; and

WHEREAS, During his sixteen years in the Washington State House of Representatives, Buster Brouillet served as Chairman of both the House Education Committee and the Joint Committee on Education and as Chairman of the House Democratic Caucus, and through his lifetime service in education has demonstrated his commitment to the health, safety, welfare and education of all the children within this state;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives hereby bestows on Dr. Frank "Buster" Brouillet, the title of Superintendent of Public Instruction Emeritus, and shall forever in that capacity be entitled to address the needs of children before committees of the House of Representatives;

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send a copy of this Resolution to Frank "Buster" Brouillet along with our best wishes for a happy retirement.

Mr. O'Brien moved adoption of the resolution. Representatives O'Brien, Taylor, Betzoff, Peery, Rasmussen, Prince, Cole, Valle and Sayan spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. Dellwo presiding) called on Representative O'Brien to preside.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Dr. Frank B. Brouillet, who briefly addressed the members of the House.

MOTION

Mr. Wang moved that the House be at recess until 1:30 p.m. The motion was carried.

AFTERNOON SESSION

The Speaker (Mr. O'Brien presiding) called the House to order. The Clerk called the roll and all members were present except Representatives Allen, Dorn, Ebersole, Ferguson, Grimm, Haugen, Hine and Locke. Representatives Allen and Dorn were excused.

MESSAGES FROM THE SENATE

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on HOUSE BILL NO. 1515. The President has appointed the following members as conferees: Senators Newhouse, Halsan and McCaslin.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 5378 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6115 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6128 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6217 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 6291 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6298 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 6308 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6480 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 6603 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 6670 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6703 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SENATE BILL NO. 6705 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6724 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 6741 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6745 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8429 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1302 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 5, chapter 14, Laws of 1975 1st ex. sess. as last amended by section 2, chapter 118, Laws of 1983 and RCW 9A.44.050 are each amended to read as follows:

(1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person:

(a) By forcible compulsion; ((or))

(b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated; or

(c) When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

(2) Rape in the second degree is a class B felony.

Sec. 2. Section 9A.88.100, chapter 260, Laws of 1975 1st ex. sess. as amended by section 1, chapter 131, Laws of 1986 and RCW 9A.44.100 are each amended to read as follows:

(1) A person is guilty of indecent liberties when he knowingly causes another person who is not his spouse to have sexual contact with him or another:

(a) By forcible compulsion; or

(b) When the other person is less than fourteen years of age; or

(c) When the other person is less than sixteen years of age and the perpetrator is more than forty-eight months older than the person and is in a position of authority over the person; ((or))

(d) When the other person is incapable of consent by reason of being mentally defective, mentally incapacitated, or physically helpless; or

(e) When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

(2) For purposes of this section:

(a) 'Sexual contact' means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party.

(b) 'Person in a position of authority' means any person who is a parent or acting in the place of a parent and is charged with any of a parent's rights, duties, or responsibilities to a child, or a person who is charged with any duty or responsibility for the health, welfare, education, or supervision of a child, either independently or through another, no matter how briefly, at the time of the act.

(3) Indecent liberties is a class B felony.

Sec. 3. Section 1, chapter 14, Laws of 1975 1st ex. sess. as amended by section 1, chapter 123, Laws of 1981 and RCW 9A.44.010 are each amended to read as follows:

As used in this chapter:

(1) 'Sexual intercourse' (a) has its ordinary meaning and occurs upon any penetration, however slight, and

(b) Also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes, and

(c) Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.

(2) 'Married' means one who is legally married to another, but does not include a person who is living separate and apart from his or her spouse and who has filed in an appropriate court for legal separation or for dissolution of his or her marriage.

(3) 'Mental incapacity' is that condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, the influence of a substance or from some other cause((:)).

(4) 'Physically helpless' means a person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act((:)).

(5) 'Forcible compulsion' means physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to herself or himself or another person, or in fear that she or he or another person will be kidnapped((:)).

(6) 'Consent' means that at the time of the act of sexual intercourse there are actual words or conduct indicating freely given agreement to have sexual intercourse.

(7) 'Developmentally disabled' means a person as defined in RCW 71.20.016.

(8) 'Person with supervisory authority' means any proprietor or employee of any public or private care or treatment facility who directly supervises developmentally disabled persons at the facility.

NEW SECTION. Sec. 4. A new section is added to chapter 9A.88 RCW to read as follows:

Patronizing a prostitute. (1) A person is guilty of patronizing a prostitute if:

(a) Pursuant to a prior understanding, he or she pays a fee to another person as compensation for such person or a third person having engaged in sexual conduct with him or her; or

(b) He or she pays or agrees to pay a fee to another person pursuant to an understanding that in return therefor such person will engage in sexual conduct with him or her; or

(c) He or she solicits or requests another person to engage in sexual conduct with him or her in return for a fee.

(2) For purposes of this section, 'sexual conduct' has the meaning given in RCW 9A.88.030.

(3) Patronizing a prostitute is a misdemeanor.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "offenses" strike the remainder of the title and insert "amending RCW 9A.44.050, 9A.44.100, and 9A.44.010; adding a new section to chapter 9A.88 RCW; prescribing penalties; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1302 and ask the Senate for a conference thereon.

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

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Crane, Armstrong and Padden as conferees on Substitute House Bill No. 1302.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1819 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes an important public service is offered by nonprofit homes for the aged. The legislature also recognizes the need for public services offered by local government. Nonprofit homes for the aged receive benefits from local government, and local governments need a stable tax base to provide these services. The legislature further recognizes that converting taxable property to tax-exempt property can cause disruptions to local government. It is the intent of the legislature to allow existing structures to be converted to partially tax-exempt homes for the aged while at the same time protecting the tax base of local government.

Sec. 2. Section 84.36.040, chapter 15, Laws of 1961 as last amended by section 1, chapter 31, Laws of 1987 and RCW 84.36.040 are each amended to read as follows:

(1) The real and personal property used by nonprofit ((H)) (a) day care centers as defined pursuant to RCW 74.15.020 as now or hereafter amended; ((H)) (b) free public libraries; ((H)) (c) orphanages and orphan asylums; ((H)) (d) homes for the aged; ((H)) (e) homes for the sick or infirm; ((H)) (f) hospitals for the sick; and ((H)) (g) outpatient dialysis facilities, which are

used for the purposes of such organizations shall be exempt from taxation: PROVIDED, That the benefit of the exemption inures to the user.

(2) To be exempt under this section, the property must be used exclusively for the purposes for which exemption is granted, except as provided in RCW 84.36.805.

(3) The exemption for a home for the aged under subsection (1)(d) of this section for structures that do not have a tax-exempt status and that are converted to a tax-exempt status under subsection (1)(d) of this section after January 1, 1988, or earlier if agreed by the home for the aged, applies only to any state property tax levy, any port district property tax levy, and all excess property tax levies. This partial exemption applies to such converted structures and the land upon which they are located.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "aged," strike the remainder of the title and insert "amending RCW 84.36.040; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Dellwo moved that the House refuse to concur in the Senate amendments to House Bill No. 1819 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Appelwick, Unsoeld and Taylor as conferees on House Bill No. 1819.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1892 with the following amendments:

On page 2, line 20, after "act" insert ". The district application shall have the approval of the local education association and the appropriate parent advocate groups"

On page 3, line 25, after "instruction" strike "shall" and insert "may"

On page 3, line 32, after "achievement" insert ": PROVIDED, That students selected shall reflect a proportional sampling of the academically deficient students who would otherwise be eligible"

On page 3, beginning on line 33, strike everything through "program;" on line 34

Renumber the remaining subsections consecutively

On page 3, line 34, after "program;" insert "and"

On page 4, line 2, strike "and"

On page 4, beginning on line 3, strike everything through "services." on line 5

On page 4, after line 16, insert the following:

"(3) This section is not designed to replace appropriately designed special education referral systems and programs."

Renumber the remaining subsections consecutively.

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1892 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Ebersole, Spanel and Betzoff as conferees on Substitute House Bill No. 1892.

MESSAGE FROM THE SENATE

March 7, 1988.

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 6157, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House refuse to recede from its amendments to Substitute Senate Bill No. 6157 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Peery, Spanel and Betrozoff as conferees on Substitute Senate Bill No. 6157.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 6297, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House refuse to recede from its amendments to Senate Bill No. 6297 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Wang, Jones and Patrick as conferees on Substitute Senate Bill No. 6297.

SENATE AMENDMENT TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1836 with the following amendment:

On page 1, following line 27, insert:

"The rules shall also provide for deductions from income for business expenses including but not limited to capital expenditures, payments on the principal of loans to the business and reasonable amounts for cash reserves."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Vekich moved that the House do concur in the Senate amendment to House Bill No. 1836.

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

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1836 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1836 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; absent, 6; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Fisher, Fox, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Heavey, Holland, Holm, Jacobsen,

Jesemig, Jones, King P. King R. Kremen, Leonard, Lewis, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D. Sommers H. Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Ebersole, Ferguson, Grimm, Haugen, Hine, Locke - 6.

Excused: Representatives Allen, Dorn - 2.

House Bill No. 1836 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Ebersole, Ferguson, Grimm, Haugen, Hine and Locke appeared at the bar of the House.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 5595, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House refuse to recede from its amendments to Substitute Senate Bill No. 5595 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Armstrong, Appelwick and Padden as conferees on Substitute Senate Bill No. 5595.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 6124, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Cantwell moved that the House refuse to recede from its amendments to Engrossed Substitute Senate Bill No. 6124 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Braddock, Sprenkle and Brooks as conferees on Engrossed Substitute Senate Bill No. 6124.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 6160, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House refuse to recede from its amendments to Engrossed Substitute Senate Bill No. 6160 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Peery, Spanel and Betrozoff as conferees on Engrossed Substitute Senate Bill No. 6160.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6235, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Rust moved that the House refuse to recede from its amendments to Engrossed Second Substitute Senate Bill No. 6235 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Rust, Hine and Schoon as conferees on Engrossed Second Substitute Senate Bill No. 6235.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 6238, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Rust moved that the House refuse to recede from its amendment to Substitute Senate Bill No. 6238 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Rust, Valle and Walker as conferees on Substitute Senate Bill No. 6238.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1849 with the following amendments:

On page 1, line 17, add a new section to read as follows:

"Sec. 2. Section 12, chapter 290, Laws of 1983 and RCW 43.190.120 are each amended to read as follows:

It is the intent that federal requirements be complied with and the department (~~annually expend~~) of social and health services annually transfer to the department of community development at least one percent of the state's allotment of social services funds from Title III B of the Older Americans Act of 1965, as it exists as of July 24, 1983, or twenty thousand dollars, whichever is greater to establish the state long-term care ombudsman program established by this chapter if funds are appropriated by the legislature."

Renumber the remaining sections accordingly

On page 2, line 6, after "services," insert "Funds are to be made available to the ombudsman program to the extent authorized by RCW 43.190.120."

On page 1, line 2 of the title, after "43.190.030" insert "and 43.190.120"

Beginning on page 1, line 11, strike the remainder of the bill and insert the following:

"NEW SECTION. Sec. 2. (1) There is established an independent advisory commission to the state long-term care ombudsman program.

The independent advisory commission to the state ombudsman program shall be composed of not less than twenty-one members who shall include:

- (a) One representative from local ombudsman programs;
- (b) Two representatives from nursing home resident councils;
- (c) Two representatives from families of nursing home residents;

- (d) Three senior citizens representing community organizations;
- (e) Three health care professionals, one each with knowledge in gerontology, developmental disabilities and mental health long-term care;
- (f) Two representatives of the nursing home industry;
- (g) Two representatives of adult family homes;
- (h) Two professionals with expertise in ethical and legal issues relating to long-term care residents;

- (i) Three representatives of the general public; and
- (j) One representative from Area Agencies on Aging.

The governor shall select the members from lists submitted by professional associations and other interest groups until such time as the commission adopts a member selection process.

(2) The commission shall elect officers from among its membership and shall adopt policies and procedures specifying the lengths of terms, methods of filling vacancies, and other matters necessary to the ongoing functioning of the commission. The governor shall appoint a temporary chair until the commission has adopted policies and elected a chair accordingly. Long-term care ombudsman advisory committee members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(3) The commission shall develop procedures which promote the independence of the long-term care ombudsman program. The advisory commission shall report to the appropriate legislative committees by December 1, 1988, those policies it has developed to promote that independence.

(4) The advisory committee shall have authority to establish task forces or committees for addressing specific issues or conducting independent studies on long-term care policies.

NEW SECTION. Sec. 3. (1) The advisory commission to the state long-term care ombudsman shall have the following powers and duties:

- (a) Provide policy oversight and management direction to the ombudsman program;
- (b) Establish priorities for operation of the ombudsman program;
- (c) Assure the independence of the ombudsman program;
- (d) Monitor the performance of the ombudsman program;
- (e) Ensure accountability and credibility of the program; and
- (f) Identify problems in the state's long-term care program and develop recommendations for their solution.

(2) Where there is a difference of opinion as to the operation or activities of the office of the long-term care ombudsman and the department of social and health services, the commission shall, by majority vote of all members, decide the issue, and the commission's decision shall be final. The commission shall not have this duty or responsibility in relation to personnel decisions of the office of the state long-term care ombudsman.

Sec. 4. Section 3, chapter 290, Laws of 1983 and RCW 43.190.030 are each amended to read as follows:

(1) There is created (~~within the department of social and health services~~) the office of the state long-term care ombudsman. The secretary (~~shall place~~) shall provide facilities for the office in an area within the department which will enable the office to fully carry out the purposes of this chapter. The secretary shall ensure that all program and staff support necessary to enable the ombudsman to effectively protect the interests of residents, patients, and clients of all long-term care facilities is made available to the office of the long-term care ombudsman to the extent authorized by RCW 43.190.120.

(2) The office of the state long-term care ombudsman shall have the following powers and duties:

(a) To provide services for coordinating the activities of long-term care ombudsmen throughout the state;

(b) Carry out such other activities as the (~~secretary~~) commission deems appropriate;

(c) Establish procedures consistent with RCW 43.190.110 for appropriate access by long-term care ombudsmen to long-term care facilities and patients' records, including procedures to protect the confidentiality of the records and ensure that the identity of any complainant or resident will not be disclosed without the written consent of the complainant or resident, or upon court order;

(d) Establish a state-wide uniform reporting system to collect and analyze data relating to complaints and conditions in long-term care facilities for the purpose of identifying and resolving significant problems, with provision for submission of such data to the department of social and health services and to the federal department of health and human services, or its successor agency, on a regular basis; and

(e) Establish procedures to assure that any files maintained by ombudsman programs shall be disclosed only at the discretion of the ombudsman having authority over the disposition of such files, except that the identity of any complainant or resident of a long-term care facility shall not be disclosed by such ombudsman unless:

(i) Such complainant or resident, or the complainant's or resident's legal representative, consents in writing to such disclosure; or

(ii) Such disclosure is required by court order."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Cantwell moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 1849 and ask the Senate to recede therefrom. The motion was carried.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4768, by Representatives Wineberry, Anderson, Cantwell, Brække, Valle, Unsoeld, Rust, Nelson and Jacobsen

WHEREAS, On Thursday, March 10, 1988, Hazel Wolf will celebrate her 90th birthday; and

WHEREAS, Hazel Wolf--an unrelenting activist for peace, the environment, wildlife and civil rights' causes for more than fifty years--began her activism during the Great Depression when she involved herself in various social and labor issues; and

WHEREAS, She has achieved national recognition as an enthusiastic environmentalist, and the 1985 Conservationist of the Year award from the National Audubon Society was bestowed upon her; and

WHEREAS, She is currently a Charter Member and President of the Hanford Oversight Committee, an organization made up of environmental leaders from various groups that oppose nuclear waste sites; and

WHEREAS, The Hanford Oversight Committee is now working to find funding to diversify Hanford's economy, since Congress recently voted to close the nuclear reactor there; and

WHEREAS, As Secretary for the Seattle Audubon Society, she was largely responsible for transforming the society into a statewide vehicle for environmental causes; and

WHEREAS, During Hazel Wolf's twenty-eight year Audubon membership, she has been a pivotal force in publishing for children textbooks on birds, wildlife, butterflies and mammals; and

WHEREAS, She has raised funds to purchase and distribute medical supplies to treat casualties of the conflict in Nicaragua and was one of several environmentalists sponsored by the United Nations to participate in the first Central American Conference on Environmental Action held in Nicaragua last year and, during the conference, she received an award for her efforts to protect the environment and establish peace; and

WHEREAS, Hazel Wolf, with other environmentalists, has labored side-by-side with Native American Indians to preserve nature; and

WHEREAS, For the last ten years, she has edited Outdoors West, an environmentalist magazine;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Hazel Wolf on her 90th birthday for her outstanding work for global peace, a clean environment, the preservation of wildlife and civil rights for all people; and

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

Mr. Wineberry moved adoption of the resolution. Representatives Wineberry, Rust and Anderson spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized Ms. Hazel Wolf, who was seated in the gallery.

SENATE AMENDMENT TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1857 with the following amendment:

On page 3, line 34, after "Priority" strike "consideration" and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Walk moved that the House refuse to concur in the Senate amendment to Substitute House Bill No. 1857 and ask the Senate to recede therefrom. The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1630 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 377, Laws of 1985 as amended by section 1, chapter 311, Laws of 1987 and by section 739, chapter 330, Laws of 1987 and RCW 46.55.010 are each reenacted and amended to read as follows:

The definitions set forth in this section apply throughout this chapter:

(1) 'Abandoned vehicle' means a vehicle that a registered tow truck operator has impounded and held in his possession for ninety-six consecutive hours.

(2) 'Abandoned vehicle report' means the document prescribed by the state that the towing operator forwards to the department after a vehicle has become abandoned.

(3) 'Impound' means to take and hold a vehicle in legal custody. There are two types of impounds--public and private.

(a) 'Public impound' means that the vehicle has been impounded at the direction of a law enforcement officer or by a public official having jurisdiction over the public property upon which the vehicle was located.

(b) 'Private impound' means that the vehicle has been impounded at the direction of a person having control or possession of the private property upon which the vehicle was located.

(4) 'Junk vehicle' means a motor vehicle certified under RCW 46.55.230 as meeting all the following requirements:

(a) Is three years old or older;

(b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield or missing wheels, tires, motor, or transmission;

(c) Is apparently inoperable;

(d) Is without a valid, current registration plate;

(e) Has a fair market value equal only to the value of the scrap in it.

(5) 'Registered tow truck operator' or 'operator' means any person who engages in the impounding, transporting, or storage of ~~((unauthorized))~~ any vehicles or the disposal of abandoned vehicles. This definition does not include a hulk hauler or scrap processor licensed under chapter 46.79 RCW or a publicly owned vehicle licensed under RCW 46.16.020.

(6) 'Residential property' means property that has no more than four living units located on it.

(7) 'Tow truck' means a motor vehicle that is equipped for and used in the business of towing vehicles with equipment as approved by the state patrol.

(8) 'Tow truck number' means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.

(9) 'Tow truck permit' means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.

(10) 'Tow truck service' means the transporting upon the public streets and highways of this state of vehicles, together with personal effects and cargo, by a tow truck of a registered operator.

(11) 'Unauthorized vehicle' means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

Subject to removal after:

(a) Public locations:

- (i) Constituting a traffic hazard as defined in RCW ((46-61-565)) 46.55.113 Immediately
- (ii) On a highway and tagged as described in RCW ((46-52-176)) 46.55.085 24 hours
- (iii) In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070 Immediately

(b) Private locations:

- (i) On residential property Immediately
- (ii) On private, nonresidential property, properly posted under RCW 46.55.070 Immediately
- (iii) On private, nonresidential property, not posted 24 hours

NEW SECTION, Sec. 2. A new section is added to chapter 46.55 RCW to read as follows:

(1) A registered tow truck operator who engages exclusively in transporting vehicles that are not unauthorized vehicles, and does not impound or store any vehicles, and does not dispose of abandoned vehicles, is exempt from RCW 46.55.030(1)(f)(ii) and (iii) and 46.55.060.

(2) A tow truck operator acting under this section shall comply with the following conditions: -

(a) The address that the tow truck operator lists on his or her application shall be the business location of the firm where its files are kept. Each separate business location requires a separate registration under this chapter.

(b) At the business location of the firm, the registered operator shall post in a conspicuous and accessible location:

- (i) All pertinent licenses and permits to operate as a registered tow truck operator;
- (ii) The current towing charges itemized on a form approved by the department;
- (iii) Information supplied by the department as to where complaints regarding either equipment or service are to be directed.

(c) Ten days before the effective date of any change in an operator's fee schedule, the registered tow truck operator shall file the revised fee schedule with the department.

(3) The department shall charge a registration fee for all tow truck operators based upon the cost of administering registration. In establishing such fees, the department shall consider the activities of tow truck operators regulated under subsections (1) and (2) of this section in comparison to other registered tow truck operators and shall charge fees based upon the difference in activities.

Sec. 3. Section 3, chapter 377, Laws of 1985 as amended by section 2, chapter 311, Laws of 1987 and RCW 46.55.030 are each amended to read as follows:

(1) Application for licensing as a registered tow truck operator shall be made on forms furnished by the department, shall be accompanied by an inspection certification from the Washington state patrol, shall be signed by the applicant or his agent, and shall include the following information:

(a) The name and address of the person, firm, partnership, association, or corporation under whose name the business is to be conducted;

(b) The names and addresses of all persons having an interest in the business, or if the owner is a corporation, the names and addresses of the officers of the corporation;

(c) The names and addresses of all employees who serve as tow truck drivers;

(d) Proof of minimum insurance required by subsection (3) of this section;

(e) Any other information the department may require; and

(f) A certificate of approval from the chief of police if the applicant's principal place of business is located in a city or town having a population over five thousand persons or, in all other instances, from a member of the Washington state patrol, certifying that:

(i) The applicant has an established place of business at the address shown on the application;

(ii) The place of business has an office area that is accessible to the public without entering the storage area; and

(iii) The place of business has adequate and secure storage facilities, as defined in this chapter and the rules of the department, where vehicles and their contents can be properly stored and protected.

(2) Before issuing a registration certificate to an applicant the department shall require the applicant to file with the department a surety bond in the amount of five thousand dollars running to the state and executed by a surety company authorized to do business in this state. The bond shall be approved as to form by the attorney general and conditioned that the operator shall conduct his business in conformity with the provisions of this chapter pertaining to abandoned or unauthorized vehicles, and to compensate any person, company, or the state for failure to comply with this chapter or the rules adopted hereunder, or for fraud, negligence, or

misrepresentation in the handling of these vehicles. Any person injured by the tow truck operator's failure to fully perform duties imposed by this chapter and the rules adopted hereunder, or an ordinance or resolution adopted by a city, town, or county is entitled to recover actual damages, including reasonable attorney's fees against the surety and the tow truck operator. Successive recoveries against the bond shall be permitted, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. As a condition of authority to do business, the operator shall keep the bond in full force and effect. Failure to maintain the penalty value of the bond or cancellation of the bond by the surety automatically cancels the operator's registration.

(3) Before the department may issue a registration certificate to an applicant, the applicant shall provide proof of minimum insurance requirements of:

(a) One hundred thousand dollars for liability for bodily injury or property damage per occurrence; and

(b) Fifty thousand dollars of legal liability per occurrence, to protect against vehicle damage, including but not limited to fire and theft, from the time a vehicle comes into the custody of an operator until it is redeemed or sold.

Cancellation of the insurance required by (a) and (b) of this subsection automatically cancels the operator's registration.

(4) ~~The fee for each original registration and annual renewal ((is one hundred dollars per company, plus fifty dollars per truck)) shall be established pursuant to section 2(3) of this act.~~ The department shall forward the registration fee to the state treasurer for deposit in the motor vehicle fund.

(5) Upon approval of the application, the department shall issue a registration certificate to the registered operator to be displayed prominently at the operator's place of business.

Sec. 4. Section 8, chapter 377, Laws of 1985 as amended by section 5, chapter 311, Laws of 1987 and RCW 46.55.080 are each amended to read as follows:

If a vehicle is in violation of the time restrictions of RCW ~~((46.55.010(12)))~~ 46.55.010(11), it may be impounded by a registered tow truck operator at the direction of a law enforcement officer or other public official with jurisdiction if the vehicle is on public property, or at the direction of the property owner or his agent if it is on private property. A law enforcement officer may also direct the impoundment of a vehicle pursuant to a writ or court order.

The person requesting a private impound or a law enforcement officer or public official requesting a public impound shall provide a signed authorization for the impound at the time and place of the impound to the registered tow truck operator before the operator may proceed with the impound. A registered tow truck operator may not serve as an agent of a property owner for the purposes of signing an impound authorization.

NEW SECTION. Sec. 5. Section 2, chapter 167, Laws of 1977 ex. sess., section 743, chapter 330, Laws of 1987 and RCW 46.61.563 are each repealed.

NEW SECTION. Sec. 6. RCW 46.61.567 is recodified as a section in chapter 46.55 RCW."

In line 1 of the title, after "operators;" strike the remainder of the title and insert "amending RCW 46.55.030 and 46.55.080; reenacting and amending RCW 46.55.010; adding a new section to chapter 46.55 RCW; recodifying RCW 46.61.567; and repealing RCW 46.61.563."

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1630.

POINT OF ORDER

Ms. Schmidt: I request a ruling on scope and object.

The Speaker (Mr. O'Brien presiding) deferred further consideration of Engrossed House Bill No. 1630.

SENATE AMENDMENT TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1655 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 325, Laws of 1977 ex. sess. as last amended by section 103, chapter 2, Laws of 1987 1st ex. sess. and RCW 84.52.053 are each amended to read as follows:

(1) The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by school districts, when authorized so to do by the electors of such school district in the manner ~~((and for the purposes and number of years allowable under))~~ set forth in Article VII, section 2(a) of the Constitution of this state, as

amended by Amendment 79 and as thereafter amended, at a special or general election to be held in the first year in which the levy is made (~~or, in the case of a proposition authorizing two-year levies for maintenance and operation support of a school district or authorizing two-year through six-year levies to support the construction, modernization, or remodeling of school facilities, or both, at a special or general election to be held in the year in which the first annual levy is made: PROVIDED, That~~).

(2) Additional taxes authorized by this section are limited to:

(a) Levies for a maximum of two years for the purposes of maintenance and operation support of a school district. Tax revenues from such levies shall be deposited in the district's general fund established under RCW 28A.58.441(1). Once an additional tax (levies have) levy has been authorized for maintenance and operation support of a school district (for a two-year period), no further additional tax levies for maintenance and operation support of the district for (that period) any year of the levy may be authorized.

(b) Levies for a maximum of six years for construction, modernization, or remodeling of school facilities. Tax revenues from such levies shall be deposited in the district's capital projects fund established under RCW 28A.58.441(2). In the case of levies authorized by the electors after February 2, 1988, such tax revenues may not be used for any additional purpose other than the purchase and installation of fixtures, fittings, furnishings, and service systems incidental to the construction, modernization, or remodeling of a facility, except to the extent that the aggregate cost of the purchase and installation of portable equipment and furniture incidental to the construction, modernization, or remodeling of such facility does not exceed twenty percent of the total cost of the project.

(c) Levies for one year for the purposes enumerated under RCW 28A.58.441(2). Tax revenues from such levies shall be deposited in the district's capital projects fund established under RCW 28A.58.441(2).

(d) Levies for one year for the purchase or major repair of pupil transportation vehicles. Tax revenues from such levies shall be deposited in the district's transportation vehicle fund established under RCW 28A.58.428.

(3) A special election may be called and the time therefor fixed by the board of school directors, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote 'yes' and those opposed thereto to vote 'no'.

(4) For the purposes of this section:

(a) 'Modernization' means major structural changes in existing facilities as defined in RCW 28A.47.073.

(b) 'Portable equipment or furniture' means any readily movable item, such as a personal computer and associated or peripheral software and hardware, instructional materials and equipment, or furniture, which is not a fixture.

(c) 'Facility' means a building or building complex, a portion of a building, or a permanent athletic structure.

(d) 'Total cost of the project' means the sum of the costs of construction, modernization, or remodeling of the facility and the aggregate cost of the purchase and installation of portable equipment and furniture incidental thereto, but shall not include costs of land acquisition and site preparation.

Sec. 2. Section 2, chapter 250, Laws of 1981 as last amended by section 13, chapter 59, Laws of 1983 and RCW 28A.58.441 are each amended to read as follows:

School districts shall establish the following funds in addition to those provided elsewhere by law:

(1) A general fund for maintenance and operation of the school district to account for all financial operations of the school district except those required to be accounted for in another fund.

(2) A capital projects fund shall be established for major capital purposes. All statutory references to a 'building fund' shall mean the capital projects fund so established. Money to be deposited into the capital projects fund shall include, but not be limited to, bond proceeds, proceeds from excess levies authorized by RCW 84.52.053, state apportionment proceeds as authorized by RCW 28A.41.143, and earnings from capital projects fund investments as authorized by RCW 28A.58.435 and 28A.58.440.

Money derived from the sale of bonds, including interest earnings thereof, may only be used for those purposes described in RCW 28A.51.010, except that accrued interest paid for bonds shall be deposited in the debt service fund.

Money to be deposited in the capital projects fund shall include tax revenues derived from multi-year levies for construction, modernization, or remodeling of school facilities, and such revenues may only be used for those purposes described in RCW 84.52.053(2)(b).

Money to be deposited into the capital projects fund shall include but not be limited to rental and lease proceeds as authorized by RCW 28A.58.035, and proceeds from the sale of real property as authorized by RCW 28A.58.0461.

Money legally deposited into the capital projects fund from other sources may be used for the purposes described in RCW 28A.51.010, and for the purposes of:

(a) Major renovation, including the replacement of facilities and systems where periodical repairs are no longer economical. Major renovation and replacement shall include, but shall not be limited to, roofing, heating and ventilating systems, floor covering, and electrical systems.

(b) Renovation and rehabilitation of playfields, athletic fields, and other district real property.

(c) The conduct of preliminary energy audits and energy audits of school district buildings. For the purpose of this section:

(i) 'Preliminary energy audits' means a determination of the energy consumption characteristics of a building, including the size, type, rate of energy consumption, and major energy using systems of the building.

(ii) 'Energy audit' means a survey of a building or complex which identifies the type, size, energy use level, and major energy using systems; which determines appropriate energy conservation maintenance or operating procedures and assesses any need for the acquisition and installation of energy conservation measures, including solar energy and renewable resource measures.

(iii) 'Energy capital improvement' means the installation, or modification of the installation, of energy conservation measures in a building which measures are primarily intended to reduce energy consumption or allow the use of an alternative energy source.

(d) Those energy capital improvements which are identified as being cost-effective in the audits authorized by this section.

(e) Purchase or installation of additional major items of equipment and furniture: PROVIDED, That vehicles shall not be purchased with capital projects fund money.

(f) Relocation of portable or temporary buildings owned or leased by the district including the expense of preparation, moving, and set-up of such structures.

(3) A debt service fund to provide for tax proceeds, other revenues, and disbursements as authorized in chapter 39.44 RCW.

(4) An associated student body fund as authorized by RCW 28A.58.120.

(5) Advance refunding bond funds and refunded bond funds to provide for the proceeds and disbursements as authorized in chapter 39.53 RCW.

NEW SECTION, Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House refuse to concur in the Senate amendment to Engrossed Substitute House Bill No. 1655 and ask the Senate to recede therefrom. The motion was carried.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 6439 and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Pullen, Talmadge and Nelson, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House grant the request of the Senate for a conference on Substitute Senate Bill No. 6439. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Armstrong, Appelwick and Padden as conferees on Substitute Senate Bill No. 6439.

MESSAGE FROM THE SENATE

March 8, 1988

Mr. Speaker:

The President has signed:

SENATE BILL NO. 5016.

SENATE BILL NO. 5229,
SUBSTITUTE SENATE BILL NO. 5586,
SENATE BILL NO. 5667,
SENATE BILL NO. 6243,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4756, by Representatives Vekich, Zellinsky, Schmidt, Meyers, B. Williams, K. Wilson, Pruitt, Padden, R. King, Saryan, Scott, Hargrove, P. King and Sanders

WHEREAS, The State of Washington has enjoyed a relationship of cooperation and mutual respect with the United States Navy for many decades, based upon the quality of the state's harbors which have sheltered many naval vessels in the adjacent communities in the state, the roles played by workers and businesses in the construction and repair of naval vessels over many years, the cooperation between the state and the Navy regarding the many naval facilities in the state, and the respect felt by the citizens of the state for the Navy in its defense of the sea lanes and of the nation's security in times of war and peace; and

WHEREAS, The state and its communities have served as the home of naval vessels in peace time and during periods of conflict, and strong attachments have grown between people in the communities and the naval vessels stationed in those communities; and

WHEREAS, Following a long service in battle and on the high seas, the battleship U.S.S. Missouri, the ship upon which a surrender took place that ended World War II, the bloodiest conflict the world has known, found a home in this state in the City of Bremerton, where citizens from around the country and around the world were able to visit and tour the battleship, and a strong attachment grew in the hearts of citizens for the vessel; and

WHEREAS, The U.S.S. Missouri has been given a chance to serve an active role again on the high seas, having been rehabilitated and restored to service in the defense of this nation; and

WHEREAS, The Navy has sought to base the U.S.S. Missouri on the west coast and has sought to base the vessel in the City of San Francisco, California; and

WHEREAS, Basing of the vessel in the City of San Francisco has divided the citizens of that city, and the support of the city and its citizens for the U.S.S. Missouri being in San Francisco is weak and uncertain;

NOW, THEREFORE, BE IT RESOLVED, That the Department of Defense, the Joint Chiefs of Staff and the United States Navy be requested to take action to base the battleship U.S.S. Missouri in the City of Bremerton in the State of Washington for the duration of its active life, and that after the battleship is decommissioned, the vessel remain in Bremerton to serve again as a symbol of the nation's triumph over adversity in war and strength during times of peace; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives immediately transmit copies of this Resolution to each member of Congress from the State of Washington, the Department of Defense, the Joint Chiefs of Staff and the United States Navy.

Mr. Vekich moved adoption of the resolution. Representatives Vekich, Zellinsky and Schmidt spoke in favor of the resolution, and it was adopted.

MOTION

Mr. Ebersole moved that the rules be suspended, that Committee on State Government be relieved of Substitute Senate Concurrent Resolution No. 8430, and that the resolution be placed on the second reading calendar. The motion was carried.

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

SECOND READING

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8430, by Committee on Governmental Operations (originally sponsored by Senators Talmadge, Owen, Conner, Bender, Pullen, Warnke, McDonald, Bauer, Metcalf and Rasmussen)

Urging the display of the prisoner-of-war and missing-in-action flag.

The resolution was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Brough, Jones and Meyers spoke in favor of adoption of the resolution.

Substitute Senate Concurrent Resolution No. 8430 was adopted.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The President ruled the House amendments to SENATE BILL NO. 6675 beyond the scope and object of the bill. The Senate refuses to concur in said amendments and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTIONS

Mr. Ebersole moved that the rules be suspended and that Senate Bill No. 6675 be returned to third reading. The motion was carried.

Mr. Ebersole moved that the rules be suspended and that Senate Bill No. 6675 be returned to second reading for purpose of amendment. The motion was carried.

SENATE BILL NO. 6675, by Senators Kiskaddon, Stratton, Bailey and Wojahn; by request of Governor

Modifying provisions relating to the family independence program.

MOTION FOR RECONSIDERATION

Ms. Brekke, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment on page 9, after line 7 by Representatives Braddock, Brekke and Belcher to the committee amendment to Senate Bill No. 6675 was adopted. (See Journal, 52nd Day, March 2, 1988.)

Representatives Brekke and Winsley spoke in favor of the motion, and it was carried.

RECONSIDERATION

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of adoption of the amendment on page 9, after line 7 by Representatives Braddock, Brekke and Belcher to the committee amendment to Senate Bill No. 6675.

Ms. Brekke spoke against adoption of the amendment to the committee amendment

The amendment to the committee amendment was not adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

FINAL PASSAGE OF SENATE BILL WITH CERTAIN HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Senate Bill No. 6675 with certain House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6675 with certain House amendments, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Amondson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Anderson, Belcher, Brekke - 3.

Excused: Representatives Allen, Dorn - 2.

Senate Bill No. 6675 with certain House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 6574, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House refuse to recede from its amendment to Senate Bill No. 6574, insist on its position and again ask the Senate to concur therein. The motion was carried.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 6376 on page 2 line 13, and page 2, line 24, refuses to concur in the House amendment on page 1, line 24, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Walk moved that the House recede from its amendment on page 1, line 24 to Substitute Senate Bill No. 6376 and pass the bill without certain House amendments.

Ms. Schmidt spoke in favor of the motion, and it was carried.

FINAL PASSAGE WITHOUT CERTAIN HOUSE AMENDMENT

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6376 without certain House amendment.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6376 without certain House amendment, and the bill passed the House by the following vote: Yeas, 76; nays, 20; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Cole, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, Jesernig, Jones, King R, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, O'Brien, Padden, Prince, Pruitt, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Taylor, Unsoeld, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Amondson, Ballard, Butterfield, Chandler, Cooper, Crane, Fuhrman, Grant, Heavey, Holm, King P, Kremen, Nutley, Patrick, Peery, Rasmussen, Smith C, Sutherland, Todd, Valle - 20.

Excused: Representatives Allen, Dorn - 2.

Substitute Senate Bill No. 6376 without certain House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to indicate that my vote on SSB 6376 without certain House amendment should have been "Yea."

PETER T. BROOKS, 16th District.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1745 with the following amendments:

By Senator Craswell:

On page 2, following line 6, insert the following:

NEW SECTION. Sec. 3. Registered voters of a school district which is divided into director districts may submit a written petition signed by at least twenty percent of the registered voters of that school district requesting that only the registered voters residing within a respective director district shall be eligible to vote in the general election for a candidate running for the position of director from that director district. The superintendent of the school district, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall place the proposal on the ballot at the next general election for approval or rejection by the voters of the entire school district.

NEW SECTION. Sec. 4. If a majority of the registered voters voting on the issue in the election approve the proposal when the terms of the incumbent directors of the school district expire, their successors shall be elected as provided under section 3 of this act.

NEW SECTION. Sec. 5. Sections 3 and 4 of this act shall not apply to any first class school district having within its boundaries a city with a population of four hundred thousand people or more and being in a class AA county.

NEW SECTION. Sec. 6. Sections 3 through 5 of this act are each added to chapter 28A.57 RCW.

NEW SECTION. Sec. 7. Effective September 1, 1988, through August 31, 1989, any second class school district previously divided into directors' districts may return to the system of directors running at-large pursuant to the provisions of section 4 of this act.

NEW SECTION. Sec. 8. (1) Upon receipt of a motion adopted by the board of directors or a written petition signed by at least twenty percent of the registered voters of a second class school district previously divided into directors' districts, which motion or petition shall request a return to the system of directors running at-large within the district, an educational service district superintendent, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall call and hold a special election of the voters of the entire school district to approve or reject such proposal, such election to be called, conducted, and the returns canvassed as in regular school district elections.

If approval of a majority of those registered voters voting in the election is acquired, at the expiration of terms of the incumbent directors of such school district, their successors shall be elected at-large.

NEW SECTION. Sec. 9. Sections 7 and 8 of this act do not apply to any school district of the first class nor to any second class school district otherwise eligible under RCW 28A.57.415 to return to the system of directors running at-large.

NEW SECTION. Sec. 10. Sections 7, 8 and 9 of this act shall expire September 1, 1989."

On page 1, line 1 of the title, strike everything through "28A.57 RCW" and insert: "AN ACT Relating to school district directors; amending RCW 28A.57.322 and 28A.60.010, and adding new sections to chapter 28A.57 RCW."

By Senator Owen:

On page 2, after line 6, insert the following:

NEW SECTION. Sec. 3. Effective September 1, 1988, through August 31, 1989, any second class school district previously divided into directors' districts may return to the system of directors running at-large pursuant to the provisions of section 4 of this act.

NEW SECTION. Sec. 4. (1) Upon receipt of a motion adopted by the board of directors or a written petition signed by at least twenty percent of the registered voters of a second class school district previously divided into directors' districts, which motion or petition shall request a return to the system of directors running at-large within the district, an educational service district superintendent, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall call and hold a special election of the voters of

the entire school district to approve or reject such proposal, such election to be called, conducted, and the returns canvassed as in regular school district elections.

(2) If approval of a majority of those registered voters voting in the election is acquired, at the expiration of terms of the incumbent directors of such school district, their successors shall be elected at-large.

NEW SECTION. Sec. 5. Sections 3 and 4 of this act do not apply to any school district of the first class nor to any second class school district otherwise eligible under RCW 28A.57.415 to return to the system of directors running at-large.

NEW SECTION. Sec. 6. Sections 3, 4, and 5 of this act shall expire September 1, 1989."

On page 1, line 2 of the title, after "directors;" strike "and"

On page 1, line 2 of the title, after ".010" insert "; creating new sections; and providing an effective date"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1745.

POINT OF ORDER

Ms. Cole: I request a ruling on scope and object on the amendments on page 2, after line 6, marked 3/5 (by Senator Owen) and page 2, following line 6, marked 3/5A (by Senator Craswell).

The Speaker (Mr. O'Brien presiding) deferred further consideration of Substitute Senate Bill No. 1745.

SENATE AMENDMENT TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1752 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 87, Laws of 1987 and RCW 75.25.090 are each amended to read as follows:

(1) An annual personal use license is required for a person sixteen years of age or older to fish for, take, or possess food fish except smelt for personal use from state waters or offshore waters, other than carp and sturgeon in the Columbia river above Chief Joseph Dam. An annual personal use license is valid for the calendar year in which it is issued. The fees for an annual personal use license are three dollars for residents and nine dollars for nonresidents.

(2) A two-consecutive-day combined personal use license and punchcard shall be issued. The fee for the license and punchcard is three dollars for residents and nonresidents.

(3) It is unlawful to fish for or possess food fish without the licenses, punchcards, and stamps required by this chapter."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

POINT OF ORDER

Ms. K. Wilson: I would like to ask the Speaker to make a ruling on the scope and object of the Senate amendment.

The Speaker (Mr. O'Brien presiding) deferred further consideration of Substitute House Bill No. 1752.

MOTION

Mr. Ebersole moved that the rules be suspended and that Substitute House Bill No. 1333 be returned to final passage. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1333 AS AMENDED BY THE SENATE, by Committee on Judiciary (originally sponsored by Representatives Locke, Brough, Dellwo, Walker, Heavey, Belcher, Todd and P. King)

Revising sexual offenses.

MOTION FOR RECONSIDERATION

Mr. Ebersole, having voted on the prevailing side, moved that the House do now reconsider the vote by which it concurred in the Senate amendments to Substitute House Bill No. 1333. The motion was carried.

MOTION

Mr. Armstrong moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1333 and ask the Senate to recede therefrom.

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

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 6671, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Nutley moved that the House refuse to recede from its amendments to Senate Bill No. 6671, insist on its position and again ask the Senate to concur therein. The motion was carried.

Representative Zellinsky was excused.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 1271 and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Deccio, Owen and West, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House grant the request of the Senate for a conference on Substitute House Bill No. 1271. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Sprenkle, Braddock and Brooks as conferees on Substitute House Bill No. 1271.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Wednesday, March 9, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, March 9, 1988

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Day, Miller, Todd, Vekich and Wineberry. Representatives Allen, Miller, Vekich and Wineberry were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Esther Park and Gamyn Heenan. Prayer was offered by The Reverend Harry McDonald, Minister of the Normandy Park Church of Seattle.

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

MESSAGE FROM THE GOVERNOR

March 8, 1988

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

I have the honor to advise you that on March 8, 1988, Governor Gardner approved the following House Bills entitled:

HOUSE BILL NO. 1270: Relating to work training release;

HOUSE BILL NO. 1306: Relating to the appropriate use of disciplinary authority and the protection of classified school employees;

HOUSE BILL NO. 1318: Relating to changing the application deadline from March 31, 1988, to May 31, 1988, for the schools for the twenty-first century pilot project.

Sincerely,
Terry Sebring, Counsel.

MESSAGES FROM THE SENATE

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 1445. The President has appointed the following members as conferees: Senators Pullen, Halsan and McCaslin.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED HOUSE BILL NO. 1585. The President has appointed the following members as conferees: Senators Kiskaddon, Stratton and Bailey.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on HOUSE BILL NO. 1819. The President has appointed the following members as conferees: Senators Cantu, Kreidler and Newhouse.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED HOUSE BILL NO. 1851. The President has appointed the following members as conferees: Senators Johnson, Wojahn and Smith.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 1892. The President has appointed the following members as conferees: Senators Bailey, Rinehart and Kiskaddon.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 5595. The President has appointed the following members as conferees: Senators Lee, Niemi and West, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 6124. The President has appointed the following members as conferees: Senators Zimmerman, Wojahn and Johnson, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 6157. The President has appointed the following members as conferees: Senators Bailey, Rinehart and Kiskaddon, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 6160. The President has appointed the following members as conferees: Senators Bailey, Bender and Craswell, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6235. The President has appointed the following members as conferees: Senators Barr, Kreidler and Lee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SENATE BILL NO. 6297. The President has appointed the following members as conferees: Senators von Reichbauer, Moore and West, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 6316 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6720 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate concurred in the House amendment to SENATE JOINT MEMORIAL NO. 8028 and passed the memorial as amended by the House.

W. D. Naismith, Assistant Secretary.

March 8, 1988

Mr. Speaker:

The Senate receded from its amendments to ENGROSSED HOUSE BILL NO. 1387 and has passed the bill without said amendments, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

SENATE AMENDMENT TO HOUSE BILL

March 3, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1915 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 374, Laws of 1985 as last amended by section 101, chapter 2, Laws of 1987 1st ex. sess. and RCW 84.52.0531 are each amended to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of RCW 84.52.053 shall be determined as follows:

(1) For the purpose of this section, the basic education allocation shall be determined pursuant to RCW 28A.41.130, 28A.41.140, and 28A.41.145, as now or hereafter amended: PROVIDED, That when determining the basic education allocation under subsection (4) of this section, non-resident full time equivalent pupils who are participating in a program provided for in chapter 28A.44 RCW or in any other program pursuant to an interdistrict agreement shall be included in the enrollment of the resident district and excluded from the enrollment of the serving district.

(2) For the purposes of subsection (5) of this section, a base year levy percentage shall be established. The base year levy percentage shall be equal to the greater of: (a) The district's actual levy percentage for calendar year 1985, (b) the average levy percentage for all school district levies in the state in calendar year 1985, or (c) the average levy percentage for all school district levies in the educational service district of the district in calendar year 1985.

(3) For excess levies for collection in calendar year 1988 and thereafter, the maximum dollar amount shall be the total of:

(a) The district's levy base as defined in subsection (4) of this section multiplied by the district's maximum levy percentage as defined in subsections (5) and (6) of this section; plus

(b) In the case of nonhigh districts only, an amount equal to the total estimated amount due by the nonhigh school district to high school districts pursuant to chapter 28A.44 RCW for the school year during which collection of the levy is to commence, less the increase in the nonhigh school district's basic education allocation as computed pursuant to subsection (1) of this section due to the inclusion of pupils participating in a program provided for in chapter 28A.44 RCW in such computation; less

(c) The maximum amount of state matching funds under RCW 28A.41.155 for which the district is eligible in that tax collection year.

(4) For excess levies for collection in calendar year 1988 and thereafter, a district's levy base shall be the sum of the following allocations received by the district for the prior school year, including allocations for compensation increases, multiplied by the percent increase per full time equivalent student in the state basic education appropriation between the prior school year and the current school year:

(a) The district's basic education allocation as determined pursuant to RCW 28A.41.130, 28A.41.140, and 28A.41.145;

(b) State and federal categorical allocations for the following programs:

(i) Pupil transportation;

(ii) Handicapped education;

(iii) Education of highly capable students;

(iv) Compensatory education, including but not limited to learning assistance, migrant education, Indian education, refugee programs, and bilingual education;

(v) Food services; and

(vi) State-wide block grant programs; and

(c) Any other federal allocations for elementary and secondary school programs, including direct grants, other than federal impact aid funds and allocations in lieu of taxes.

(5) For levies to be collected in calendar year 1988, a district's maximum levy percentage shall be determined as follows:

(a) Multiply the district's base year levy percentage as defined in subsection (2) of this section by the district's levy base as determined in subsection (4) of this section;

(b) Reduce the amount in (a) of this subsection by the total estimated amount of any levy reduction funds as defined in subsection (7) of this section which are to be allocated to the district for the 1987-88 school year;

(c) Divide the amount in (b) of this subsection by the district's levy base to compute a new percentage; and

(d) The percentage in (c) of this subsection or twenty percent, whichever is greater, shall be the district's maximum levy percentage for levies collected in calendar year 1988.

(6) For excess levies for collection in calendar year 1989 and thereafter, a district's maximum levy percentage shall be determined as follows:

(a) Multiply the district's maximum levy percentage for the prior year or thirty percent, whichever is less, by the district's levy base as determined in subsection (4) of this section;

(b) Reduce the amount in (a) of this subsection by the total estimated amount of any levy reduction funds as defined in subsection (7) of this section which are to be allocated to the district for the current school year;

(c) Divide the amount in (b) of this subsection by the district's levy base to compute a new percentage; and

(d) The percentage in (c) of this subsection or twenty percent, whichever is greater, shall be the district's maximum levy percentage for levies collected in that calendar year.

(7) 'Levy reduction funds' shall mean increases in state funds (~~allocated to a district~~) from the prior school year for programs included under subsection (4) of this section; (a) That are not attributable to enrollment or workload changes, compensation increases, or inflationary adjustments (recognized in state allocation formulas. Any other increases in state allocations from the district's allocations for the prior school year that are not specifically excluded in this subsection shall be considered levy reduction funds); and (b) that are or were specifically identified as levy reduction funds in the appropriations act. If levy reduction funds are dependent on formula factors which would not be finalized until after the start of the current school year, the superintendent of public instruction shall estimate the total amount of levy reduction funds by using prior school year data in place of current school year data.

(8) For the purposes of this section, 'prior school year' shall mean the most recent school year completed prior to the year in which the levies are to be collected.

(9) For the purposes of this section, 'current school year' shall mean the year immediately following the prior school year.

(10) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House refuse to concur in the Senate amendment to Substitute House Bill No. 1915 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Peery, Ebersole and Betrozoff as conferees on Substitute House Bill No. 1915.

MESSAGE FROM THE SENATE

March 8, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 6344 and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Rayburn moved that the House refuse to recede from its amendment to Engrossed Substitute Senate Bill No. 6344, insist on its position and again ask the Senate to concur therein. The motion was carried.

MESSAGE FROM THE SENATE

March 8, 1988

Mr. Speaker:

The Senate receded from its amendment to page 5, line 14 (by Senator West) to ENGROSSED HOUSE BILL NO. 1884, and has passed the bill without said amendment, but with the Senate amendment on page 5, line 14 (by Senators Anderson and McMullen), in which the House previously concurred, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENT

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1884 with certain Senate amendment.

Representatives Walk and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1884 with certain Senate amendment, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Day, Todd - 2.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Engrossed House Bill No. 1884 with certain Senate amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Day and Todd appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 692 with the following amendments:

On page 4, after line 12, insert the following:

NEW SECTION. Sec. 4. (1) Every building or unit within a building used for the purpose of unlawfully manufacturing, delivering, selling, storing, or giving away any controlled substance as defined in chapter 69.50 RCW, legend drug as defined in chapter 69.41 RCW, or imitation controlled substances as defined in chapter 69.52 RCW, and every building or unit within a building wherein or upon which such acts take place, is a nuisance which shall be enjoined, abated, and prevented, whether it is a public or private nuisance.

(2) As used in this chapter, "building" includes, but is not limited to, any structure or any separate part or portion thereof, whether permanent or not, or the ground itself.

NEW SECTION. Sec. 5. The action provided for in section 4 of this act shall be brought in the superior court in the county in which the property is located. Such action shall be commenced by the filing of a complaint alleging the facts constituting the nuisance.

Any complaint filed under this chapter shall be verified or accompanied by affidavit. For purposes of showing that the owner or his or her agent has had an opportunity to abate the nuisance, the affidavit shall contain a description of all attempts by the applicant to notify and locate the owner of the property or the owner's agent.

In addition, the affidavit shall describe in detail the adverse impact associated with the property on the surrounding neighborhood. 'Adverse impact' includes, but is not limited to, the following: Any search warrants served on the property where controlled substances were seized; investigative purchases of controlled substances on or near the property by law enforcement or their agents; arrests of persons who frequent the property for violation of controlled substances laws; increased volume of traffic associated with the property; and the number of complaints made to law enforcement of illegal activity associated with the property.

After filing the complaint, the court shall grant a hearing within three business days after the filing.

NEW SECTION. Sec. 6. Upon application for a temporary restraining order or preliminary injunction, the court may, upon a showing of good cause, issue an ex parte restraining order or preliminary injunction, preventing the defendant and all other persons from removing or in any manner interfering with the personal property and contents of the place where the nuisance is alleged to exist and may grant such preliminary equitable relief as is necessary to prevent the continuance or recurrence of the nuisance pending final resolution of the matter on the merits. However, pending the decision, the stock in trade may not be so restrained, but an inventory and full accounting of all business transactions may be required.

The restraining order or preliminary injunction may be served by handing to and leaving a copy with any person in charge of the place or residing in the place, or by posting a copy in a conspicuous place at or upon one or more of the principal doors or entrances to the place, or by both delivery and posting. The officer serving the order or injunction shall forthwith make and return into court an inventory of the personal property and contents situated in and used in conducting or maintaining the nuisance.

Any violation of the order or injunction is a contempt of court, and where such order or injunction is posted, mutilation or removal thereof while the same remains in force is a contempt of court if such posted order or injunction contains a notice to that effect.

NEW SECTION. Sec. 7. A temporary restraining order or preliminary injunction shall not issue under this chapter except upon the giving of a bond or security by the applicant, in the sum that the court deems proper, but not less than one thousand dollars, for the payment of such costs and damages as may be incurred or suffered by any party who is found to have been wrongfully restrained or enjoined. A bond or security shall not be required of the state of Washington, municipal corporations, or political subdivisions of the state of Washington.

NEW SECTION. Sec. 8. An action under this chapter shall have precedence over all other actions, except prior matters of the same character, criminal proceedings, election contests, hearings on temporary restraining orders and injunctions, and actions to forfeit vehicles used in violation of the uniform controlled substances act.

NEW SECTION. Sec. 9. (1) If the complaint under this chapter is filed by a citizen, the complaint shall not be dismissed by the citizen for want of prosecution except upon a sworn statement made by the citizen and the citizen's attorney, if the citizen has one. The statement shall set forth the reasons why the action should be dismissed. The case shall only be dismissed if so ordered by the court.

(2) In case of failure to prosecute the action with reasonable diligence, or at the request of the plaintiff, the court, in its discretion, may substitute any other citizen consenting to be substituted for the plaintiff.

NEW SECTION. Sec. 10. A copy of the complaint, together with a notice of the time and place of the hearing of the action shall be served upon the defendant at least one business day before the hearing. Service may also be made by posting the papers in the same manner as is provided for in section 6 of this act. If the hearing is then continued at the request of any defendant, all temporary orders and injunctions shall be extended as a matter of course.

NEW SECTION. Sec. 11. (1) Except as provided in subsection (2) of this section, if the existence of the nuisance is established in the action, an order of abatement shall be entered as part of the final judgment in the case. Plaintiff's costs in the action, including those of abatement, are a lien upon the building or unit within a building. The lien is enforceable and collectible by execution issued by order of the court.

(2) If the court finds and concludes that the owner of the building or unit within a building: (a) Had no knowledge of the existence of the nuisance or has been making reasonable efforts to abate the nuisance, (b) has not been guilty of any contempt of court in the proceedings, and (c) will immediately abate any such nuisance that may exist at the building or unit within a building and prevent it from being a nuisance within a period of one year thereafter, the court shall, if satisfied of the owner's good faith, order the building or unit within a building to be delivered to the owner, and no order of abatement shall be entered. If an order of abatement has been entered and the owner subsequently meets the requirements of this subsection, the order of abatement shall be canceled.

NEW SECTION. Sec. 12. Any final order of abatement issued under this chapter shall:

(1) Direct the removal of all personal property subject to seizure and forfeiture pursuant to RCW 69.50.505 from the building or unit within a building, and direct their disposition pursuant to the forfeiture provisions of RCW 69.50.505;

(2) Provide for the immediate closure of the building or unit within a building against its use for any purpose, and for keeping it closed for a period of one year unless released sooner as provided in this chapter; and

(3) State that while the order of abatement remains in effect the building or unit within a building shall remain in the custody of the court.

NEW SECTION. Sec. 13. In all actions brought under this chapter, the proceeds and all moneys forfeited pursuant to the forfeiture provisions of RCW 69.50.505 shall be applied as follows:

(1) First, to the fees and costs of the removal and sale;

(2) Second, to the allowances and costs of closing and keeping closed the building or unit within a building;

(3) Third, to the payment of the plaintiff's costs in the action; and

(4) Fourth, the balance, if any, to the owner of the property.

If the proceeds of the sale of items subject to seizure and forfeiture do not fully discharge all of the costs, fees, and allowances, the building or unit within a building shall then also be sold under execution issued upon the order of the court, and the proceeds of the sale shall be applied in a like manner.

A building or unit within a building shall not be sold under this section unless the court finds and concludes by clear and convincing evidence that the owner of the building or unit within a building had actual or constructive knowledge or notice of the existence of the nuisance. However, this shall not be construed as limiting or prohibiting the entry of any final order of abatement as provided in this chapter.

NEW SECTION. Sec. 14. An intentional violation of a restraining order, preliminary injunction, or order of abatement under this chapter is punishable as a contempt of court by a fine of not more than ten thousand dollars which may not be waived, or by imprisonment for not more than one year, or by both.

NEW SECTION. Sec. 15. Whenever the owner of a building or unit within a building upon which the act or acts constituting the contempt have been committed, or the owner of any interest in the building or unit has been guilty of a contempt of court, and fined in any proceedings under this chapter, the fine is a lien upon the building or unit within a building to the extent of the owner's interest. The lien is enforceable and collectible by execution issued by order of the court.

NEW SECTION. Sec. 16. The abatement of a nuisance under this chapter does not prejudice the right of any person to recover damages for its past existence.

NEW SECTION. Sec. 17. Sections 4 through 16 of this act constitute a new chapter in Title 7 RCW."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "7.48A.020;" insert "adding a new chapter to Title 7 RCW; prescribing penalties;"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to Substitute House Bill No. 692.

Representatives Armstrong and Padden spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 692 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 692 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor,

Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Substitute House Bill No. 692 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1292 with the following amendment:

On page 1, line 11, after "age" strike all material down through "supplies" on line 16 and insert ": PROVIDED, That such employees may enter such restricted areas (~~for the following purposes:~~) to perform work assignments including picking up liquor for service in other parts of the licensed premises, ((to)) performing clean up work, ((to)) setting up and ((arrange)) arranging tables, ((and to)) delivering supplies, delivering messages, serving food, and seating patrons"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendment to House Bill No. 1292.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1292 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1292 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

House Bill No. 1292 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1295 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 217, Laws of 1987 and RCW 66.24.010 are each amended to read as follows:

(1) Every license shall be issued in the name of the applicant, and the holder thereof shall not allow any other person to use the license.

(2) For the purpose of considering any application for a license, the board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension or revocation of any license, the liquor control board may consider any prior criminal conduct of the applicant and the provisions of RCW

9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The board may, in its discretion, grant or refuse the license applied for. No retail license of any kind may be issued to:

(a) A person who has not resided in the state for at least one month prior to making application, except in cases of licenses issued to dining places on railroads, boats, or aircraft;

(b) A copartnership, unless all of the members thereof are qualified to obtain a license, as provided in this section;

(c) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee;

(d) A corporation, unless it was created under the laws of the state of Washington or holds a certificate of authority to transact business in the state of Washington.

(3) The board may, in its discretion, subject to the provisions of RCW 66.08.150, suspend or cancel any license; and all rights of the licensee to keep or sell liquor thereunder shall be suspended or terminated, as the case may be. The board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under such rules and regulations as the board may adopt.

Witnesses shall be allowed fees and mileage each way to and from any such inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.04.105, as now or hereafter amended. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

In case of disobedience of any person to comply with the order of the board or a subpoena issued by the board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, shall compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(4) Upon receipt of notice of the suspension or cancellation of a license, the licensee shall forthwith deliver up the license to the board. Where the license has been suspended only, the board shall return the license to the licensee at the expiration or termination of the period of suspension(~~with a memorandum of the suspension written or stamped upon the face thereof in red ink~~). The board shall notify all vendors in the city or place where the licensee has its premises of the suspension or cancellation of the license; and no employee may allow or cause any liquor to be delivered to or for any person at the premises of that licensee.

(5) (a) At the time of the original issuance of a class H license, the board shall prorate the license fee charged to the new licensee according to the number of calendar quarters, or portion thereof, remaining until the first renewal of that license is required. (b) Unless sooner canceled, every license issued by the board shall expire at midnight of the thirtieth day of June of the fiscal year for which it was issued. However, if the board deems it feasible and desirable to do so, it may establish, by rule pursuant to chapter 34.04 RCW, a system for staggering the annual renewal dates for any and all licenses authorized by this chapter. If such a system of staggered annual renewal dates is established by the board, the license fees provided by this chapter shall be appropriately prorated during the first year that the system is in effect.

(6) Every license issued under this section shall be subject to all conditions and restrictions imposed by this title or by the regulations in force from time to time. All conditions and restrictions imposed by the board in the issuance of an individual license shall be listed on the face of the individual license along with the trade name, address, and expiration date.

(7) Every licensee shall post and keep posted its license, or licenses, in a conspicuous place on the premises.

(8) Before the board shall issue a license to an applicant it shall give notice of such application to the chief executive officer of the incorporated city or town, if the application be for a license within an incorporated city or town, or to the county legislative authority, if the application be for a license outside the boundaries of incorporated cities or towns; and such incorporated city or town, through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, shall have the right to file with the board within twenty days after date of transmittal of such notice, written objections against the applicant or against the premises for which the license is asked, and shall include with such objections a statement of all facts upon which such objections are based, and in case written objections are filed, may request and the liquor control board may in its discretion hold a formal hearing subject to the applicable provisions of Title 34 RCW, as now or hereafter amended. Upon the granting of a license under this title the board shall send a duplicate of the license or written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(9) Before the board issues any license to any applicant, it shall give (a) due consideration to the location of the business to be conducted under such license with respect to the proximity

of churches, schools, and public institutions and (b) written notice by certified mail of the application to churches, schools, and public institutions within five hundred feet of the premises to be licensed. The board shall issue no beer retailer license class A, B, D, or E or wine retailer license class C or F or class H license covering any premises not now licensed, if such premises are within five hundred feet of the premises of any tax-supported public elementary or secondary school measured along the most direct route over or across established public walks, streets, or other public passageway from the outer property line of the school grounds to the nearest public entrance of the premises proposed for license, and if, after receipt by the school or public institution of the notice as provided in this subsection, the board receives written notice, within twenty days after posting such notice, from an official representative or representatives of the school within five hundred feet of said proposed licensed premises, indicating to the board that there is an objection to the issuance of such license because of proximity to a school. For the purpose of this section, church shall mean a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith. No liquor license may be issued or reissued by the board to any motor sports facility or licensee operating within the motor sports facility unless the motor sports facility enforces a program reasonably calculated to prevent alcohol or alcoholic beverages not purchased within the facility from entering the facility and such program is approved by local law enforcement agencies. It is the intent under this subsection that a retail license shall not be issued by the board where doing so would, in the judgment of the board, adversely affect a private school meeting the requirements for private schools under Title 28A RCW, which school is within five hundred feet of the proposed licensee. The board shall fully consider and give substantial weight to objections filed by private schools. If a license is issued despite the proximity of a private school, the board shall state in a letter addressed to the private school the board's reasons for issuing the license.

(10) The restrictions set forth in the preceding subsection shall not prohibit the board from authorizing the transfer of existing licenses now located within the restricted area to other persons or locations within the restricted area: PROVIDED, Such transfer shall in no case result in establishing the licensed premises closer to a church or school than it was before the transfer.

(11) Nothing in this section prohibits the board, in its discretion, from issuing a temporary retail or wholesaler license to a transferee of a retail or wholesaler license to continue the operation of the retail or wholesaler premises during the period a transfer application for the license from person to person at the same premises is pending and when the following conditions exist:

(a) The licensed premises has been operated under a retail or wholesaler license within ninety days of the date of filing the application for a temporary license;

(b) The retail or wholesaler license for the premises has been surrendered pursuant to issuance of a temporary operating license;

(c) The applicant for the temporary license has filed with the board an application for transfer of the retail or wholesaler license at such premises to himself or herself; and

(d) The application for a temporary license is accompanied by a temporary license fee established by the board by rule.

A temporary license issued by the board under this section shall be for a period not to exceed sixty days. A temporary license may be extended at the discretion of the board for an additional sixty-day period upon payment of an additional fee and upon compliance with all conditions required in this section.

Refusal by the board to issue or extend a temporary license shall not entitle the applicant to request a hearing. A temporary license may be canceled or suspended summarily at any time if the board determines that good cause for cancellation or suspension exists. RCW 66.08-.130 and chapter 34.04 RCW shall apply to temporary licenses.

Application for a temporary license shall be on such form as the board shall prescribe. If an application for a temporary license is withdrawn before issuance or is refused by the board, the fee which accompanied such application shall be refunded in full.

Sec. 2. Section 23-5 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 43, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.380 are each amended to read as follows:

There shall be a beer retailer's license to be designated as class G; a special license to a society or organization to sell beer at picnics or other special occasions at a specified date and place; fee (~~twenty~~) thirty-five dollars per day. Sale, service, and consumption of beer is to be confined to specified premises or designated areas only.

Sec. 3. Section 6, chapter 85, Laws of 1982 and RCW 66.24.500 are each amended to read as follows:

There shall be a wine retailer's license to be designated as class J; a special license to a society or organization to sell wine at special occasions at a specified date and place; fee (~~twenty~~) thirty-five dollars per day. Sale, service, and consumption of wine is to be confined to specified premises or designated areas only: PROVIDED, That a holder of a class J license shall be permitted to sell at no more than two licensed events each year to members and guests in attendance at the special occasion limited quantities of wine in unopened bottles and

original packages, not to be consumed on the premises where sold, by paying an additional fee of ten dollars per day. The board shall adopt appropriate regulations pursuant to chapter 34.04 RCW for the purpose of carrying out the provisions of this section.

NEW SECTION, Sec. 4. A new section is added to chapter 66.24 RCW to read as follows:

An application for a new annual retail license under this title shall be accompanied by payment of a nonrefundable seventy-five dollar fee to cover expenses incurred in processing the application. If the application is approved, the application fee shall be applied toward the fee charged for the license."

On page 1, line 1 of the title, after "licenses;" strike the remainder of the title and insert "amending RCW 66.24.010, 66.24.380, and 66.24.500; and adding a new section to chapter 66.24 RCW."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1295.

Representatives Wang and Patrick spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1295 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1295 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Engrossed Substitute House Bill No. 1295 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1317 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 100, chapter 469, Laws of 1985 and RCW 35.22.288 are each amended to read as follows:

Promptly after adoption, ((every)) the text of each ordinance or a summary of the content of each ordinance shall be published at least once in the official newspaper of the city. For purposes of this section, a summary shall mean a brief description which succinctly describes the main points of the ordinance. When the city publishes a summary, the publication shall include a statement that the full text of the ordinance will be mailed upon request.

An inadvertent mistake or omission in publishing the text or a summary of the content of an ordinance shall not render the ordinance invalid.

In addition to the requirement that a city publish the text or a summary of the content of each adopted ordinance, every city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the city's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting

agendas, or such other processes as the city determines will satisfy the intent of this requirement.

Sec. 2, Section 35.23.310, chapter 7, Laws of 1965 and RCW 35.23.310 are each amended to read as follows:

~~(Before any ordinance shall take effect, it shall be published in one issue of the official newspaper of the city.)~~

Promptly after adoption, the text of each ordinance or a summary of the content of each ordinance shall be published at least once in the official newspaper of the city. For purposes of this section, a summary shall mean a brief description which succinctly describes the main points of the ordinance. When the city publishes a summary, the publication shall include a statement that the full text of the ordinance will be mailed upon request.

An inadvertent mistake or omission in publishing the text or a summary of the content of an ordinance shall not render the ordinance invalid.

In addition to the requirement that a city publish the text or a summary of the content of each adopted ordinance, every city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the city's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the city determines will satisfy the intent of this requirement.

A certified copy of any ordinance certified to by the clerk, or a printed copy of any ordinance or compilation printed by authority of the city council and attested by the clerk shall be competent evidence in any court.

Sec. 3, Section 2, chapter 120, Laws of 1987 and RCW 35.23.352 are each amended to read as follows:

(1) Any second or third class city or any town may construct any public works, as defined in RCW 39.04.010, by contract or day labor without calling for bids therefor whenever the estimated cost of the work or improvement, including cost of materials, supplies and equipment will not exceed the sum of thirty thousand dollars if more than one craft or trade is involved with the public works, or twenty thousand dollars if a single craft or trade is involved with the public works or the public works project is street signalization or street lighting. A public works project means a complete project. The restrictions in this subsection do not permit the division of the project into units of work or classes of work to avoid the restriction on work that may be performed by day labor on a single project.

Whenever the cost of the public work or improvement, including materials, supplies and equipment, will exceed these figures, the same shall be done by contract. All such contracts shall be let at public bidding upon posting notice calling for sealed bids upon the work. The notice thereof shall be posted in a public place in the city or town and by publication in the official newspaper, or a newspaper of general circulation most likely to bring responsive bids, once each week for two consecutive weeks before the date fixed for opening the bids. The notice shall generally state the nature of the work to be done that plans and specifications therefor shall then be on file in the city or town hall for public inspections, and require that bids be sealed and filed with the council or commission within the time specified therein. Each bid shall be accompanied by a bid proposal deposit in the form of a cashier's check, postal money order, or surety bond to the council or commission for a sum of not less than five percent of the amount of the bid, and no bid shall be considered unless accompanied by such bid proposal deposit. The council or commission of the city or town shall let the contract to the lowest responsible bidder or shall have power by resolution to reject any or all bids and to make further calls for bids in the same manner as the original call.

When the contract is let then all bid proposal deposits shall be returned to the bidders except that of the successful bidder which shall be retained until a contract is entered into and a bond to perform the work furnished, with surety satisfactory to the council or commission, in the full amount of the contract price. If the bidder fails to enter into the contract in accordance with his bid and furnish a bond within ten days from the date at which he is notified that he is the successful bidder, the check or postal money order and the amount thereof shall be forfeited to the council or commission or the council or commission shall recover the amount of the surety bond.

If no bid is received on the first call the council or commission may readvertise and make a second call, or may enter into a contract without any further call or may purchase the supplies, material or equipment and perform the work or improvement by day labor.

(2) The allocation of public works projects to be performed by city or town employees shall not be subject to a collective bargaining agreement.

(3) In lieu of the procedures of subsection (1) of this section, a second or third class city or a town may use a small works roster and award contracts under this subsection for contracts of one hundred thousand dollars or less.

(a) The city or town may maintain a small works roster comprised of all contractors who have requested to be on the roster and are, where required by law, properly licensed or registered to perform such work in this state.

(b) Whenever work is done by contract, the estimated cost of which is one hundred thousand dollars or less, and the city uses the small works roster, the city or town shall invite proposals from all appropriate contractors on the small works roster: PROVIDED, That whenever possible, the city or town shall invite at least one proposal from a minority or woman contractor who shall otherwise qualify under this section. The invitation shall include an estimate of the scope and nature of the work to be performed, and materials and equipment to be furnished.

(c) When awarding such a contract for work, the estimated cost of which is one hundred thousand dollars or less, the city or town shall award the contract to the contractor submitting the lowest responsible bid.

(4) After September 1, 1987, each second class city, third class city, and town shall use the form required by RCW 43.09.205 to account and record costs of public works in excess of five thousand dollars that are not let by contract.

(5) The cost of a separate public works project shall be the costs of the materials, equipment, supplies, and labor on that construction project.

(6) Any purchase of supplies, material, equipment or services other than professional services, except for public work or improvement, where the cost thereof exceeds seven thousand five hundred dollars shall be made upon call for bids: PROVIDED, That the limitations herein shall not apply to any purchases of materials at auctions conducted by the government of the United States, any agency thereof or by the state of Washington or a political subdivision thereof.

(7) Bids shall be called annually and at a time and in the manner prescribed by ordinance for the publication in a newspaper published or of general circulation in the city or town of all notices or newspaper publications required by law. The contract shall be awarded to the lowest responsible bidder.

(8) For advertisement and competitive bidding to be dispensed with as to purchases between seven thousand five hundred and fifteen thousand dollars, the city legislative authority must authorize by resolution a procedure for securing telephone and/or written quotations from enough vendors to assure establishment of a competitive price and for awarding the contracts for purchase of materials, equipment, or services to the lowest responsible bidder. Immediately after the award is made, the bid quotations obtained shall be recorded and open to public inspection and shall be available by telephone inquiry.

(9) These requirements for purchasing may be waived by resolution of the city or town council which declared that the purchase is clearly and legitimately limited to a single source or supply within the near vicinity, or the materials, supplies, equipment, or services are subject to special market conditions, and recites why this situation exists. Such actions are subject to RCW 39.30.020.

(10) This section does not apply to performance-based contracts, as defined in RCW 39.35A.020(3), that are negotiated under chapter 39.35A RCW.

Sec. 4. Section 35.24.220, chapter 7, Laws of 1965 as last amended by section 1, chapter 400, Laws of 1987 and RCW 35.24.220 are each amended to read as follows:

(Every ordinance of a city of the third class) Promptly after adoption, the text of each ordinance or a summary of the content of each ordinance shall be published at least once in the city's official newspaper. (However, as an alternative, a city of the third class with a population of three thousand or less may publish in its official newspaper a summary of the intent and content of any ordinance that it adopts and indicate the times and location where a copy of the ordinance is available for public inspection.)

For purposes of this section, a summary shall mean a brief description which succinctly describes the main points of the ordinance. When the city publishes a summary, the publication shall include a statement that the full text of the ordinance will be mailed upon request.

An inadvertent mistake or omission in publishing the text or a summary of the content of an ordinance shall not render the ordinance invalid.

In addition to the requirement that a city publish the text or a summary of the content of each adopted ordinance, every city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the city's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the city determines will satisfy the intent of this requirement.

Sec. 5. Section 35.27.300, chapter 7, Laws of 1965 as last amended by section 2, chapter 400, Laws of 1987 and RCW 35.27.300 are each amended to read as follows:

(Every) Promptly after adoption, the text of each ordinance or a summary of the content of each ordinance shall be published at least once in the official newspaper of the town. (However, as an alternative, a town may publish in its official newspaper a summary of the intent and content of any ordinance that it adopts and indicate the times and location where a copy of the ordinance is available for public inspection.)

For purposes of this section, a summary shall mean a brief description which succinctly describes the main points of the ordinance. When the town publishes a summary, the publication shall include a statement that the full text of the ordinance will be mailed upon request.

An inadvertent mistake or omission in publishing the text or a summary of the content of an ordinance shall not render the ordinance invalid.

In addition to the requirement that a town publish the text or a summary of the content of each adopted ordinance, every town shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the town's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the town determines will satisfy the intent of this requirement.

Sec. 6. Section 101, chapter 469, Laws of 1985 and RCW 35.30.018 are each amended to read as follows:

Promptly after adoption, ~~((every))~~ the text of each ordinance or a summary of the content of each ordinance shall be published at least once in the official newspaper of the city.

For purposes of this section, a summary shall mean a brief description which succinctly describes the main points of the ordinance. When the city publishes a summary, the publication shall include a statement that the full text of the ordinance will be mailed upon request.

An inadvertent mistake or omission in publishing the text or a summary of the content of an ordinance shall not render the ordinance invalid.

In addition to the requirement that a city publish the text or a summary of the content of each adopted ordinance, every city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the city's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the city determines will satisfy the intent of this requirement.

Sec. 7. Section 35A.12.160, chapter 119, Laws of 1967 ex. sess. as last amended by section 3, chapter 400, Laws of 1987 and RCW 35A.12.160 are each amended to read as follows:

Promptly after adoption, ~~((every))~~ the text of each ordinance or a summary of the content of each ordinance shall be published(;;) at least once in the city's official newspaper. ((However, as an alternative, a city with a population of three thousand or less may publish in its official newspaper a summary of the intent and content of any ordinance that it adopts and indicate the times and location where a copy of the ordinance is available for public inspection:))

For purposes of this section, a summary shall mean a brief description which succinctly describes the main points of the ordinance. When the city publishes a summary, the publication shall include a statement that the full text of the ordinance will be mailed upon request.

An inadvertent mistake or omission in publishing the text or a summary of the content of an ordinance shall not render the ordinance invalid.

In addition to the requirement that a city publish the text or a summary of the content of each adopted ordinance, every city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the city's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the city determines will satisfy the intent of this requirement.

Sec. 8. Section 36.32.120, chapter 4, Laws of 1963 as last amended by section 206, chapter 202, Laws of 1987 and RCW 36.32.120 are each amended to read as follows:

The legislative authorities of the several counties shall:

(1) Provide for the erection and repairing of court houses, jails, and other necessary public buildings for the use of the county;

(2) Lay out, discontinue, or alter county roads and highways within their respective counties, and do all other necessary acts relating thereto according to law, except within cities and towns which have jurisdiction over the roads within their limits;

(3) License and fix the rates of ferrage; grant grocery and other licenses authorized by law to be by them granted at fees set by the legislative authorities which shall not exceed the costs of administration and operation of such licensed activities;

(4) Fix the amount of county taxes to be assessed according to the provisions of law, and cause the same to be collected as prescribed by law: PROVIDED, That the legislative authority of a county may permit all moneys, assessments, and taxes belonging to or collected for the use of any county, including any amounts representing estimates for future assessments and taxes, to be deposited by any taxpayer prior to the due date thereof with the treasurer or other legal depository for the benefit of the funds to which they belong to be credited against any future tax or assessment that may be levied or become due from the taxpayer: PROVIDED FURTHER, That the taxpayer, with the concurrence of the county legislative authority, may designate the particular fund against which such prepayment of future tax or assessment shall be credited;

(5) Allow all accounts legally chargeable against the county not otherwise provided for, and audit the accounts of all officers having the care, management, collection, or disbursement of any money belonging to the county or appropriated to its benefit;

(6) Have the care of the county property and the management of the county funds and business and in the name of the county prosecute and defend all actions for and against the county, and such other powers as are or may be conferred by law;

(7) Make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law, and within the unincorporated area of the county may adopt by reference Washington state statutes and recognized codes and/or compilations printed in book form relating to the construction of buildings, the installation of plumbing, the installation of electric wiring, health, or other subjects, and may adopt such codes and/or compilations or portions thereof, together with amendments thereto, or additions thereto: PROVIDED, That except for Washington state statutes, there shall be filed in the county auditor's office one copy of such codes and compilations ten days prior to their adoption by reference, and additional copies may also be filed in library or city offices within the county as deemed necessary by the county legislative authority: PROVIDED FURTHER, That no such regulation, code, compilation, and/or statute shall be effective unless before its adoption, a public hearing has been held thereon by the county legislative authority of which at least ten days' notice has been given. Any violation of such regulations, ordinances, codes, compilations, and/or statutes or resolutions shall constitute a misdemeanor or a civil violation subject to a monetary penalty: PROVIDED FURTHER, That violation of a regulation, ordinance, code, compilation, and/or statute relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a regulation, ordinance, code, compilation, and/or statute equivalent to those provisions of Title 46 RCW set forth in RCW 46.63.020 remains a misdemeanor. The notice must set out a copy of the proposed regulations or summarize the content of each proposed regulation; or if a code is adopted by reference the notice shall set forth the full official title and a statement describing the general purpose of such code. For purposes of this subsection, a summary shall mean a brief description which succinctly describes the main points of the proposed regulation. When the county publishes a summary, the publication shall include a statement that the full text of the proposed regulation will be mailed upon request. An inadvertent mistake or omission in publishing the text or a summary of the content of a proposed regulation shall not render the regulation invalid if it is adopted. The notice shall also include the day, hour, and place of hearing and must be given by publication in the newspaper in which legal notices of the county are printed;

(8) Have power to compound and release in whole or in part any debt due to the county when in their opinion the interest of their county will not be prejudiced thereby, except in cases where they or any of them are personally interested;

(9) Have power to administer oaths or affirmations necessary in the discharge of their duties and commit for contempt any witness refusing to testify before them with the same power as district judges.

NEW SECTION, Sec. 9. A new section is added to chapter 35.63 RCW to read as follows:

Any notice made under chapter 35.63 RCW that identifies affected property may identify this affected property without using a legal description of the property including, but not limited to, identification by an address, written description, vicinity sketch, or other reasonable means.

NEW SECTION, Sec. 10. A new section is added to chapter 35A.63 RCW to read as follows:

Any notice made under chapter 35A.63 RCW that identifies affected property may identify this affected property without using a legal description of the property including, but not limited to, identification by an address, written description, vicinity sketch, or other reasonable means.

NEW SECTION, Sec. 11. A new section is added to chapter 36.70 RCW to read as follows:

Any notice made under chapter 36.70 RCW that identifies affected property may identify this affected property without using a legal description of the property including, but not limited to, identification by an address, written description, vicinity sketch, or other reasonable means.

NEW SECTION, Sec. 12. A new section is added to chapter 58.17 RCW to read as follows:

Any notice made under chapter 58.17 RCW that identifies affected property may identify this affected property without using a legal description of the property including, but not limited to, identification by an address, written description, vicinity sketch, or other reasonable means."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1317. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1317 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1317 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Engrossed Substitute House Bill No. 1317 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTION HOUSE BILL NO. 1319 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes the changing nature of the work force brought about by increasing numbers of working mothers, single parent households, and dual career families. The legislature finds that the needs of families must be balanced with the demands of the workplace to promote family stability and economic security. The legislature further finds that it is in the public interest for employers to accommodate employees by providing reasonable leaves from work for family reasons. In order to promote family stability, economic security, and the public interest, the legislature hereby establishes a minimum standard for family care. Nothing contained in this act shall prohibit any employer from establishing family care standards more generous than the minimum standards set forth in this act.

NEW SECTION. Sec. 2. The department shall develop and furnish to each employer a poster which describes an employer's obligations and an employee's rights under this 1988 act. The poster must include notice about any state law, rule, or regulation governing maternity disability leave and indicate that federal or local ordinances, laws, rules, or regulations may also apply. The poster must also include a telephone number and an address of the department to enable employees to obtain more information regarding this 1988 act. Each employer must display this poster in a conspicuous place. Every employer shall also post its leave policies, if any, in a conspicuous place. Nothing in this section shall be construed to create a right to continued employment.

NEW SECTION. Sec. 3. An employer shall allow an employee to use the employee's accrued sick leave to care for a child of the employee under the age of eighteen with a health condition that requires treatment or supervision. Use of leave other than accrued sick leave to care for a child under the circumstances described in this section shall be governed by the terms of the appropriate collective bargaining agreement or employer policy, as applicable.

NEW SECTION. Sec. 4. The department shall administer and investigate violations of sections 2 and 3 of this act.

NEW SECTION. Sec. 5. The department may issue a notice of infraction if the department reasonably believes that an employer has failed to comply with section 2 or 3 of this act. The form of the notice of infraction shall be adopted by rule pursuant to chapter 34.04 RCW. An employer who is found to have committed an infraction under section 2 or 3 of this act may be assessed a monetary penalty not to exceed two hundred dollars for each violation. An employer who repeatedly violates section 2 or 3 of this act may be assessed a monetary penalty not to exceed one thousand dollars for each violation. For purposes of this section, the failure to comply with section 2 of this act as to an employee or the failure to comply with section 3

of this act as to a period of leave sought by an employee shall each constitute separate violations. An employer has twenty days to appeal the notice of infraction. Any appeal of a violation determined to be an infraction shall be heard and determined by an administrative law judge. Monetary penalties collected under this section shall be deposited into the general fund.

NEW SECTION, Sec. 6. Nothing in this act shall be construed to reduce any provision in a collective bargaining agreement.

NEW SECTION, Sec. 7. The department shall notify all employers of the provisions of sections 1 through 6 of this act.

Sec. 8. Section 1, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.005 are each amended to read as follows:

For the purposes of this chapter:

(1) The term 'department' means the department of labor and industries.

(2) The term 'director' means the director of the department of labor and industries, or his designated representative.

(3) The term 'employer' means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees and for the purposes of sections 1 through 7 of this 1988 act also includes the state, any state institution, any state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation.

(4) The term 'employee' means an employee who is employed in the business of his employer whether by way of manual labor or otherwise.

(5) The term 'conditions of labor' shall mean and include the conditions of rest and meal periods for employees including provisions for personal privacy, practices, methods and means by or through which labor or services are performed by employees and includes bona fide physical qualifications in employment, but shall not include conditions of labor otherwise governed by statutes and rules and regulations relating to industrial safety and health administered by the department.

(6) For the purpose of this 1973 amendatory act a minor is defined to be a person of either sex under the age of eighteen years.

(7) The term 'committee' shall mean the industrial welfare committee.

NEW SECTION, Sec. 9. Sections 1 through 7 of this act are each added to chapter 49.12 RCW.

NEW SECTION, Sec. 10. Prior to the effective date of this act, the department of labor and industries may take such steps as are necessary to ensure that sections 1 through 8 of this act are implemented on their effective date.

NEW SECTION, Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 12. This act shall take effect on September 1, 1988."

On page 1, line 4 of the title, after "disability;" strike the remainder of the title and insert "amending RCW 49.12.005; adding new sections to chapter 49.12 RCW; creating a new section; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Substitute House Bill No. 1319.

Representatives Wang and Walker spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1319 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1319 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 1; excused, 4.

Voting yea: Representatives Amundson, Anderson, Appelwick, Armstrong, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden,

Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Barnes - 1.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Substitute House Bill No. 1319 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4765, by Representatives Fox, Spanel, Kremen, S. Wilson, Haugen and Braddock

WHEREAS, The beautiful Skagit Valley is the tulip capital of the Northwest; and WHEREAS, Every April the tulips are in bloom celebrating the beginning of spring; and

WHEREAS, The Skagit Valley begins the festival season in Washington State with the Skagit Valley Tulip Festival; and

WHEREAS, This year's fifth annual event will run from April 2 through April 10, with the Festival focusing on Mount Vernon, Burlington and Sedro Woolley the first weekend and Anacortes and La Conner the second weekend; and

WHEREAS, One hundred fifty thousand people visited the Festival last year, giving pleasure and excitement to these visitors, and adding a major economic benefit to Skagit Valley; and

WHEREAS, Visitors will be overwhelmed by more than one thousand five hundred acres of tulips reflecting all the colors of the rainbow; and

WHEREAS, The Taste of Skagit Food Fair, the Burlington Blue Grass and Barbecue Hoedown, the PACCAR open house, the VelaLuka Croatian Dance Ensemble, the Ecumenical Easter Sunrise Service at Roozengarde Garden and other events highlight the event;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives salute the communities of Skagit County and their Chambers of Commerce for the pending Fifth Annual Skagit County Tulip Festival; and

BE IT FURTHER RESOLVED, That the House of Representatives commends those community leaders responsible for the success of this important event and encourage citizens from across Washington State to take the time to enjoy the Skagit Valley Tulip Festival; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives presents this Resolution in recognition of the Skagit Valley Tulip Festival, April 2 through 10, 1988.

Mr. Fox moved adoption of the resolution. Representatives Fox and Spanel spoke in favor of it, and the resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced to the members of the House of Representatives Miss Genevieve Hayton, the Skagit Valley Tulip Festival poster girl, who was accompanied by her sister, Jessica; her mother, Mrs. Susan Hughes Hayton; and Ms. Kate Skeldon, Executive Director of the Mt. Vernon Chamber of Commerce. The Speaker (Mr. O'Brien presiding) announced that the tulips in the House Chamber were provided by the Roozen Family of Mt. Vernon.

SENATE AMENDMENT TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1341 with the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. A new section is added to chapter 29.04 RCW to read as follows:

Any person who desires to be a write-in candidate and have such votes counted at a primary or election may, if the jurisdiction of the office sought is entirely within one county, file a

declaration of candidacy with the county auditor not later than the day before the primary or election. If the jurisdiction of the office sought encompasses more than one county the declaration of candidacy shall be filed with the secretary of state not later than the day before the primary or election. Votes cast for write-in candidates who have filed such declarations of candidacy and write-in votes for persons appointed by political parties pursuant to RCW 29.18.160 need only specify the name of the candidate in the appropriate location on the ballot in order to be counted. Write-in votes cast for any other candidate, in order to be counted, must designate the office sought and position number or political party, if applicable.

No person may file as a write-in candidate where:

(1) At a general election, the person attempting to file either filed as a write-in candidate for the same office at the preceding primary or the person's name appeared on the ballot for the same office at the preceding primary;

(2) The person attempting to file as a write-in candidate has already filed a valid write-in declaration for that primary or election, unless one or the other of the two filings is for the office of precinct committee person;

(3) The name of the person attempting to file already appears on the ballot as a candidate for another office, unless one of the two offices for which he or she is a candidate is precinct committee person.

The declaration of candidacy shall be similar to that required by RCW 29.18.030. No write-in candidate filing under section 1 of this act may be included in any voter's pamphlet produced under chapter 29.80 RCW unless that candidate qualifies to have his or her name printed on the general election ballot. The legislative authority of any jurisdiction producing a local voter's pamphlet under chapter 29.81A RCW may provide, by ordinance, for the inclusion of write-in candidates in such pamphlets.

NEW SECTION. Sec. 2. A new section is added to chapter 29.04 RCW to read as follows:

The secretary of state shall notify each county auditor of any declarations filed with the secretary under section 1 of this act for offices appearing on the ballot in that county. The county auditor shall ensure that those persons charged with counting the ballots for a primary or election are notified of all valid write-in candidates before the tabulation of those ballots.

Sec. 3. Section 29.36.075, chapter 9, Laws of 1965 as last amended by section 16, chapter 346, Laws of 1987 and RCW 29.36.075 are each amended to read as follows:

In counties that do not tabulate absentee ballots on electronic vote tallying systems, canvassing boards may not tabulate or record votes cast by absentee ballots on any uncontested office except write-in votes for candidates for the office of precinct committee person ~~(s-in all counties, write-in votes for uncontested precinct committee persons' races shall be canvassed and included with the official vote count)~~ who have filed valid declarations of candidacy under section 1 of this 1988 act. 'Uncontested office' means an office where only one candidate has filed a valid declaration of candidacy either during the regular filing period or as a write-in candidate under section 1 of this 1988 act.

Each registered voter casting an absentee ballot shall be credited with voting on his or her voter registration record. Absentee ballots shall be retained for the same length of time and in the same manner as ballots cast at the precinct polling places.

Sec. 4. Section 29.51.100, chapter 9, Laws of 1965 as amended by section 15, chapter 101, Laws of 1965 ex. sess. and RCW 29.51.100 are each amended to read as follows:

On receipt of his or her ballot in an election the elector shall forthwith and without leaving the polling place retire alone to one of the places, booths, or apartments provided to prepare his or her ballot. Each elector shall prepare his or her ballot by marking a cross 'X' after the name of every person or candidate for whom he or she wishes to vote.

In case of a ballot containing a constitutional amendment or other question to be submitted to the vote of the people the voter shall mark a cross 'X' after the question, for or against the amendment or proposition, as the case may be. Any elector may write in the blank spaces the name of any person for an office who has filed as a write-in candidate for the office in the manner provided by section 1 of this 1988 act for whom he or she may wish to vote ~~(-PROVIDED, That where a partisan office is concerned, the voter must not only write in the name of the candidate but also the party affiliation of such person pursuant to the provisions of RCW 29.51.170 as now or hereafter amended)~~. Write-in votes cast for any other candidate must designate the office sought and the position number or political party, if applicable.

Before leaving the booth or compartment the elector shall fold ~~(his)~~ the ballot in such a manner that the number of the ballot shall appear on the outside thereof, without displaying the marks on the face thereof, and deliver it to the inspector of election.

Sec. 5. Section 29.51.170, chapter 9, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1973 1st ex. sess. and RCW 29.51.170 are each amended to read as follows:

For any office at any election or primary, any voter may write in on the ballot the name of any person (for whom he desires to vote for any office) for an office who has filed as a write-in candidate for the office in the manner provided by section 1 of this 1988 act and such vote shall be counted the same as if the name had been printed on the ballot and marked by the voter (-PROVIDED, That no write-in vote for a partisan office at a general election shall be

valid for any person who has offered himself as a candidate for such position for the nomination at the preceding primary. PROVIDED, FURTHER, That when voting machines or voting devices and ballot cards are used, no write-in vote for any candidate for a partisan office at either a state primary election or state general election shall be valid unless a political party affiliation is also written by the voter after the candidate's name. AND PROVIDED FURTHER, That in the instance of a write-in candidate for a partisan office only those write-in votes constituting the greatest number of a single political party designation shall be valid for counting purposes when the canvassing authority certifies the official election returns. The same procedure must be followed when paper ballots are used for partisan offices at a state primary election. For such write-in voting, it shall not be necessary for a voter to write the full name of the political party concerned. Any abbreviation including the first letter of the political party name shall be acceptable as long as the precinct election officers can determine to their satisfaction the person voted for and the political party intended.

Any person who is nominated at any primary election as a write-in candidate for any public office but who has not previously paid the regular filing fee shall not have his name printed on the official ballot for the general election unless, within five days after the official canvass of the primary vote, he executes a declaration of candidacy and pays the same fee required by law to be paid by candidates for filing for the office for which he has been nominated. No write-in vote made for any person who has not filed a declaration of candidacy pursuant to section 1 of this act is valid if that person filed for the same office, either as a regular candidate or a write-in candidate, at the preceding primary. Any abbreviation used to designate office, position, or political party shall be accepted if the canvassing board can determine, to their satisfaction, the voter's intent."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Fisher moved that the House do concur in the Senate amendment to Engrossed House Bill No. 1341.

Representatives Fisher and Sanders spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1341 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1341 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Engrossed House Bill No. 1341 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 3, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1366, with the following amendment:

On page 6, beginning on line 8, after "death" strike all material down to and including "cease" on line 10, and insert "(~~AND PROVIDED FURTHER, That if the surviving spouse remarries all benefits under this chapter shall cease~~)"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Bristow moved that the House do concur in the Senate amendment to Substitute House Bill No. 1366. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1366 as amended by the Senate.

Representatives Hine and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1366 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Armstrong - 1.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Substitute House Bill No. 1366 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

	HOUSE BILL NO. . 254,
SECOND SUBSTITUTE	HOUSE BILL NO. 537,
	HOUSE BILL NO. 662,
	HOUSE BILL NO. 668,
SUBSTITUTE	HOUSE BILL NO. 932,
	HOUSE BILL NO. 1272,
	HOUSE BILL NO. 1278,
SUBSTITUTE	HOUSE BILL NO. 1279,
	HOUSE BILL NO. 1280,
	HOUSE BILL NO. 1288,
SUBSTITUTE	HOUSE BILL NO. 1320,
	HOUSE BILL NO. 1332,
SUBSTITUTE	HOUSE BILL NO. 1419,
	HOUSE BILL NO. 1471,
	HOUSE BILL NO. 1482,
SUBSTITUTE	HOUSE BILL NO. 1511,
SUBSTITUTE	HOUSE BILL NO. 1525,
	HOUSE BILL NO. 1543,
	HOUSE BILL NO. 1559,
SUBSTITUTE	HOUSE BILL NO. 1562,
SUBSTITUTE	HOUSE BILL NO. 1612,
	HOUSE BILL NO. 1616,
SUBSTITUTE	HOUSE BILL NO. 1617,
SUBSTITUTE	HOUSE BILL NO. 1618,
	HOUSE BILL NO. 1626,
	HOUSE BILL NO. 1629,
	HOUSE BILL NO. 1649,
SUBSTITUTE	HOUSE BILL NO. 1680,
	HOUSE BILL NO. 1686,
SUBSTITUTE	HOUSE BILL NO. 1690,
SUBSTITUTE	HOUSE BILL NO. 1740,

HOUSE BILL NO. 1833,
 HOUSE BILL NO. 1951,
 SENATE BILL NO. 5016,
 SENATE BILL NO. 5229,
 SUBSTITUTE SENATE BILL NO. 5586,
 SENATE BILL NO. 5667,
 SUBSTITUTE SENATE BILL NO. 5943,
 SUBSTITUTE SENATE BILL NO. 6147,
 SENATE BILL NO. 6243,
 SENATE BILL NO. 6245,
 SUBSTITUTE SENATE BILL NO. 6404,
 SENATE BILL NO. 6418,
 SUBSTITUTE SENATE BILL NO. 6498,
 SUBSTITUTE SENATE BILL NO. 6512,
 SUBSTITUTE SENATE BILL NO. 6548,
 SENATE BILL NO. 6578,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8027.

MESSAGE FROM THE SENATE

March 8, 1988

Mr. Speaker:

The Senate receded from its amendments to page 1, line 2 and page 5, line 4 to SECOND SUBSTITUTE HOUSE BILL NO. 1565, and has passed the bill without said amendments, but with the Senate amendment on page 4, line 21, in which the House previously concurred, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENT

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1565 with certain Senate amendment.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1565 with certain Senate amendment, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Second Substitute House Bill No. 1565 with certain Senate amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4772, by Representatives Ballard, Allen, Amondson, Anderson, Appelwick, Armstrong, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery,

Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Cindy Barnes has faithfully donated thousands of hours of her time during the time her father, Representative Dick Barnes, has served the 33rd District in the Legislature; and

WHEREAS, Cindy Barnes in the last ten years has, without pay, lent her efforts to the Washington Room at the State Library, the film library at The Evergreen State College, the Reference Department of the State Library, the legislative Mail Delivery Service, and the legislative Hot Line; and

WHEREAS, Her efforts have been greatly appreciated by the many members of the legislative staff with whom she has worked; and

WHEREAS, Cindy Barnes presently works as a volunteer in a Seattle Nursing Home and at Highline Community Hospital; and

WHEREAS, Cindy Barnes is also recognized for her courageous efforts in overcoming through exercise and physical therapy a childhood disease which left her right side partially paralyzed;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington expresses its appreciation to Cindy Barnes for the many hours she has donated to service agencies and worthy causes, and its admiration for the obstacles Cindy Barnes has overcome; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Cindy Barnes.

Ms. Brough moved adoption of the resolution. Representatives Brough, Hine, Schoon, Heavey, Prince and Barnes spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) presented Cindy Barnes with a bouquet of red roses with thanks from the House of Representatives for a job well done and with best wishes for success in her future endeavors.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1369 with the following amendments:

On page 2, line 2, after "state;" strike "or"

On page 2, line 5, after "disbursement" insert "; or

(5) Any depository check, including any cashier's check, certified check, or teller's check, which is governed by the provisions of the Federal Expedited Funds Availability Act, 12 U.S.C. 400/et seq"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Lux moved that the House do concur in the Senate amendments to Substitute House Bill No. 1369.

Representatives Lux and Chandler spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1369 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1369 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Substitute House Bill No. 1369 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 6238. The President has appointed the following members as conferees: Senators Barr, Owen and Metcalf, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 9, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 6376 with the House amendments on page 2, lines 13 and 24, but without the House amendment to page 1, line 24, from which the House receded.

W. D. Naismith, Assistant Secretary.

March 9, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 5558 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 9, 1988

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 6671 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1389 with the following amendments:

On page 1, line 11, strike "three" and insert "five"

On page 1, line 12, strike "November" and insert "October"

On page 1, line 27, after "needy" strike all material through "1989" on line 28

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Bristow moved that the House do concur in the Senate amendments to Substitute House Bill No. 1389. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1389 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1389 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Miller, Vekich, Wineberry - 4.

Substitute House Bill No. 1389 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Miller appeared at the bar of the House.

SENATE AMENDMENT TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424 with the following amendment:

On page 20, line 1, after "activities" insert "unless the act or omission constitutes gross negligence" and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1424.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1424 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1424 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, Vekich, Wineberry - 3.

Engrossed Substitute House Bill No. 1424 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Wineberry appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1469 with the following amendments:

On page 1, line 7, after "(1)" insert "It is the intent of the legislature to continue the department's policy giving priority consideration to abutting property owners in agricultural areas when disposing of property through its surplus property program under this section."

(2)

On page 2, line 6, strike "(2)" and insert "((2)) (3)"

On page 2, line 12, strike "(3)" and insert "((3))"

On page 2, line 16, after "purposes:" insert ")))"

On page 2, line 17, strike "(4)" and insert "(4)"

On page 2, line 20, strike "(((5))) (4)" and insert "(5)"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendments to Substitute House Bill No. 1469. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1469 as amended by the Senate.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1469 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzloff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Substitute House Bill No. 1469 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1530 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION. Sec. 1. LEGISLATIVE INTENT.** The legislature takes special note of the contributions made by nursing assistants in nursing homes whose tasks are arduous and whose working conditions may be contributing to the high and often critical turnover among the principal cadre of health care workers who provide for the basic needs of long-term care patients. The legislature also recognizes the growing shortage of nurses in long-term care as the proportion of the elderly population grows and as the acuity of patients in hospitals and nursing homes becomes generally more severe.

The legislature finds and declares that occupational nursing assistants should have a formal system of educational and experiential qualifications leading to career mobility and advancement. The establishment of such a system should bring about a more stabilized work force in the nursing home setting, as well as provide a valuable resource for recruitment into licensed nursing practice.

The legislature declares that the registration of nursing assistants providing for voluntary certification of those who wish to seek higher levels of qualification is in the interest of the public health, safety, and welfare.

NEW SECTION. Sec. 2. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of licensing.

(2) 'Director' means the director of licensing or the director's designee.

(3) 'Board' means the Washington state board of nursing.

(4) 'Nursing assistant—certified' means an individual certified under this chapter.

(5) 'Nursing assistant—registered' means an individual registered under this chapter.

(6) 'Committee' means the Washington state nursing assistant advisory committee.

(7) 'Certification program' means an educational program approved by the superintendent of public instruction or the state board for community college education, and offered by or under the administration of an accredited educational institution, either at a school site or a nursing home site. A program shall be offered at or near a nursing home site only if the nursing home can provide adequate classroom and clinical facilities.

(8) 'Registration program' means a nursing assistant training program as defined under chapter 18.52A RCW.

(9) 'Nursing home' means a facility licensed under chapter 18.51 RCW.

NEW SECTION, Sec. 3. SCOPE OF PRACTICE. (1) A nursing assistant—registered may assist in the care of patients under the direction and supervision of a licensed (registered) nurse or licensed practical nurse, provided that a nursing home shall not assign an assistant to provide resident care until the assistant has demonstrated skill necessary to perform assigned duties and responsibilities competently. Nothing in this chapter shall be construed as conferring on a nursing assistant the authority to administer medication or to practice as a licensed (registered) nurse or licensed practical nurse.

(2) A nursing assistant—certified may assist in the care of the ill, injured, or infirm under the direction and supervision of a licensed (registered) nurse or licensed practical nurse except that a nursing assistant—certified may not administer medication or practice as a licensed (registered) nurse as defined in chapter 18.88 RCW or licensed practical nurse as defined in chapter 18.78 RCW.

(3) The board may further define by rule the scope of practice and minimum competencies of nursing assistants—certified in consultation with the nursing assistant advisory committee.

NEW SECTION, Sec. 4. REGISTRATION AND CERTIFICATION. (1) No person may practice or represent himself or herself as a nursing assistant—registered by use of any title or description without being registered by the department pursuant to this chapter, unless exempt under section 5 of this act.

(2) After January 1, 1990, no person may represent himself or herself as a nursing assistant—certified without applying for certification, meeting the qualifications, and being certified by the department pursuant to this chapter.

NEW SECTION, Sec. 5. EXEMPTIONS. Nothing in this chapter may be construed to prohibit or restrict:

(1) The practice by an individual licensed, certified, or registered under the laws of this state and performing services within their authorized scope of practice;

(2) The practice by an individual employed by the government of the United States while engaged in the performance of duties prescribed by the laws of the United States;

(3) The practice by a person who is a regular student in an educational program approved by the director, and whose performance of services is pursuant to a regular course of instruction or assignments from an instructor and under the general supervision of the instructor.

NEW SECTION, Sec. 6. POWERS OF DIRECTOR. In addition to any other authority provided by law, the director has the authority to:

(1) Set all certification, registration, and renewal fees in accordance with RCW 43.24.086 and to collect and deposit all such fees in the health professions account established under RCW 43.24.072;

(2) Establish forms and procedures necessary to administer this chapter;

(3) Hire clerical, administrative, and investigative staff as needed to implement this chapter;

(4) Issue a registration to any applicant who has met the requirements for registration;

(5) After January 1, 1990, issue a certificate to any applicant who has met the education, training, and conduct requirements for certification;

(6) Maintain the official record for the department of all applicants and persons with certificates;

(7) Conduct a hearing on an appeal of a denial of a certificate based on the applicant's failure to meet the minimum qualifications for certification. The hearing shall be conducted under chapter 34.04 RCW;

(8) Issue subpoenas, statements of charges, statements of intent to deny certification, and orders and to delegate in writing to a designee the authority to issue subpoenas, statements of charges, and statements of intent to deny certification.

The uniform disciplinary act, chapter 18.130 RCW, governs unregistered or uncertified practice, issuance of certificates and registration, and the discipline of persons registered or with certificates under this chapter. The director shall be the disciplinary authority under this chapter.

NEW SECTION, Sec. 7. POWERS OF STATE BOARD OF NURSING. In addition to any other authority provided by law, the state board of nursing has the authority to:

(1) Determine minimum education requirements and approve registration programs according to chapter 18.52A RCW;

(2) Prepare, grade, and administer, or determine the nature of, and supervise the grading and administration of, examinations for applicants for certification;

(3) Determine whether alternative methods of training are equivalent to formal education, and establish forms, procedures, and criteria for evaluation of an applicant's alternative training to determine the applicant's eligibility to take any qualifying examination for certification;

(4) Determine which states have credentialing requirements equivalent to those of this state, and issue certificates to individuals credentialled in those states by endorsement without examinations;

(5) Define and approve any experience requirement for certification;

(6) Adopt rules implementing a continuing competency program.

NEW SECTION. Sec. 8. RECORD OF PROCEEDINGS. The director shall keep an official record of all proceedings. A part of the record shall consist of a register of all applicants for credentialing under this chapter and the results of each application.

NEW SECTION. Sec. 9. ADVISORY COMMITTEES. (1) The director has the authority to appoint an advisory committee to the state board of nursing and the department to further the purposes of this chapter. The committee shall be composed of nine members, two members initially appointed for a term of one year, three for a term of two years, and four for a term of three years. Subsequent appointments shall be for terms of three years. No person may serve as a member of the committee for more than two consecutive terms. The committee shall consist of: A nursing assistant certified under this chapter, a director of nursing in a nursing home, a representative of the office of the superintendent of public instruction, a representative of the state board of community college education, a representative of the department of social and health services responsible for aging and adult services in nursing homes, a resident of a nursing home, a representative of a local long-term care ombudsman program, and one member who is a licensed (registered) nurse and one member who is a licensed practical nurse.

(2) The director may remove any member of the advisory committee for cause as specified by rule. In the case of a vacancy, the director shall appoint a person to serve for the remainder of the unexpired term.

(3) The advisory committee shall meet at the times and places designated by the director or the board and shall hold meetings during the year as necessary to provide advice to the director.

NEW SECTION. Sec. 10. CREDENTIALING REQUIREMENTS. (1) The director shall issue a registration to any applicant who submits, on forms provided by the director, the applicant's name, address, occupational title, name and location of business, and other information as determined by the director, including information necessary to determine whether there are grounds for denial of registration or issuance of a conditional registration under this chapter or chapter 18.130 RCW.

(2) After January 1, 1990, the director shall issue a certificate to any applicant who demonstrates to the director's satisfaction that the following requirements have been met:

(a) Completion of an educational program approved by the board or successful completion of alternate training meeting established criteria approved by the board;

(b) Successful completion of an approved examination; and

(c) Successful completion of any experience requirement established by the board.

(3) The board shall establish by rule what constitutes adequate proof of meeting the criteria.

(4) In addition, applicants shall be subject to the grounds for denial of registration or certificate under chapter 18.130 RCW.

NEW SECTION. Sec. 11. APPROVAL OF EDUCATIONAL PROGRAMS. The board, in consultation with the board of practical nursing, shall establish by rule the standards and procedures for approval of educational programs and alternative training. The director may use or contract with individuals or organizations having expertise in the profession or in education to assist in the evaluations. The board shall establish by rule the standards and procedures for revocation of approval of education programs. The standards and procedures set shall apply equally to educational programs and training in the United States and in foreign jurisdictions. The director may establish a fee for educational program evaluations.

NEW SECTION. Sec. 12. STUDY BY THE BOARD. The board, in consultation with the board of practical nursing, shall report to the legislature by January 1, 1989, with proposed standards and procedures required for in section 11 of this act as well as any additional recommendations relating to implementation of this act.

NEW SECTION. Sec. 13. EXAMINATIONS. (1) The date and location of examinations shall be established by the director. Applicants who have been found by the director to meet the requirements for certification shall be scheduled for the next examination following the filing of the application. The director shall establish by rule the examination application deadline.

(2) The board shall examine each applicant, by means determined most effective, on subjects appropriate to the scope of practice, as applicable. Examinations shall be limited to the

purpose of determining whether the applicant possesses the minimum skill and knowledge necessary to practice competently.

(3) The examination papers, all grading of the papers, and the grading of any practical work shall be preserved for a period of not less than one year after the board has made and published the decisions. All examinations shall be conducted under fair and wholly impartial methods.

(4) Any applicant failing to make the required grade in the first examination may take up to three subsequent examinations as the applicant desires upon prepaying a fee determined by the director under RCW 43.24.086 for each subsequent examination. Upon failing four examinations, the director may invalidate the original application and require such remedial education before the person may take future examinations.

(5) The board may approve an examination prepared or administered by a private testing agency or association of licensing agencies for use by an applicant in meeting the credentialing requirements.

NEW SECTION, Sec. 14. APPLICATIONS. Applications for certification shall be submitted on forms provided by the director. The director may require any information and documentation that reasonably relates to the need to determine whether the applicant meets the criteria for credentialing provided for in this chapter and chapter 18.130 RCW. Each applicant shall pay a fee determined by the director under RCW 43.24.086. The fee shall accompany the application.

NEW SECTION, Sec. 15. WAIVER OF EXAMINATION FOR INITIAL APPLICATIONS. The director shall waive the examination and certify a person authorized to practice within the state of Washington if the board determines that the person meets commonly accepted standards of education and experience for the profession. This section applies only to those individuals who file an application for waiver within one year of the establishment of the authorized practice on January 1, 1990.

NEW SECTION, Sec. 16. ENDORSEMENT. An applicant holding a credential in another state may be certified by endorsement to practice in this state without examination if the director determines that the other state's credentialing standards are substantially equivalent to the standards in this state.

NEW SECTION, Sec. 17. RENEWALS. The director shall establish by rule the procedural requirements and fees for renewal of a registration or certificate. Failure to renew shall invalidate the credential and all privileges granted by the credential. If a certificate has lapsed for a period longer than three years, the person shall demonstrate competence to the satisfaction of the board by taking continuing education courses, or meeting other standards determined by the board.

NEW SECTION, Sec. 18. SECTION CAPTIONS. Section captions as used in this chapter do not constitute any part of the law.

Sec. 19. Section 2, chapter 114, Laws of 1979 as amended by section 5, chapter 284, Laws of 1985 and RCW 18.52A.020 are each amended to read as follows:

Unless the context requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Nursing assistant' means a person registered or certified under chapter 18.— RCW (sections 1 through 11 and 13 through 18 of this 1988 act) who, under the direction and supervision of a registered nurse or licensed practical nurse, assists in the care of patients in a facility licensed under chapter 18.51 RCW, a wing of a hospital licensed under chapter 70.41 RCW if the wing is certified to provide nursing home care under Title XVIII or Title XIX of the social security act, or any nursing care facility operated under the direction of the department of veterans affairs.

(2) 'Department' means the department of social and health services.

(3) 'Nursing home' means a facility licensed under chapter 18.51 RCW, a wing of a hospital licensed under chapter 70.41 RCW if the wing is certified to provide nursing home care under Title XVIII or Title XIX of the social security act, or any nursing care facility operated under the direction of the department of veterans affairs.

(4) 'Board' means the state board of nursing.

Sec. 20. Section 3, chapter 114, Laws of 1979 as last amended by section 7, chapter 476, Laws of 1987 and RCW 18.52A.030 are each amended to read as follows:

(1) Any nursing assistant employed by a nursing home, who has satisfactorily completed a nursing assistant training program under this chapter, shall, upon application, be issued a ((certificate)) verification of completion by the program provider.

(2) All nursing assistants employed by a nursing home shall be required to be registered with the department of licensing and to show evidence of satisfactory completion of a nursing assistant training program, or that they are enrolled in and are progressing satisfactorily towards completion of a training program under standards promulgated by the board, which program must be completed within six months of employment. A nursing home may employ a person not currently enrolled if the employer within twenty days enrolls the person in an approved training program: PROVIDED, That a nursing home shall not assign an assistant to provide resident care until the assistant has demonstrated skills necessary to perform assigned

duties and responsibilities competently. All persons enrolled in a training program must satisfactorily complete the program within six months from the date of initial employment.

(3) ~~((All nursing assistants who, on June 7, 1979, are employed in nursing homes shall be given the opportunity to obtain a certificate of completion by passing a written and/or practical examination developed by the board and conducted by a school or nursing home, or by providing evidence of sufficient practical experience. The board shall adopt rules specifying the amount of practical experience to be required for the issuance of a certificate under this section.~~

(4)) Compliance with this section shall be a condition of licensure of nursing homes under chapter 18.51 RCW. Beginning January 1, 1986, compliance with this section shall be a condition of licensure of hospitals licensed under chapter 70.41 RCW with a wing certified to provide nursing home care under Title XVIII or Title XIX of the social security act. Any health provider of skilled nursing facility care or intermediate care facility care shall meet the requirements of this section.

Sec. 21. Section 14, chapter 412, Laws of 1987, section 16, chapter 415, Laws of 1987, section 17, chapter 447, Laws of 1987, section 21, chapter 512, Laws of 1987 and RCW 18.120.020 are each reenacted and amended to read as follows:

The definitions contained in this section shall apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Applicant group' includes any health professional group or organization, any individual, or any other interested party which proposes that any health professional group not presently regulated be regulated or which proposes to substantially increase the scope of practice of the profession.

(2) 'Certificate' and 'certification' mean a voluntary process by which a statutory regulatory entity grants recognition to an individual who (a) has met certain prerequisite qualifications specified by that regulatory entity, and (b) may assume or use 'certified' in the title or designation to perform prescribed health professional tasks.

(3) 'Grandfather clause' means a provision in a regulatory statute applicable to practitioners actively engaged in the regulated health profession prior to the effective date of the regulatory statute which exempts the practitioners from meeting the prerequisite qualifications set forth in the regulatory statute to perform prescribed occupational tasks.

(4) 'Health professions' means and includes the following health and health-related licensed or regulated professions and occupations: Podiatry under chapter 18.22 RCW; chiropractic under chapters 18.25 and 18.26 RCW; dental hygiene under chapter 18.29 RCW; dentistry under chapter 18.32 RCW; dispensing opticians under chapter 18.34 RCW; hearing aids under chapter 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and funeral directing under chapter 18.39 RCW; midwifery under chapter 18.50 RCW; nursing home administration under chapter 18.52 RCW; optometry under chapters 18.53 and 18.54 RCW; ophthalmologists under chapter 18.55 RCW; osteopathy and osteopathic medicine and surgery under chapters 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine under chapters 18.71, 18.71A, and 18.72 RCW; emergency medicine under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses under chapter 18.78 RCW; psychologists under chapter 18.83 RCW; registered nurses under chapter 18.88 RCW; occupational therapists licensed pursuant to chapter 18.59 RCW; respiratory care practitioners certified under chapter 18.89 RCW; veterinarians and animal technicians under chapter 18.92 RCW; health care assistants under chapter 18.135 RCW; massage practitioners under chapter 18.108 RCW; acupuncturists certified under chapter 18.06 RCW; persons registered or certified under chapter 18.19 RCW; ~~((and))~~ radiologic technicians under chapter 18.84 RCW; and nursing assistants registered or certified under chapter 18.— RCW (sections 1 through 11 and 13 through 18 of this 1988 act).

(5) 'Inspection' means the periodic examination of practitioners by a state agency in order to ascertain whether the practitioners' occupation is being carried out in a fashion consistent with the public health, safety, and welfare.

(6) 'Legislative committees of reference' means the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider proposed legislation to regulate health professions not previously regulated.

(7) 'License,' 'licensing,' and 'licensure' mean permission to engage in a health profession which would otherwise be unlawful in the state in the absence of the permission. A license is granted to those individuals who meet prerequisite qualifications to perform prescribed health professional tasks and for the use of a particular title.

(8) 'Professional license' means an individual, nontransferable authorization to carry on a health activity based on qualifications which include: (a) Graduation from an accredited or approved program, and (b) acceptable performance on a qualifying examination or series of examinations.

(9) 'Practitioner' means an individual who (a) has achieved knowledge and skill by practice, and (b) is actively engaged in a specified health profession.

(10) 'Public member' means an individual who is not, and never was, a member of the health profession being regulated or the spouse of a member, or an individual who does not

have and never has had a material financial interest in either the rendering of the health professional service being regulated or an activity directly related to the profession being regulated.

(11) 'Registration' means the formal notification which, prior to rendering services, a practitioner shall submit to a state agency setting forth the name and address of the practitioner; the location, nature and operation of the health activity to be practiced; and, if required by the regulatory entity, a description of the service to be provided.

(12) 'Regulatory entity' means any board, commission, agency, division, or other unit or subunit of state government which regulates one or more professions, occupations, industries, businesses, or other endeavors in this state.

(13) 'State agency' includes every state office, department, board, commission, regulatory entity, and agency of the state, and, where provided by law, programs and activities involving less than the full responsibility of a state agency.

Sec. 22. Section 1, chapter 150, Laws of 1987, section 15, chapter 412, Laws of 1987, section 17, chapter 415, Laws of 1987, section 18, chapter 447, Laws of 1987, section 22, chapter 512, Laws of 1987 and RCW 18.130.040 are each reenacted and amended to read as follows:

(1) This chapter applies only to the director and the boards having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2) (a) The director has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed under chapter 18.34 RCW;

(ii) Naturopaths licensed under chapter 18.36A RCW;

(iii) Midwives licensed under chapter 18.50 RCW;

(iv) Ocularists licensed under chapter 18.55 RCW;

(v) Massage operators and businesses licensed under chapter 18.108 RCW;

(vi) Dental hygienists licensed under chapter 18.29 RCW;

(vii) Acupuncturists certified under chapter 18.06 RCW;

(viii) Radiologic technologists certified under chapter 18.84 RCW;

(ix) Respiratory care practitioners certified under chapter 18.89 RCW; ~~(and)~~

(x) Persons registered or certified under chapter 18.19 RCW; and

(xi) Nursing assistants registered or certified under chapter 18.-- RCW (sections 1 through 11 and 13 through 18 of this 1988 act).

(b) The boards having authority under this chapter are as follows:

(i) The podiatry board as established in chapter 18.22 RCW;

(ii) The chiropractic disciplinary board as established in chapter 18.26 RCW governing licenses issued under chapter 18.25 RCW;

(iii) The dental disciplinary board as established in chapter 18.32 RCW;

(iv) The council on hearing aids as established in chapter 18.35 RCW;

(v) The board of funeral directors and embalmers as established in chapter 18.39 RCW;

(vi) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;

(vii) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;

(viii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;

(ix) The medical disciplinary board as established in chapter 18.72 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;

(x) The board of physical therapy as established in chapter 18.74 RCW;

(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;

(xii) The board of practical nursing as established in chapter 18.78 RCW;

(xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;

(xiv) The board of nursing as established in chapter 18.88 RCW; and

(xv) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. However, the board of chiropractic examiners has authority over issuance and denial of licenses provided for in chapter 18.25 RCW, the board of dental examiners has authority over issuance and denial of licenses provided for in RCW 18.32.040, and the board of medical examiners has authority over issuance and denial of licenses and registrations provided for in chapters 18.71 and 18.71A RCW. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered pursuant to RCW 18.130.160 by the disciplining authority.

NEW SECTION. Sec. 23. Sections 1 through 11 and 13 through 18 of this act shall constitute a new chapter in Title 18 RCW.

NEW SECTION. Sec. 24. The sum of one hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the health professions account to the department of licensing for the purposes of this act.

NEW SECTION. Sec. 25. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "assistants;" strike the remainder of the title and insert "amending RCW 18.52A.020 and 18.52A.030; reenacting and amending RCW 18.120.020 and 18.130.040; adding a new chapter to Title 18 RCW; creating a new section; and making an appropriation."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1530.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1530 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1530 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Engrossed Substitute House Bill No. 1530 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1586 with the following amendments:

On page 2, line 21, after "shall" strike "be consistent with the best interests of the child, including" and insert "include"

On page 4, line 20, after "exist," insert "To ensure that the hearing on the petition occurs within the seventy-five day time limit, the court shall schedule and hear the matter on an expedited basis."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Scott moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1586. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1586 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1586 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Engrossed Substitute House Bill No. 1586 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1588 with the following amendment:

On page 2, line 13, after "court" strike all material down to and including "proceeding" on line 14, and insert "by any party to the dependency proceedings concerning that child" and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Scott moved that the House do concur in the Senate amendment to Engrossed House Bill No. 1588. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1588 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1588 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Engrossed House Bill No. 1588 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4774, by Representatives Amondson and Holm

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Morton Huskies recently earned the Class B State Boys' Basketball Championship for the second consecutive year; and

WHEREAS, The community of Morton has shown great pride in the accomplishments of its victorious team and has supported the Huskies throughout their championship season; and

WHEREAS, The Huskies have demonstrated exemplary team play under the direction of their coaches, Jay Henderson, Jim Johnson and Kirk Hoff; and

WHEREAS, The Morton Huskies defeated the St. John's team in the final game of the Class B tournament to crown an exceptionally successful season; and

WHEREAS, This wonderful achievement could only have been attained with the sound support of the many family members, students, teachers, friends and community members, and this accomplishment is for everyone to savor and share; and

WHEREAS, Morton High School is the alma mater of the Honorable Neil Amondson, Washington State Representative from the Twentieth District, the notorious alumnus known throughout the legislative community as "the smiling Representative with matching tie and handkerchief"; and

WHEREAS, The triumphant team includes players: Chris Johnson, Troy Trevino, Kurt Van Fossen, Dennis Tauscher, Anthony Koopman, Jason Wood, Chris Trevino, Kevin Moore, Rick Goble, Ed Ruyle, Jason Eastman, Steve Brewer and Bob Redick; and staff: Heidi Chambers, Ray Anderson, Tim Johnson, Kyle Henderson and Debbie Trevino;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington commend the coach and players of the Morton Huskies boys' basketball team for their efforts and accomplishments during the past season; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives immediately transmit copies of this Resolution to coach Jay Henderson and the team members of the Morton Huskies.

Mr. Amondson moved adoption of the resolution. Representatives Amondson, Holm and Nealey spoke in favor of the resolution, and it was adopted.

Mr. Ebersole demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Allen, Braddock, Fuhrman and Vekich.

On motion of Mr. Dellwo, the absent members were excused and the House proceeded with business under the Call of the House.

Representative Braddock appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1633 with the following amendments:

On page 1, on line 6, before "Without" insert "(1)"

On page 1, on line 7, before "city" insert "county."

On page 1, after line 26, strike all the material down to and including "follows:" on line 28

On page 2, on line 1, before "A" insert "(2)"

On page 2, on line 1, before "city" insert "county."

On page 2, on line 3, strike "section 1 of this act" and insert "subsection (1) of this section"

On page 2, on line 4, strike "after" and insert "before"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Substitute House Bill No. 1633. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1633 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1633 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, Fuhrman, Vekich - 3.

Substitute House Bill No. 1633 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1652 with the following amendments:

On page 1, line 18, after "(3)" insert "Money market fund" means a mutual fund the portfolio which consists of only bonds having maturities or demand or tender provisions of not more than one year, managed by an investment advisor who has posted with the risk management office of the department of general administration a bond or other similar instrument in the amount of at least five percent of the amount invested in the fund pursuant to section 3 (2) or (3) of this act.

(4) "Mutual fund" means a diversified mutual fund registered with the federal securities and exchange commission and which is managed by an investment advisor with assets under management of at least five hundred million dollars and with at least five years' experience in investing in bonds authorized for investment by this chapter and who has posted with the risk management office of the department of general administration a bond or other similar instrument in the amount of at least five percent of the amount invested in the fund pursuant to section 3(1) of this act.

(5)*

On page 2, beginning on line 6, strike "or (3)" and insert the following:

"(3) Subject to compliance with RCW 39.56.030, registered warrants of a local government in the same county as the government making the investment; or

(4)*

On page 2, after line 12, insert the following:

"NEW SECTION. Sec. 3. In addition to any other investment authority granted by law, the state of Washington and local governments in the state of Washington are authorized to invest their funds and money in their custody or possession, eligible for investment and subject to the arbitrage provisions of section 148 of the federal internal revenue code or similar provision concerning the investment of state and local money and funds, in:

(1) Shares of mutual funds with portfolios consisting of only United States government bonds or United States government guaranteed bonds issued by federal agencies with average maturities less than four years, or bonds described in section 2 (1) or (2) of this act, except that bonds otherwise described in section 2 (1) or (2) of this act shall have one of the four highest credit ratings of a nationally recognized rating agency;

(2) Shares of money market funds with portfolios consisting of only bonds of states and local governments or other issuers authorized by law for investment by local governments, which bonds have at the time of investment one of the two highest credit ratings of a nationally recognized rating agency; or

(3) Shares of money market funds with portfolios consisting of securities otherwise authorized by law for investment by local governments."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 3, after line 33, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 43.19 RCW to read as follows: The director of general administration, through the risk management office, shall receive and enforce bonds posted pursuant to section 1 (3) and (4) of this act."

Renumber the remaining sections consecutively.

On page 3, line 34, strike "and 2" and insert ", 2, and 3"

On page 3, after line 35, insert the following:

"NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, strike "and"

On page 1, line 3 of the title, after "RCW" and before the period, insert "; adding a new section to chapter 43.19 RCW; and declaring an emergency"

On page 3, after line 33, insert the following:

"Sec. 5. Section 23, chapter 270, Laws of 1975 1st ex. sess. as amended by section 1, chapter 151, Laws of 1983 and RCW 36.57A.130 are each amended to read as follows:

The treasurer of the county in which a public transportation benefit area authority is located shall be ex officio treasurer of the authority. In the case of a multicounty public transportation benefit area the county treasurer of the largest component county, by population, shall be the treasurer of the authority. However, the authority, by resolution, (~~and upon the approval of the county treasurer~~) may designate some other person having experience in financial or fiscal matters as treasurer of the authority. Such a treasurer shall possess all of the powers, responsibilities, and duties the county treasurer possesses for a public transportation benefit area authority related to investing surplus authority funds. The authority may (and if the treasurer is not a county treasurer, it shall) require a bond with a surety company authorized to do business in the state of Washington in an amount and under the terms and conditions the authority, by resolution, from time to time finds will protect the authority against loss. The premium on any such bond shall be paid by the authority.

All authority funds shall be paid to the treasurer and shall be disbursed by the treasurer only on warrants issued by the county auditor, upon orders or vouchers approved by the authority. However, the authority may, by resolution, designate some person having experience in financial or fiscal matters, other than the county auditor, as the auditor of the authority. Such an auditor shall possess all of the powers, responsibilities, and duties that the county auditor possesses for a public transportation benefit area authority related to creating and maintaining funds, issuing warrants, and maintaining a record of receipts and disbursements.

The treasurer shall establish a 'transportation fund,' into which shall be paid all authority funds, and the treasurer shall maintain such special accounts as may be created by the authority into which shall be placed all money as the authority may, by resolution, direct.

If the treasurer of the authority is a treasurer of the county, all authority funds shall be deposited with the county depository under the same restrictions, contracts, and security as provided for county depositories. If the treasurer of the authority is some other person, all funds shall be deposited in such bank or banks authorized to do business in this state that have qualified for insured deposits under any federal deposit insurance act as the authority, by resolution, shall designate.

An authority may provide and require a reasonable bond of any other person handling moneys or securities of the authority, but the authority shall pay the premium on the bond.

The county or counties and each city or town which is included in the authority shall contribute such sums towards the expense for maintaining and operating the public transportation system as shall be agreed upon between them."

Renumber the section following consecutively.

In line 2 of the title, after "48.62.070" insert "and 36.57A.130"

On page 3, after line 35, insert the following:

"Sec. 6. Section 36.17.040, chapter 4, Laws of 1963 and RCW 36.17.040 are each amended to read as follows:

The salaries of county officers and employees of counties other than counties of the eighth and ninth classes may be paid twice monthly out of the county treasury, and the county auditor, for services rendered from the first to the fifteenth day, inclusive, may, not later than the (~~twentieth~~) last day of the month, draw (~~his~~) a warrant upon the county treasurer in favor of each of such officers and employees for the amount of salary due him or her, and such auditor, for services rendered from the sixteenth to the last day, inclusive, may similarly draw (~~his~~) a warrant, not later than the (~~fifth~~) fifteenth day of the following month, and the county (~~commissioners~~) legislative authority, with the concurrence of the county auditor, may enter an order on the record journal empowering him or her so to do: PROVIDED, That if the (board of county commissioners do) county legislative authority does not adopt the semimonthly pay plan, (they) it, by resolution, shall designate the first pay period as a draw day. ((The draw day period shall be from the first day to the fifteenth day of the month, inclusive;)) Not more than forty percent of said earned monthly salary of each such county officer or employee shall be paid to him on the draw day and the payroll deductions of such officer or employee shall not be deducted from the salary to be paid on the draw day. If officers and employees are paid once a month, the draw day shall not be later than the ((twentieth) last day of each

month. The balance of the earned monthly salary of each such officer or employee shall be paid not later than the ~~((fifth))~~ fifteenth day of the following month.

In counties of eighth and ninth classes salaries shall be paid monthly unless the ~~((commissioners))~~ county legislative authority by resolution adopts the foregoing draw day procedure." On page 1, line 2 of the title, after "48.62.070" insert "and 36.17.040" and the same is herewith transmitted.

M. D. Naismith, Assistant Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Substitute House Bill No. 1652. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1652 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1652 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, Fuhrman, Vekich - 3.

Substitute House Bill No. 1652 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1660 with the following amendment:

On page 1, line 28, strike "twelve" and insert "eight" and the same is herewith transmitted.

M. D. Naismith, Assistant Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendment to Substitute House Bill No. 1660. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1660 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1660 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle,

Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, Fuhrman, Vekich - 3.

Substitute House Bill No. 1660 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1673 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 4, chapter 241, Laws of 1986 and RCW 46.70.023 are each amended to read as follows:

(1) An 'established place of business' requires a permanent, enclosed commercial building located within the state of Washington easily accessible at all reasonable times. An established place of business shall have an improved display area of not less than three thousand square feet in or immediately adjoining the building, or a display area large enough to display six or more vehicles of the type the dealer is licensed to sell, whichever area is larger. The business of a vehicle dealer, including the display and repair of vehicles, may be lawfully carried on at an established place of business in accordance with the terms of all applicable building code, zoning, and other land-use regulatory ordinances. The dealer shall keep the building open to the public so that they may contact the vehicle dealer or the dealer's salespersons at all reasonable times. The books, records, and files necessary to conduct the business shall be kept and maintained at that place. The established place of business shall display an exterior sign with the business name and nature of the business, such as auto sales, permanently affixed to the land or building, with letters clearly visible to the major avenue of traffic. In no event may a room or rooms in a hotel, rooming house, or apartment house building or part of a single or multiple-unit dwelling house be considered an 'established place of business' unless the ground floor of such a dwelling is devoted principally to and occupied for commercial purposes and the dealer offices are located on the ground floor. A mobile office or mobile home may be used as an office if it is connected to utilities and is set up in accordance with state law.

(2) If a dealer maintains a place of business at more than one location or under more than one name in this state, he or she shall designate one location as the principal place of business of the firm, one name as the principal name of the firm, and all other locations or names as subagencies. A subagency license is required for each and every subagency: PROVIDED, That the department may grant an exception to the subagency requirement in the specific instance where a licensed new motor vehicle dealer is unable to locate their used vehicle sales facilities adjacent to or at the established place of business. This exception shall be granted and defined under the promulgation of rules consistent with the administrative procedure act.

(3) All vehicle dealers shall maintain ownership or leasehold throughout the license year of the real property from which they do business. The dealer shall provide the department with evidence of ownership or leasehold whenever the ownership changes or the lease is terminated.

(4) A subagency shall comply with all requirements of an established place of business.

(5) A temporary subagency shall meet all local zoning and building codes for the type of merchandising being conducted. The dealer license certificate shall be posted at the location. No other requirements of an established place of business apply to a temporary subagency.

(6) A wholesale vehicle dealer shall have office facilities in a commercial building within this state, and all storage facilities for inventory shall be listed with the department, and shall meet local zoning and land use ordinances. A wholesale vehicle dealer shall maintain a telecommunications system. An exterior sign visible from the nearest street shall identify the business name and the nature of business. A wholesale dealer need not maintain a display area as required in this section. When two or more vehicle dealer businesses share a location, all records, office facilities, and inventory, if any, must be physically segregated and clearly identified.

(7) A retail vehicle dealer shall be open during normal business hours, maintain office and display facilities in a commercially zoned location or in a location complying with all applicable building and land use ordinances, and maintain a business telephone listing in the local directory. When two or more vehicle dealer businesses share a location, all records, office facilities, and inventory shall be physically segregated and clearly identified.

(8) A listing dealer need not have a display area if the dealer does not physically maintain any vehicles for display.

(9) A subagency license is not required for a mobile home dealer to display an on-site display model, a consigned mobile home not relocated from its site, or a repossessed mobile home if sales are handled from a principal place of business or subagency. A mobile home

dealer shall identify on-site display models, repossessed mobile homes, and those consigned at their sites with a sign that includes the dealer's name and telephone number.

(10) Every vehicle dealer shall advise the department of the location of each and every place of business of the firm and the name or names under which the firm is doing business at such location or locations. If any name or location is changed, the dealer shall notify the department of such change within ten days. The license issued by the department shall reflect the name and location of the firm and shall be posted in a conspicuous place at that location by the dealer.

(11) A vehicle dealer's license shall upon the death or incapacity of an individual vehicle dealer authorize the personal representative of such dealer, subject to payment of license fees, to continue the business for a period of six months from the date of the death or incapacity.

(12) For the purposes of obtaining a license from the department under this chapter, the owner of a mobile home park who sells mobile homes located on mobile home lots within the park shall be eligible to be licensed as a mobile home dealer without meeting the requirements of subsections (1) and (7) of this section regarding an established place of business, furnishing a display area, compliance with applicable zoning and land use ordinances, and the prohibition against conducting the business in a dwelling house. Such an applicant for a mobile home dealer's license shall comply in all other respects with the requirements of this chapter for licensure of mobile home dealers, including the remaining provisions of subsection (1) of this section.

(13) Nothing in this chapter shall prohibit local government from enforcing the building codes and local government zoning and other land use ordinances or regulations.

(14) Any mobile home park owner who sells mobile homes located on mobile home lots within the park shall be prohibited from coercing, influencing, or interfering with the sale of any mobile home located in the park. Any owner of a mobile home in a park shall have all the rights provided to the owner by the mobile home landlord-tenant act in selling the home.

NEW SECTION. Sec. 2. A new section is added to chapter 59.22 RCW to read as follows:

(1) In order to provide general assistance to mobile home resident organizations, park owners, and landlords and tenants, the department shall establish an office of mobile home affairs which will serve as the coordinating office within state government for matters relating to mobile homes or manufactured housing.

This office will provide an ombudsman service to mobile home park owners and mobile home tenants with respect to problems and disputes between park owners and park residents and to provide technical assistance to resident organizations or persons in the process of forming a resident organization pursuant to chapter 59.22 RCW. The office will keep records of its activities in this area.

(2) The department shall establish the mobile home and manufactured housing affairs advisory committee. The mobile home and manufactured housing affairs advisory committee shall be a subcommittee of the state housing advisory committee if the department creates a state housing advisory committee. The committee shall consist of five members appointed by the director of the department of community development. The committee shall be comprised of one representative of mobile home park tenants, one representative of mobile home park owners, and one representative of the public at large, each of whom shall be knowledgeable and have practical experience with the mobile home landlord tenant act, one representative of mobile home manufacturers and one representative of local governments. Only the representatives of the mobile home park tenants, mobile home park owners, and the public at large shall review and advise the office on issues relating to the mobile home landlord tenant act. The director of the department of community development shall appoint the committee chairperson. The entire committee shall advise the office in implementing the provisions of subsection (1) of this section. The members of the committee may receive compensation or reimbursement for travel expenses.

Neither the office nor advisory committee may evaluate, develop, or recommend policies or programs relating to governmental rent control or rent stabilization.

Sec. 3. Section 2, chapter 482, Laws of 1987 and RCW 59.22.020 are each amended to read as follows:

The following definitions shall apply throughout this chapter unless the context clearly requires otherwise:

(1) 'Affordable' means that, where feasible, low-income residents should not pay more than thirty percent of their monthly income for housing costs.

(2) 'Conversion costs' includes the cost of acquiring the mobile home park, the costs of planning and processing the conversion, the costs of any needed repairs or rehabilitation, and any expenditures required by a government agency or lender for the project.

(3) 'Department' means the department of community development.

(4) 'Fund' means the mobile home park purchase fund created pursuant to RCW 59.22.030.

(5) 'Housing costs' means the total cost of owning, occupying, and maintaining a mobile home and a lot or space in a mobile home park.

(6) 'Individual interest in a mobile home park' means any interest which is fee ownership or a lesser interest which entitles the holder to occupy a lot or space in a mobile home park for

a period of not less than either fifteen years or the life of the holder. Individual interests in a mobile home park include, but are not limited to, the following:

- (a) Ownership of a lot or space in a mobile home park or subdivision;
- (b) A membership or shares in a stock cooperative, or a limited equity housing cooperative; or
- (c) Membership in a nonprofit mutual benefit corporation which owns, operates, or owns and operates the mobile home park.

(7) 'Low-income resident' means an individual or household who resided in the mobile home park prior to application for a loan pursuant to this chapter and with an annual income at or below eighty percent of the median income for the county of standard metropolitan statistical area of residence. Net worth shall be considered in the calculation of income with the exception of the resident's mobile/manufactured home which is used as their primary residence.

(8) 'Low-income spaces' means those spaces in a mobile home park operated by a resident organization which are occupied by low-income residents.

(9) 'Mobile home park' means a mobile home park, as defined in RCW 59.20.030(4), or a manufactured home park subdivision as defined by RCW 59.20.030(6) created by the conversion to resident ownership of a mobile home park.

(10) 'Resident organization' means a group of mobile home park residents who have formed a nonprofit corporation, cooperative corporation, or other entity or organization for the purpose of acquiring the mobile home park in which they reside and converting the mobile home park to resident ownership. The membership of a resident organization shall include at least two-thirds of the households residing in the mobile home park at the time of application for assistance from the department.

(11) 'Resident ownership' means, depending on the context, either the ownership, by a resident organization, as defined in this section, of an interest in a mobile home park which entitles the resident organization to control the operations of the mobile home park for a term of no less than fifteen years, or the ownership of individual interests in a mobile home park, or both.

(12) 'Landlord' shall have the same meaning as it does in RCW 59.20.030.

(13) 'Manufactured housing' means residences constructed on one or more chassis for transportation, and which bear an insignia issued by a state or federal regulatory agency indicating compliance with all applicable construction standards of the United States department of housing and urban development.

(14) 'Mobile home' shall have the same meaning as it does in RCW 46.04.302.

(15) 'Mobile home lot' shall have the same meaning as it does in RCW 59.20.030.

(16) 'Tenant' means a person who rents a mobile home lot for a term of one month or longer, and owns the mobile home on the lot.

NEW SECTION, Sec. 4. (1) Every landlord shall register by October 1, 1988, with the department of revenue under such rules as that department shall prescribe.

(2) Every landlord shall pay a fee of one dollar per lot per year, and in addition, shall collect from each tenant on January 1 of each year a fee of one dollar per year for each lot rented by the tenant. Both fees shall be remitted by the landlord to the department of revenue under such rules as the department shall prescribe. The fee required by this chapter, to be collected by the landlord, shall be deemed to be held in trust by the landlord until paid to the department of revenue, and any landlord who appropriates or converts the fee collected to his or her own use other than the payment to the department shall be guilty of a gross misdemeanor. The provisions of chapter 82.32 RCW shall apply to the collection and enforcement of this fee.

NEW SECTION, Sec. 5. There is created in the custody of the state treasurer a special account known as the mobile home affairs account. All fees collected pursuant to section 3 of this act shall be placed in that account.

Disbursements from this special account shall be as follows:

(1) For the two-year period beginning July 1, 1988, forty thousand dollars, or so much thereof as may be necessary for costs incurred in registering landlords and collecting fees, and thereafter five thousand dollars per year for that purpose.

(2) All remaining amounts shall be remitted to the department of community development for the purpose of implementing sections 2 and 4 of this act.

NEW SECTION, Sec. 6. Sections 4 and 5 of this act are each added to chapter 59.22 RCW.

On page 1, line 1 of the title, after "affairs," strike the remainder of the title and insert "amending RCW 46.70.023 and 59.22.020; adding new sections to chapter 59.22 RCW; and prescribing penalties."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Nutley moved that the House do concur in the Senate amendments to Substitute House Bill No. 1673. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1673 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1673 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, Fuhrman, Vekich - 3.

Substitute House Bill No. 1673 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) excused Representative Grimm from further proceedings under the Call of the House.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1683 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 22, chapter 304, Laws of 1981 and RCW 59.20.190 are each amended to read as follows:

The state board of health shall adopt rules on or before January 1, 1982, setting health and sanitation standards for mobile home parks. Such rules shall be enforced by the city, county, city-county, or district health officer of the jurisdiction in which the mobile home park is located, upon notice of a violation to such health officer. Failure to remedy the violation after enforcement efforts are made may result in a fine being imposed on the park owner, or tenant as may be applicable, by the enforcing governmental body of up to one hundred dollars per day, depending on the degree of risk of injury or illness to persons in or around the park."

On page 1, line 2 of the title, after "59.20.190" strike "and 59.20.220; adding a new section to chapter 59.20 RCW"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Nutley moved that the House do concur in the Senate amendments to Substitute House Bill No. 1683. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1683 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1683 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C,

Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Grimm, Vekich - 4.

Substitute House Bill No. 1683 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1684 with the following amendment:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The department of ecology shall determine the best management practices for categories of solid waste in accordance with the priority solid waste management methods established in RCW 70.95.010. In order to make this determination, the department shall conduct a comprehensive solid waste stream analysis and evaluation.

NEW SECTION. Sec. 2. The comprehensive, state-wide solid waste stream analysis under section 1 of this act shall be based on representative solid waste generation areas and solid waste generation sources within the state. The following information and evaluations shall be included:

- (1) Solid waste generation rates for each category;
- (2) The rate of recycling being achieved within the state for each category of solid waste;
- (3) The current and potential rates of solid waste reduction within the state;
- (4) A technological assessment of current solid waste reduction and recycling methods and systems, including cost/benefit analyses;
- (5) An assessment of the feasibility of segregating solid waste at: (a) The original source, (b) transfer stations, and (c) the point of final disposal;
- (6) A review of methods that will increase the rate of solid waste reduction; and
- (7) An assessment of new and existing technologies that are available for solid waste management including an analysis of the associated environmental risks and costs.

The data required by the analysis under this section shall be kept current and shall be available to local governments and the waste management industry.

NEW SECTION. Sec. 3. (1) The evaluation of the solid waste stream required in section 1 of this act shall include the following elements:

- (a) The department shall determine which management method for each category of solid waste will have the least environmental impact; and
- (b) The department shall evaluate the costs of various management options for each category of solid waste, including a review of market availability, and shall take into consideration the economic impact on affected parties;
- (c) Based on the results of (a) and (b) of this subsection, the department shall determine the best management for each category of solid waste. Different management methods for the same categories of waste may be developed for different parts of the state.

(2) The department shall give priority to evaluating categories of solid waste that, in relation to other categories of solid waste, comprise a large volume of the solid waste stream or present a high potential of harm to human health. At a minimum the following categories of waste shall be evaluated:

- (a) By January 1, 1989, yard waste and other biodegradable materials, paper products, disposable diapers, and batteries; and
- (b) By January 1, 1990, metals, glass, plastics, styrofoam or rigid lightweight cellular polystyrene, and tires.

NEW SECTION. Sec. 4. The department shall incorporate the information from the analysis and evaluation conducted under sections 1 through 3 of this act to the state solid waste management plan under RCW 70.95.260. The plan shall be revised periodically as the evaluation and analysis is updated.

NEW SECTION. Sec. 5. (1) By July 1, 1988, the department shall provide the joint select committee on preferred solid waste management with a proposed work plan and a statement of funding sources.

(2) The department shall report its findings and recommendations to the appropriate standing committees of the legislature by January 1, 1989. The report shall identify which categories of solid waste have not been evaluated and the expected date of completion.

Sec. 6. Section 15, chapter 528, Laws of 1987 (uncodified) is amended to read as follows:

(1) The Washington state legislature finds that the state faces a solid waste disposal crisis. The siting of new landfills, the location and design of new solid waste incinerators, the disposal of ash residue, and compliance with the priorities of the solid waste management act and the hazardous waste management act require that an effort be made by the state to ensure that

local governments and private industry have adequate technical information, and that programs are developed to accomplish the statutory waste management priorities.

(2) A comprehensive evaluation of preferred solid waste management programs shall be undertaken by the joint select committee for preferred solid waste management. The committee shall consist of four members of the house of representatives appointed by the speaker of the house and four members of the senate appointed by the president of the senate. The committee shall involve the department of ecology, the utilities and transportation commission, and representatives of organizations representing cities, counties, the public, the waste management industry, waste haulers, and the private recycling industry. The committee shall report its findings and recommendations to the appropriate standing committees of the legislature by January 1, ~~((1988))~~ 1989.

(3) The department of ecology may provide the committee with specific recommendations on waste management programs from studies the department has undertaken as required by RCW 70.95.263.

(4) The committee shall attempt to determine the reasons why higher rates of waste reduction and recycling have not been achieved in the state and develop recommendations on how to achieve higher rates.

(5) The committee's recommendations shall include (a) specific programs for waste reduction, recycling, incineration, and landfills, (b) specific goals for solid waste management, and (c) specific responsibilities for state government, local government, and the private sectors to accomplish the committee's recommendations. The committee shall also recommend specific legislation and rule-making requirements to accomplish the committee's findings.

(6) The joint select committee for preferred solid waste management shall cease to exist on July 1, ~~((1988))~~ 1989.

NEW SECTION. Sec. 7. Sections 1 through 5 of this act are each added to chapter 70.95 RCW."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Rust moved that the House do concur in the Senate amendment to Substitute House Bill No. 1684. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1684 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1684 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brække, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsold, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Grimm, Vekich - 4.

Substitute House Bill No. 1684 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1713 with the following amendment:

On page 2, line 17, after "The" strike "secretary" and insert "steering committee" and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendment to Second Substitute House Bill No. 1713.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1713 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1713 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Grimm, Vekich - 4.

Second Substitute House Bill No. 1713 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1783 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature intends to protect the public's right to high quality health care by assuring that nursing pools employ, procure or refer competent and qualified nursing personnel, and that such nursing personnel are provided to health care facilities in a way to meet the needs of residents and patients.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Director' means the director of the department of licensing.

(2) 'Health care facility' means a nursing home, hospital, hospice care facility, home health care agency, hospice agency, or other entity for the delivery of health care services.

(3) 'Nursing home' means any nursing home facility licensed pursuant to chapter 18.52 RCW.

(4) 'Nursing pool' means any person engaged in the business of providing, procuring, or referring health care personnel for temporary employment in health care facilities, such as licensed nurses or practical nurses, and nursing assistants. 'Nursing pool' does not include an individual who only engages in providing his or her own services.

(5) 'Person' includes an individual, firm, corporation, partnership, or association.

NEW SECTION, Sec. 3. A person who operates a nursing pool shall register the pool with the director. Each separate location of the business of a nursing pool shall have a separate registration.

The director, by rule, shall establish forms and procedures for the processing of nursing pool registration applications, including the payment of registration fees pursuant to RCW 43.24.086. An application for a nursing pool registration shall include at least the following information:

(1) The names and addresses of the owner or owners of the nursing pool; and

(2) If the owner is a corporation, copies of its articles of incorporation and current bylaws, together with the names and addresses of its officers and directors.

A registration issued by the director in accordance with this section shall remain effective for a period of one year from the date of its issuance unless the registration is revoked or suspended pursuant to section 4(4) of this act, or unless the nursing pool is sold or ownership or

management is transferred, in which case the registration of the nursing pool shall be voided and the new owner or operator shall apply for a new registration.

NEW SECTION, Sec. 4. (1) The nursing pool shall document that each temporary employee or referred independent contractor provided or referred to health care facilities currently meets the minimum state credentialing requirements.

(2) The nursing pool shall not require, as a condition of employment or referral, that employees or independent contractors of the nursing pool recruit new employees or independent contractors for the nursing pool from among the permanent employees of the health care facility to which the nursing pool employee or independent contractor has been assigned or referred.

(3) The nursing pool shall carry professional and general liability insurance to insure against any loss or damage occurring, whether professional or otherwise, as the result of the negligence of its employees, agents or independent contractors for acts committed in the course of their employment with the nursing pool: PROVIDED, That a nursing pool that only refers self-employed, independent contractors to health care facilities shall carry professional and general liability insurance to cover its own liability as a nursing pool which refers self-employed, independent contractors to health care facilities: AND PROVIDED FURTHER, That it shall require, as a condition of referral, that self-employed, independent contractors carry professional and general liability insurance to insure against loss or damage resulting from their own acts committed in the course of their own employment by a health care facility.

(4) The uniform disciplinary act, chapter 18.130 RCW, shall govern the issuance and denial of registration and the discipline of persons registered under this chapter. The director shall be the disciplinary authority under this chapter.

NEW SECTION, Sec. 5. No state agency shall allow reimbursement for the use of temporary health care personnel from nursing pools that are not registered pursuant to this chapter: PROVIDED, That individuals directly retained by a health care facility without intermediaries may be reimbursed.

NEW SECTION, Sec. 6. The director shall report to the legislature by July 1, 1989, with an assessment of the effectiveness of the provisions of this act. The report may include minimum standards for nursing pools and shall include proposed provisions for improvement of this act.

Sec. 7. Section 1, chapter 150, Laws of 1987, section 15, chapter 412, Laws of 1987, section 17, chapter 415, Laws of 1987, section 18, chapter 447, Laws of 1987, section 22, chapter 512, Laws of 1987 and RCW 18.130.040 are each reenacted and amended to read as follows:

(1) This chapter applies only to the director and the boards having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2) (a) The director has authority under this chapter in relation to the following professions:

- (i) Dispensing opticians licensed under chapter 18.34 RCW;
- (ii) Naturopaths licensed under chapter 18.36A RCW;
- (iii) Midwives licensed under chapter 18.50 RCW;
- (iv) Ocularists licensed under chapter 18.55 RCW;
- (v) Massage operators and businesses licensed under chapter 18.108 RCW;
- (vi) Dental hygienists licensed under chapter 18.29 RCW;
- (vii) Acupuncturists certified under chapter 18.06 RCW;
- (viii) Radiologic technologists certified under chapter 18.84 RCW;
- (ix) Respiratory care practitioners certified under chapter 18.89 RCW; ((and))
- (x) Persons registered or certified under chapter 18.19 RCW; and
- (xi) Persons registered as nursing pool operators.

(b) The boards having authority under this chapter are as follows:

- (i) The podiatry board as established in chapter 18.22 RCW;
- (ii) The chiropractic disciplinary board as established in chapter 18.26 RCW governing licenses issued under chapter 18.25 RCW;
- (iii) The dental disciplinary board as established in chapter 18.32 RCW;
- (iv) The council on hearing aids as established in chapter 18.35 RCW;
- (v) The board of funeral directors and embalmers as established in chapter 18.39 RCW;
- (vi) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;
- (vii) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;
- (viii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;
- (ix) The medical disciplinary board as established in chapter 18.72 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;
- (x) The board of physical therapy as established in chapter 18.74 RCW;
- (xi) The board of occupational therapy practice as established in chapter 18.59 RCW;
- (xii) The board of practical nursing as established in chapter 18.78 RCW;
- (xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;

- (xiv) The board of nursing as established in chapter 18.88 RCW; and
 (xv) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. However, the board of chiropractic examiners has authority over issuance and denial of licenses provided for in chapter 18.25 RCW, the board of dental examiners has authority over issuance and denial of licenses provided for in RCW 18.32.040, and the board of medical examiners has authority over issuance and denial of licenses and registrations provided for in chapters 18.71 and 18.71A RCW. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered pursuant to RCW 18.130.160 by the disciplining authority.

NEW SECTION. Sec. 8. Sections 1 through 5 of this act shall constitute a new chapter in Title 18 RCW.*

On page 1, line 2 of the title, strike "and"

On page 1, line 2 of the title, after "Title 18 RCW" insert "; and creating a new section" and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Substitute House Bill No. 1783.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1783 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1783 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bungarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Prufft, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spamel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fuhrman, Grimm, Vekich - 4.

Substitute House Bill No. 1783 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Grimm appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1796 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. (1) The legislature finds that throughout the state there is widespread use of information delivery services, which are also known as information-access telephone services and commonly provided on a designated telephone number prefix. These services operate on a charge-per-call basis, providing revenue for both the information provider and the local exchange company. The marketing practices for these telephone services have at times been misleading to consumers and at other times specifically directed toward minors. The result has been placement of calls by individuals, particularly by children, who are uninformed about the charges that might apply. In addition, children may have secured access to obscene, indecent, and salacious material through these services. The legislature finds that these services can be blocked by certain local exchange companies at switching

locations, and that devices exist which allow for blocking within a residence. Therefore, the legislature finds that residential telephone users in the state are entitled to the option of having their phones blocked from access to information delivery services.

(2) It is the intent of the legislature that the utilities and transportation commission and local exchange companies, to the extent feasible, distinguish between information delivery services that are misleading to consumers, directed at minors, or otherwise objectionable and adopt policies and rules that accomplish the purposes of this act with the least adverse effect on information delivery services that are not misleading to consumers, directed at minors, or otherwise objectionable.

NEW SECTION. Sec. 2. A new section is added to chapter 80.36 RCW to read as follows:

(1) As used in this section:

(a) 'Information delivery services' means telephone recorded messages, interactive programs, or other information services that are provided for a charge to a caller through an exclusive telephone number prefix.

(b) 'Information providers' means the persons or corporations that provide the information, prerecorded message, or interactive program for the information delivery service. The information provider generally receives a portion of the revenue from the calls.

(c) 'Interactive program' means a program that allows an information delivery service caller, once connected to the information provider's announcement machine, to use the caller's telephone device to access more specific information.

(2) The utilities and transportation commission shall by rule require any local exchange company that offers information delivery services to a local telephone exchange to provide each residential telephone subscriber the opportunity to block access to all information delivery services offered through the local exchange company. The rule shall take effect by October 1, 1988.

(3) All costs of complying with this section shall be borne by the information providers.

(4) The local exchange company shall inform subscribers of the availability of the blocking service through a bill insert and by publication in a local telephone directory.

NEW SECTION. Sec. 3. By October 1, 1988, the commission shall investigate and report to the committees on energy and utilities in the house of representatives and the senate on methods to protect minors from obscene, indecent, and salacious materials available through the use of information delivery services. The investigation shall include a study of personal identification numbers, credit cards, scramblers, and beep-tone devices as methods of limiting access.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

In line 1 of the title, after "telecommunications;" strike the remainder of the title and insert "adding a new section to chapter 80.36 RCW; and creating new sections."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Barnes moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1796.

Representatives Barnes and Nelson spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1796 as amended by the Senate.

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1796 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle,

Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, Fuhrman, Vekich - 3.

Engrossed House Bill No. 1796 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4769, by Representatives Leonard, Lewis, Bristow, Day, Lux, Doty, Grimm, Ballard, Valle, Hankins, Sutherland, Holland, Sayan, Vekich, Nealey, Appelwick, Bumgarner, Scott, Belcher, Cole, Fox, Fuhrman, Kremen, Sanders, B. Williams, Prince, Smith, Silver, Winsley, Fisher, Jacobsen, H. Sommers, Crane, Gallagher, Ebersole, K. Wilson, Walk, Todd, Nutley, Wang, Rayburn, Meyers, P. King, Peery, Hine, Locke and Basich

WHEREAS, Some citizens of the State of Washington cannot afford vision care; and

WHEREAS, Doctors who are members of the Washington Optometric Association donated their time, their staff and their expertise to examine the eyes of fifteen hundred Washington State residents who were in need of eye care; and

WHEREAS, The Lions' Sight Conservation Foundation of Washington and northern Idaho donated funds to purchase eyewear and ophthalmic lenses; and

WHEREAS, Most of the fifteen hundred Washington State residents would have gone without proper vision care because of low income if it were not for the help given to them by the doctors of optometry and the Lions' Sight Conservation Foundation;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That support and gratitude be offered for all of the generous and humanistic efforts put forth by the Washington Optometric Association and the Lions' Sight Conservation Foundation of Washington for successfully planning and implementing what is now known as the "Vision Washington Project."

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

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized Dr. Ray Hedahl, President of the Washington Optometric Association; Mrs. Ray Hedahl; Ms. Judy Balzer, Administrative Assistant of the Washington Optometric Association; and members of the local Lions' Club, who were seated in the gallery.

HOUSE FLOOR RESOLUTION NO. 88-4743, by Representatives Amondson and Sanders

WHEREAS, Washington is called "The Evergreen State" because of its beautiful forests and trees; and

WHEREAS, The wonderful City of Morton is located near the spectacular Snoqualmie National Forest; and

WHEREAS, The Douglas Fir Tree is world famous for its tall stature, thick bark and pendulous cones; and

WHEREAS, A perfectly shaped Douglas Fir tree, one hundred twenty-eight feet tall, stands proudly in the heart of the City of Morton; and

WHEREAS, This tree is very special to the citizens of Morton because the logging industry is the heartbeat of their community; and

WHEREAS, This remarkable tree was planted in 1912 by Harvey Murray, the son of one of Morton's pioneer families, and it is now seventy-five years old; and

WHEREAS, This inspiring tree is visible throughout the City of Morton and beyond, reminding all of Morton's special heritage; and

WHEREAS, Again this year the people of Morton decorated this unique tree with approximately 3,500 colorful Christmas lights and topped the tree with a brilliant eight foot-tall star - a breathtaking and spellbinding sight; and

WHEREAS, The annual Christmas tree lighting ceremony is listed in the Washington Tourism Planning Guide as the World's Tallest Living Tree Lighting Ceremony; and

WHEREAS, A glorious annual celebration, "Home For The Holidays," occurs each year on the day of the tree lighting ceremony and includes a Santa Claus breakfast, girls' basketball game, senior center lunch and bazaar, arts and crafts show, song fest, community Christmas caroling procession, the Christmas tree lighting ceremony, bands, choirs, hot cider, cookies, child care, movies for the kids, great shopping, and much, much more;

NOW, THEREFORE, BE IT RESOLVED, That the people of the City of Morton be congratulated for their outstanding Christmas celebration and remarkable Douglas Fir tree, and that the people of the State of Washington be encouraged to attend the festivities celebrating the lighting of The World's Tallest Living Christmas Tree; and

BE IT FURTHER RESOLVED, That Paul Powell, Jim Hobbs, Tim Coleman and Avery Winslow be congratulated for their extraordinary efforts to preserve this remarkable Douglas Fir and to provide for its magnificent decoration; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be presented to Jim Mitchell, the Mayor of the City of Morton, as a representative of all its wonderful people!

Mr. Amondson moved adoption of the resolution. Representatives Amondson and Hargrove spoke in favor of the resolution, and it was adopted.

The Speaker assumed the Chair.

The House resumed consideration of Substitute House Bill No. 1568 from the previous day. (See Journal, 58th Day, March 8, 1988.)

SUBSTITUTE HOUSE BILL NO. 1568, by Committee on Education (originally sponsored by Representatives Todd, Leonard, Crane, Pruitt and Ebersole)

Including school administrators in the excellence in education program.

The Speaker stated the question before the House to be the point of order by Mr. Peery regarding the amendment on page 3, after line 9 by Senators Rinehart, Bailey, Smitherman, Saling and Gaspard; the amendment on page 3, after line 9 by Senators Rinehart, Bailey, Smitherman, Saling, Pullen and Gaspard; and the related title amendments to Substitute House Bill No. 1568.

SPEAKER'S RULING

The Speaker: Representative Peery, the Speaker has examined both Substitute House Bill No. 1568 and the Senate amendments. On the first amendment on page 3, line 9 (labelled "3/6A" by Senators Rinehart, Bailey, Smitherman, Saling and Gaspard), I find that the bill amends the Washington Awards for Excellence in Education Program to allow administrators to be included. The Senate amendments create a new program. That does not fall within the heading of perfecting a bill; it is expanding the scope of it and adding a program. On your first point, Representative Peery, that is clearly outside the scope and object. Your point is well taken on the first amendment.

The second Senate amendment to Substitute House Bill No. 1568, starting on page 3, line 9 and labelled "3/6B" (by Senators Rinehart, Bailey, Smitherman, Saling, Pullen and Gaspard), allows for the contracting of service to allow highly capable students to attend the University of Washington. Again, it is clearly not within the original scope of the bill. It is not a perfecting amendment; it tries to expand the scope of the bill. Your point on the second amendment also, Representative Peery, is well taken. The amendment is outside the scope and object of the bill.

MOTION

Mr. Peery moved that the House refuse to concur in the Senate amendments on page 3, after line 9 by Senator Rinehart and others (labelled 3/6A and 3/6B) to Substitute House Bill No. 1568 and ask the Senate to recede therefrom. The motion was carried.

The House resumed consideration of Engrossed House Bill No. 1630 from the previous day. (See Journal, 58th Day, March 8, 1988.)

ENGROSSED HOUSE BILL NO. 1630, by Representatives Walk, Schmidt and Gallagher; by request of Department of Licensing

Requiring insurance for continued registration of tow truck operators.

The Speaker stated the question before the House to be the point of order by Ms. Schmidt regarding the Senate amendments to Engrossed House Bill No. 1630

SPEAKER'S RULING

The Speaker: The Speaker has examined Engrossed House Bill No. 1630, a very simple bill which says that a licensed tow truck operator loses his license if his insurance is cancelled. The Senate amendments to the bill broaden the scope of the bill to list who should be registered and about how the registration fees are levied. I find that the amendments are clearly outside the scope of the original bill and not perfecting amendments. Your point, therefore, Representative Schmidt is well taken.

MOTION

Mr. Walk moved that the House refuse to concur in the Senate amendments to Engrossed House Bill No. 1630 and ask the Senate to recede therefrom. The motion was carried.

The House resumed consideration of Substitute House Bill No. 1745 from the previous day. (See Journal, 58th Day, March 8, 1988.)

SUBSTITUTE HOUSE BILL NO. 1745, by Committee on Education (originally sponsored by Representatives Peery, Holm, Taylor, Rasmussen, Betrozoff, Cole, Haugen, Holland, P. King, Schoon, D. Sommers, Dorn and Ebersole)

Specifying when school directors officially start their terms of office.

The Speaker stated the question before the House to be the point of order by Ms. Cole regarding the Senate amendments to Substitute House Bill No. 1745

SPEAKER'S RULING

The Speaker: Representative Cole, the Speaker has examined Substitute House Bill No. 1745 and finds it a very direct bill, dealing with the date and term of office of local elected school board officials. It is very simple and direct. The Senate amendments allow for a change in the school board structure. The Speaker finds this is not a perfecting amendment; it is clearly outside the scope and object of the original bill. Your point is well taken, Representative Cole.

MOTION

Mr. Peery moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1745 and ask the Senate to recede therefrom. The motion was carried.

The House resumed consideration of Substitute House Bill No. 1752 from the previous day. (See Journal, 58th Day, March 8, 1988.)

SUBSTITUTE HOUSE BILL NO. 1752, by Committee on Natural Resources (originally sponsored by Representatives Spanel, S. Wilson, Haugen, Sayan, Fox, Hargrove, Cole, Kremen, Amondson, Braddock, Schmidt, Sanders and Cooper)

Authorizing one day not-for-profit smelt fishing derbies.

The Speaker stated the question before the House to be the point of order by Ms. K. Wilson regarding the Senate amendment to Substitute House Bill No. 1752

SPEAKER'S RULING

The Speaker: Representative Wilson, the Speaker has examined the original Substitute House Bill No. 1752 and finds that it deals with a very narrow special event occasion. On that occasion you could exempt, in this case smelt dippers, from having a license. The Senate amendment broadens it far beyond the original scope and object to simply say that you never need a license for dipping smelt.

The original intention was very narrow, confined to a special event. The Speaker finds, Representative Wilson, that your point is well taken; that the amendment is clearly outside the scope and object of the original bill.

MOTION

Ms. K. Wilson moved that the House refuse to concur in the Senate amendment to Substitute House Bill No. 1752 and ask the Senate to recede therefrom. The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1754 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 8, chapter 155, Laws of 1971 ex. sess. as amended by section 1, chapter 52, Laws of 1981 and RCW 36.95.080 are each amended to read as follows:

The board shall, on or before the first day of July of any given year, ascertain and prepare a list of all persons believed to own television sets within the district and deliver a copy of such list to the county ((assessor)) treasurer.

Sec. 2. Section 36, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.070 are each amended to read as follows:

The board may appoint, discharge and fix the compensation of an executive ((secretary)) director, tax referees, a clerk, and such other clerical, professional and technical assistants as may be necessary. Tax referees shall not be subject to chapter 41.06 RCW but, prior to their employment, shall demonstrate to the board reasonable and adequate knowledge of real and personal property appraisal, construction costs, the statutes regarding property valuation, and a capacity to fairly conduct administrative hearings.

Sec. 3. Section 41, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.120 are each amended to read as follows:

The board shall maintain at its principal office a ((journal which shall contain all official actions of the board, with the exception of findings and decisions, together with the vote of each member on such actions)) copy of its final findings and decisions. The ((journal)) findings and decisions shall be available for public inspection at the principal office of the board at all reasonable times.

Sec. 4. Section 43, chapter 26, Laws of 1967 ex. sess. as amended by section 8, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.140 are each amended to read as follows:

In all appeals over which the board has jurisdiction under RCW 82.03.130, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the board; PROVIDED, That nothing shall prevent the assessor or taxpayer, as a party to an appeal pursuant to RCW 84.08.130, within twenty days from the date of the receipt of the notice of appeal, from filing with the clerk of the board notice of intention that the hearing be a formal one; PROVIDED, HOWEVER, That nothing herein shall be construed to modify the provisions of RCW 82.03.190; AND PROVIDED FURTHER, That upon an appeal under RCW 82.03.130(5), the director of revenue may, within ten days from the date of its receipt of the notice of appeal, file with the clerk of the board notice of its intention that the hearing be held pursuant to chapter 34.04 RCW. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

Sec. 5. Section 44, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.150 are each amended to read as follows:

In all appeals involving an informal hearing, the board or its tax referees shall have all powers relating to administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies by chapter 34.04 RCW. The board, or its tax referees, shall also have all powers granted the department of revenue pursuant to RCW 82.32.110. In the case of appeals within the scope of RCW 82.03.130(2) the board or any member thereof may obtain such assistance, including the making of field investigations, from the staff of the director of revenue as the board or any member thereof may deem necessary or appropriate.

Sec. 6. Section 45, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.160 are each amended to read as follows:

In all appeals involving a formal hearing the board or its tax referees shall have all powers relating to administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies in chapter 34.04 RCW; and the board, and each member thereof, or its tax referees, shall be subject to all duties imposed upon, and shall have all powers granted to, an agency by those provisions of chapter 34.04 RCW relating to contested cases. The board, or its tax referees, shall also have all powers granted the department of revenue pursuant to RCW

82.32.110. In the case of appeals within the scope of RCW 82.03.130(2), the board, or any member thereof, may obtain such assistance, including the making of field investigations, from the staff of the director of revenue as the board, or any member thereof, may deem necessary or appropriate: PROVIDED, HOWEVER, That any communication, oral or written, from the staff of the director to the board or its tax referees shall be presented only in open hearing.

Sec. 7. Section 46, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.170 are each amended to read as follows:

All proceedings, including both formal and informal hearings, before the board or any of its members or tax referees shall be conducted in accordance with such rules of practice and procedure as the board may prescribe. The board shall publish such rules and arrange for the reasonable distribution thereof.

Sec. 8. Section 7, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.12.0284 are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of computers, computer components, computer accessories, or computer software irrevocably donated to any public or private nonprofit school or college, as defined under chapter 84.36 RCW, in this state, nor to equipment which is acquired by, but title is not vested in, a public or private institution of higher education through intergovernmental transfer or loan, and accepted by the institution, for direct use in instruction or research. For purposes of this section, "computer" means a data processor that can perform substantial computation, including numerous arithmetic or logic operations, without intervention by a human operator during the run.

Sec. 9. Section 84.08.130, chapter 15, Laws of 1961 as last amended by section 1, chapter 290, Laws of 1977 ex. sess. and RCW 84.08.130 are each amended to read as follows:

Any taxpayer or taxing unit feeling aggrieved by the action of any county board of equalization may appeal to the board of tax appeals by filing with the county auditor a notice of appeal in duplicate within thirty days after the ((action)) mailing and receipt by the taxpayer or the taxing unit of the decision of such board of equalization, which notice shall specify the actions complained of, and said auditor shall forthwith transmit one of said notices to the board of tax appeals; and in like manner any county assessor may appeal to the board of tax appeals from any action of any county board of equalization. The petitioner shall provide a copy of the notice of appeal to all named parties. Appeals which are not filed as provided in this section shall be continued or dismissed. The board of tax appeals shall require the board appealed from to ((certify the minutes of its proceedings resulting)) file a true and correct copy of its decision in such action and all evidence taken in connection therewith, and may receive further evidence, and shall make such order as in its judgment is just and proper.

Sec. 10. Section 84.08.060, chapter 15, Laws of 1961 as last amended by section 11, chapter 46, Laws of 1982 1st ex. sess. and RCW 84.08.060 are each amended to read as follows:

The department of revenue shall have power to direct and to order any county board of equalization to raise or lower the valuation of any taxable property, or to add any property to the assessment list, or to perform or complete any other duty required by statute. The department of revenue may require any such board of equalization to reconvene after its adjournment for the purpose of performing any order or requirement made by the department of revenue and may make such orders as it shall determine to be just and necessary. The department may require any county board of equalization to reconvene at any time for the purpose of performing or completing any duty or taking any action it might lawfully have performed or taken at any of its previous ((regular July, November or April)) meetings. No board may be reconvened later than three years after the date of adjournment of its regularly convened session. If such board of equalization shall fail or refuse forthwith to comply with any such order or requirement of the department of revenue, the department of revenue shall have power to take any other appropriate action, or to make such correction or change in the assessment list, and such corrections and changes shall be a part of the record of the proceedings of the said board of equalization: PROVIDED, That in all cases where the department of revenue shall raise the valuation of any property or add property to the assessment list, it shall give notice either for the same time and in the same manner as is now required in like cases of county boards of equalization, or if it shall deem such method of giving notice impracticable it shall give notice by publication thereof in a newspaper of general circulation within the county in which the property affected is situated once each week for two consecutive weeks, and the department of revenue shall not proceed to raise such valuation or add such property to the assessment list until a period of five days shall have elapsed subsequent to the date of the last publication of such notice: PROVIDED FURTHER, That appeals to the board of tax appeals by any taxpayer or taxing unit concerning any action of the county board of equalization shall not raise the valuation of the property to an amount greater than the larger of either the valuation of the property by the county assessor or the valuation of the property assigned by the county board of equalization. Such notice shall give the legal description of each tract of land involved, or a general description in case of personal property; the tax record-owner thereof; the assessed value thereof determined by the county board of equalization in case the property is on the assessment roll; and the assessed value thereof as determined by the department of revenue and shall state that the department of revenue proposes

to increase the assessed valuation of such property to the amount stated and to add such property to the assessment list at the assessed valuation stated. The necessary expense incurred by the department of revenue in making such reassessment and/or adding such property to the assessment list shall be borne by the county or township in which the property as reassessed and/or so added to the assessment list is situated and shall be paid out of the proper funds of such county upon the order of the department of revenue.

Sec. 11. Section 84.12.200, chapter 15, Laws of 1961 as last amended by section 1, chapter 153, Laws of 1987 and RCW 84.12.200 are each amended to read as follows:

For the purposes of this chapter and unless otherwise required by the context:

(1) 'Department' without other designation means the department of revenue of the state of Washington.

(2) 'Railroad company' shall mean and include any person owning or operating a railroad, street railway, suburban railroad or interurban railroad in this state, whether its line of railroad be maintained at the surface, or above or below the surface of the earth, or by whatever power its vehicles are transported; or owning any station, depot, terminal or bridge for railroad purposes, as owner, lessee or otherwise.

(3) 'Airplane company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the conveyance and transportation of persons and/or property by aircraft, and engaged in the business of transporting persons and/or property for compensation, as owner, lessee or otherwise.

(4) 'Electric light and power company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the generation, transmission or distribution of electricity in this state, and engaged in the business of furnishing, transmitting, distributing or generating electrical energy for light, heat or power for compensation as owner, lessee or otherwise.

(5) 'Telegraph company' shall mean and include any person owning, controlling, operating or managing any telegraph or cable line in this state, with appliances for the transmission of messages, and engaged in the business of furnishing telegraph service for compensation, as owner, lessee or otherwise.

(6) 'Telephone company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the transmission of communication by telephone in this state through owned or controlled exchanges and/or switchboards, and engaged in the business of furnishing telephonic communication for compensation as owner, lessee or otherwise, but shall not mean and include radio communications service companies as defined in RCW 80.04.010.

(7) 'Gas company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the manufacture, transportation, or distribution of natural or manufactured gas in this state, and engaged for compensation in the business of furnishing gas for light, heat, power or other use, as owner, lessee or otherwise.

(8) 'Pipe line company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the conveyance or transportation of oils, natural or manufactured gas and/or other substances, except water, by pipe line in this state, and engaged in such business for compensation, as owner, lessee or otherwise.

(9) 'Water company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the supply, storage, distribution, diversion or carriage of water in this state, and engaged in the business of furnishing water for power, irrigation, manufacturing, domestic or other uses for compensation, as owner, lessee or otherwise.

(10) 'Heating company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the generation and/or distribution of steam or hot water for heat, power, manufacturing or other purposes in this state, and engaged principally in business of furnishing, distributing, supplying or generating steam or hot water for heat, power, manufacturing or other purposes for compensation, as owner, lessee or otherwise.

(11) 'Toll bridge company' shall mean and include any person owning, controlling, operating, or managing real or personal property, used for or in connection with or to facilitate the conveyance or transportation of persons and/or property over a bridge or bridge approach over any stream, river or body of water within, or partly within this state, and operated as a toll bridge for compensation, as owner, lessee, or otherwise.

(12) 'Steamboat company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the conveyance and transportation of persons and/or property by vessel or ferry, upon the waters within this state, including the rivers and lakes and Puget Sound, between fixed termini or over a regular route, and engaged in the business of transporting persons and/or property for compensation as owner, lessee or otherwise.

(13) 'Logging railroad company' shall mean and include any person owning, controlling, operating or managing real or personal property, used or to be used for or in connection with or to facilitate the conveyance and transportation of forest products by rail in this state, and engaged in the business of transporting forest products either as private carrier or carrier for hire.

(14) 'Person' shall mean and include any individual, firm, copartnership, joint venture, association, corporation, trust, or any other group acting as a unit, whether mutual, cooperative or otherwise, and/or trustees or receivers appointed by any court.

(15) 'Company' shall mean and include any railroad company, motor vehicle transportation company, airplane company, electric light and power company, telegraph company, telephone company, gas company, pipe line company, water company, heating company, toll bridge company, steamboat company, or logging railroad company; and the term 'companies' shall mean and include all of such companies.

(16) 'Operating property' shall mean and include all property, real and personal, owned by any company, or held by it as occupant, lessee or otherwise, including all franchises and lands, buildings, rights-of-way, water powers, motor vehicles, wagons, horses, aircraft, aerodromes, hangars, office furniture, water mains, gas mains, pipe lines, pumping stations, tanks, tank farms, holders, reservoirs, telephone lines, telegraph lines, transmission and distribution lines, dams, generating plants, poles, wires, cables, conduits, switch boards, devices, appliances, instruments, equipment, machinery, vessels, ferries, landing slips, docks, roadbeds, tracks, terminals, rolling stock equipment, appurtenances and all other property of a like or different kind, situate within the state of Washington, used by the company in the conduct of its operations; and, in case of personal property used partly within and partly without the state, it shall mean and include a proportion of such personal property to be determined as in this chapter provided.

(17) 'Nonoperating property' shall mean all physical property owned by any company, other than that used during the preceding calendar year in the conduct of its operations. It shall include all lands and/or buildings wholly used by any person other than the owning company. In cases where lands and/or buildings are used partially by the owning company in the conduct of its operations and partially by any other person not assessable under this chapter under lease, sublease, or other form of tenancy, the operating and nonoperating property of the company whose property is assessed hereunder shall be determined by the department of revenue in such manner as will, in its judgment, secure the separate valuation of such operating and nonoperating property upon a fair and equitable basis. The amount of operating revenue received from tenants or occupants of property of the owning company shall not be considered material in determining the classification of such property.

NEW SECTION. Sec. 12. A new section is added to chapter 84.12 RCW to read as follows:

For the purpose of calculating the limitation on tax levies under chapter 84.55 RCW, the first assessed values established by the county assessor for radio communications service companies shall be treated the same as increases resulting from new construction.

Sec. 13. Section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 6, chapter 11, Laws of 1983 1st ex. sess. and RCW 84.36.385 are each amended to read as follows:

A claim for exemption under RCW 84.36.381 as now or hereafter amended, shall be made and filed (~~between January 2 and July 1~~) at any time during the year for exemption from taxes payable the following year and thereafter and solely upon forms as prescribed and furnished by the department of revenue.

A person granted an exemption under RCW 84.36.381 shall inform the county assessor of any change in status affecting the person's entitlement to the exemption on forms prescribed and furnished by the department of revenue.

If the assessor finds that the applicant does not meet the qualifications as set forth in RCW 84.36.381, as now or hereafter amended, the claim or exemption shall be denied but such denial shall be subject to appeal under the provisions of RCW 84.48.010(5). If the applicant had received exemption in prior years based on erroneous information, the taxes shall be collected subject to penalties as provided in RCW 84.40.130 for a period of not to exceed three years.

The department and each local assessor is hereby directed to publicize the qualifications and manner of making claims under RCW 84.36.381 through 84.36.389, through communications media, including such paid advertisements or notices as it deems appropriate. Notice of the qualifications, method of making applications, the penalties for not reporting a change in status, and availability of further information shall be included on or with property tax statements and revaluation notices for all residential property including mobile homes, except rental properties.

Sec. 14. Section 28, chapter 291, Laws of 1975 1st ex. sess. as last amended by section 21, chapter 220, Laws of 1984 and RCW 84.38.030 are each amended to read as follows:

A claimant may defer payment of special assessments and/or real property taxes on his property that is receiving an exemption under RCW 84.36.381 through 84.36.389 on up to eighty percent of the amount of his equity value in said property if the following conditions are met:

(1) The claimant must have owned, at the time of filing, the residence on which the special assessment and/or real property taxes have been imposed. For purposes of this subsection, a

residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse or cotenant. A claimant who has only a share ownership in cooperative housing, a life estate, a lease for life, or a revocable trust does not satisfy the ownership requirement.

(2) The claimant must have and keep in force fire and casualty insurance in sufficient amount to protect the interest of the state in the claimant's equity value; PROVIDED, That if the claimant fails to keep fire and casualty insurance in force to the extent of the state's interest in the claimant's equity value, the amount deferred shall not exceed one hundred percent of the claimant's equity value in the land or lot only.

(3) In the case of special assessment deferral, the claimant must have opted for payment of such special assessments on the installment method if such method was available.

Sec. 15. Section 35, chapter 291, Laws of 1975 1st ex. sess. as last amended by section 23, chapter 220, Laws of 1984 and RCW 84.38.100 are each amended to read as follows:

Whenever a person's special assessment and/or real property tax obligation is deferred under the provisions of this chapter, ((#)) the amount deferred and required to be paid pursuant to RCW 84.38.120 shall become a lien in favor of the state upon his or her property and shall have priority as provided in chapters 35.50 and 84.60 RCW: PROVIDED, That the interest of a mortgage or purchase contract holder who is required to cosign a declaration of deferral under RCW 84.38.090, shall have priority to said deferred lien. This lien may accumulate up to eighty percent of the amount of the claimant's equity value in said property and shall bear interest at the rate of eight percent per year from the time it could have been paid before delinquency until said obligation is paid: PROVIDED, That when taxes are deferred as provided in RCW 84.64.030 or 84.64.050, the amount shall bear interest at the rate of eight percent per year from the date the declaration is filed until the obligation is paid. In the case of a mobile home, the department of licensing shall show the state's lien on the certificate of ownership for the mobile home. In the case of all other property, the department of revenue shall file a notice of the deferral with the county recorder or auditor.

Sec. 16. Section 37, chapter 291, Laws of 1975 1st ex. sess. as amended by section 25, chapter 220, Laws of 1984 and RCW 84.38.120 are each amended to read as follows:

After receipt of the notification from the county assessor of the amount of deferred special assessments and/or real property taxes the department shall pay, from amounts appropriated for that purpose, to the treasurers of such municipal corporations said amounts, equivalent to the amount of special assessments and/or real property taxes deferred, to be distributed to the local improvement or taxing districts which levied the taxes so deferred; PROVIDED, That when taxes are deferred as provided in RCW 84.64.030 or 84.64.050, the department shall pay to the treasurer of the county the amount equivalent to all taxes, foreclosure costs, interest, and penalties accrued to the date the declaration to defer is filed.

Sec. 17. Section 2, chapter 155, Laws of 1980 and RCW 84.40.030 are each amended to read as follows:

All property shall be valued at one hundred percent of its true and fair value in money and assessed on the same basis unless specifically provided otherwise by law.

Taxable leasehold estates shall be valued at such price as they would bring at a fair, voluntary sale for cash without any deductions for any indebtedness owed including rentals to be paid. Notwithstanding any other provisions of this section or of any other statute, when the value of any taxable leasehold estate created prior to January 1, 1971 is being determined for assessment years prior to the assessment year 1973, there shall be deducted from what would otherwise be the value thereof the present worth of the rentals and other consideration which may be required of the lessee by the lessor for the unexpired term thereof; PROVIDED, That the foregoing provisions of this sentence shall not apply to any extension or renewal, made after December 31, 1970 of the term of any such estate, or to any such estate after the date, if any, provided for in the agreement for rental renegotiation.

The true and fair value of real property for taxation purposes (including property upon which there is a coal or other mine, or stone or other quarry) shall be based upon the following criteria:

(1) Any sales of the property being appraised or similar ((property)) properties with respect to sales made within the past five years. The appraisal shall take into consideration political restrictions such as zoning as well as physical and environmental influences. The appraisal shall also take into account, (a) in the use of sales by real estate contract as similar sales, the extent, if any, to which the stated selling price has been increased by reason of the down payment, interest rate, or other financing terms; and (b) the extent to which the sale of a similar property actually represents the general effective market demand for property of such type, in the geographical area in which such property is located. Sales involving deed releases or similar seller-developer financing arrangements shall not be used as sales of similar property.

(2) In addition to sales as defined in subsection (1), consideration may be given to cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income that would be derived from prudent use of the property. In the case of property of a complex nature, or being used under terms of a franchise from a public agency, or operating as a public utility, or

property not having a record of sale within five years and not having a significant number of sales of similar property in the general area, the provisions of this subsection (2) shall be the dominant factors in valuation. When provisions of this subsection (2) are relied upon for establishing values the property owner shall be advised upon request of the factors used in arriving at such value.

(3) In valuing any tract or parcel of real property, the value of the land, exclusive of structures thereon shall be determined; also the value of structures thereon, but the valuation shall not exceed the value of the total property as it exists. In valuing agricultural land, growing crops shall be excluded.

~~((4) In valuing any building with an unconventional heating, cooling, domestic water heating or electrical system before December 31, 1987, the value placed on the building shall not exceed the value which would be placed on the building if it had a conventional system.))~~

Sec. 18. Section 84.40.040, chapter 15, Laws of 1961 as last amended by section 5, chapter 46, Laws of 1982 1st ex. sess. and RCW 84.40.040 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. ~~((He))~~ The assessor shall also complete the duties of listing and placing valuations on all property by May 31st of each year, except that the listing and valuation of construction under RCW 36.21.040 through 36.21.080 shall be completed by August 31st of each year, and in the following manner, to wit:

~~((He))~~ The assessor shall actually determine as nearly as practicable the true and fair value of each tract or lot of land listed for taxation and of each improvement located thereon and shall enter one hundred percent of the value of such land and of the total value of such improvements, together with the total of such one hundred percent valuations, opposite each description of property on ~~((his))~~ the assessment list and tax roll.

~~((He))~~ The assessor shall make an alphabetical list of the names of all persons in ~~((his))~~ the county liable to assessment of personal property, and require each person to make a correct list and statement of such property according to the standard form prescribed by the department of revenue, which statement and list shall include, if required by the form, the year of acquisition and total original cost of personal property in each category of the prescribed form, and shall be signed and verified under penalty of perjury by the person listing the property: PROVIDED, That the assessor may list and value improvements on publicly owned land in the same manner as real property is listed and valued, including conformance with the revaluation program required under chapter 84.41 RCW. Such list and statement shall be filed on or before the last day of ((March, but the assessor, upon written request filed on or before such date and for good cause shown therein, shall allow a reasonable extension of time for filing)) April. The assessor shall on or before the 1st day of January of each year mail a notice to all such persons at their last known address that such statement and list is required, such notice to be accompanied by the form on which the statement or list is to be made: PROVIDED, That the notice mailed by the assessor to each taxpayer each year shall, if practicable, include the statement and list of personal property of the taxpayer for the preceding year. Upon receipt of such statement and list the assessor shall thereupon determine the true and fair value of the property included in such statement and enter one hundred percent of the same ((in)) on the assessment ((books)) roll opposite the name of the party assessed; and in making such entry in ((his)) the assessment list, ((he)) the assessor shall give the name and post office address of the party listing the property, and if the party resides in a city the assessor shall give the street and number or other brief description of ((his)) the party's residence or place of business. The assessor may, after giving written notice of ((his)) the action to the person to be assessed, add to the assessment list any taxable property which((in his judgment;)) should be included in such list.

Sec. 19. Section 84.40.060, chapter 15, Laws of 1961 as amended by section 37, chapter 149, Laws of 1967 ex. sess. and RCW 84.40.060 are each amended to read as follows:

Upon receipt of the verified statement of personal property, the assessor shall assess the value of such property ~~((and enter fifty percent of the same in his books;))~~: PROVIDED, if any property is listed or assessed on or after the 31st day of May, the same shall be legal and binding as if listed and assessed before that time: PROVIDED, FURTHER, That any statement of taxable property which is not signed by the person listing the property and which is not verified under penalty of perjury shall not be accepted by the assessor nor shall it be considered in any way to constitute compliance, or an attempt at compliance, with the listing requirements of this chapter.

Sec. 20. Section 84.40.130, chapter 15, Laws of 1961 as amended by section 38, chapter 149, Laws of 1967 ex. sess. and RCW 84.40.130 are each amended to read as follows:

(1) If any person or corporation shall fail or refuse to deliver to the assessor, on or before the date specified in RCW 84.40.040, a list of the taxable personal property which ~~((he))~~ is required to ~~((that))~~ be listed under this chapter, unless it is shown that such failure is due to reasonable cause and not due to wilful neglect, there shall be added to the amount of tax assessed against ~~((him or it))~~ the taxpayer on account of such personal property five percent of the amount of such tax, not to exceed fifty dollars per calendar day, if the failure is for not more than one month, with an additional five percent for each additional month or fraction thereof

during which such failure continues not exceeding twenty-five percent in the aggregate. Such penalty shall be collected in the same manner as the tax to which it is added.

(2) If any person or corporation shall wilfully give a false or fraudulent list, schedule or statement required by this chapter, or shall, with intent to defraud, fail or refuse to deliver any list, schedule or statement required by this chapter, such person or corporation shall be liable for the additional tax properly due or, in the case of wilful failure or refusal to deliver such list, schedule or statement, the total tax properly due; and in addition such person or corporation shall be liable for a penalty of one hundred percent of such additional tax or total tax as the case may be. Such penalty shall be in lieu of the penalty provided for in subsection (1) of this section. A person or corporation giving a false list, schedule or statement shall not be subject to this penalty if it is shown that the misrepresentations contained therein are entirely attributable to reasonable cause. The taxes and penalties provided for in this subsection shall be recovered in an action in the name of the state of Washington on the complaint of the county assessor or the ~~(board of county commissioners;)~~ county legislative authority and shall, when collected, be paid into the county treasury to the credit of the current expense fund. The provisions of this subsection shall be additional and supplementary to any other provisions of law relating to recovery of property taxes.

Sec. 21. Section 84.40.320, chapter 15, Laws of 1961 as last amended by section 195, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.40.320 are each amended to read as follows:

The assessor shall add up and note the amount of each column in ~~(his)~~ the detail and assessment lists ~~(which he shall have bound in book form)~~ in such manner ~~(to be)~~ as prescribed or approved by the state department of revenue, as will provide a convenient and permanent record of assessment. ~~(He)~~ The assessor shall also make, under proper headings, a ~~(tabular statement showing the footings of the several columns upon each page, and shall add and set down under the respective headings the total amounts of each column, which he shall attach to the highest numbered assessment book;)~~ certification of the assessment rolls and on the ~~(first Monday)~~ 15th day of July ~~(he)~~ shall file the same ~~(properly indexed;)~~ with the clerk of the county board of equalization for the purpose of equalization by the said board. Such ~~(returns)~~ certificate shall be verified by ~~(his)~~ an affidavit, substantially in the following form:

State of Washington, County, ss.

I, Assessor do solemnly swear that the ~~(books No. 1 to No. to the last of which this is attached;)~~ assessment rolls and this certificate contain a correct and full list of all the real and personal property ~~((or personal property, as the case may be))~~ subject to taxation in ~~(.)~~ this county for the assessment year 19 so far as I have been able to ascertain the same; and that the assessed value set down in the proper column, opposite the several kinds and descriptions of property, is in each case, except as otherwise provided by law, one hundred percent of the true and fair value of such property, to the best of my knowledge and belief, and that the ~~(footings of the several columns in said books, and the tabular statement returned herewith;)~~ assessment rolls and this certificate are correct, as I verily believe.

. Assessor.

Subscribed and sworn to before me this day of, 19

(L. S.) Auditor of county.

PROVIDED, That the failure of the assessor to ~~(attach his)~~ complete the certificate shall in nowise invalidate the assessment. After the same has been duly equalized by the county ~~(and state)~~ board of equalization, the same shall be delivered to the county assessor ~~(who shall then extend the amount as levied by the state and county boards upon the said detail and assessment lists as by law provided).~~

NEW SECTION. Sec. 22. A new section is added to chapter 84.40 RCW to read as follows:

The owner or person responsible for payment of taxes on any property may petition the county board of equalization for a change in the assessed valuation placed upon such property by the county assessor. Such petition must be made on forms prescribed or approved by the department of revenue and any petition not conforming to those requirements or not properly completed shall not be considered by the board. The petition must be filed with the board on or before July 1st of the year of the assessment or within thirty days after the date an assessment or value change notice has been mailed, whichever is later.

Sec. 23. Section 1, chapter 13, Laws of 1979 and RCW 84.48.010 are each amended to read as follows:

Prior to July ~~(+st)~~ 15th, the county legislative authority shall form a board for the equalization of the assessment of the property of the county. The members of said board ~~(may)~~ shall receive ~~(up to fifty dollars per day)~~ a per diem amount as set by the county legislative authority for each day of actual attendance of the meeting of the board of equalization to be paid out of the current expense fund of the county: PROVIDED, That when the county legislative authority constitute the board they shall ~~(not)~~ only receive ~~(the per diem allowance;)~~ their compensation as members of the county legislative authority. The board of equalization shall meet in open session for this purpose annually on the ~~(first Monday in)~~ 15th day of July and, having each taken an oath fairly and impartially to perform their duties as members of such

board, they shall examine and compare the returns of the assessment of the property of the county and proceed to equalize the same as demonstrated by the value of similar properties in the nearest available surrounding area as defined by the county assessor in the most recent revaluation of such properties, so that each tract or lot of real property and each article or class of personal property shall be entered on the assessment list at its true and fair value, according to the measure of value used by the county assessor in such assessment year, which is presumed to be correct pursuant to RCW 84.40.0301, and subject to the following rules:

First. They shall raise the valuation of each tract or lot or item of real property which ~~((in their opinion))~~ is returned below its true and fair value to such price or sum as ~~((they believe))~~ to be the true and fair value thereof, after at least five days' notice shall have been given in writing to the owner or agent.

Second. They shall reduce the valuation of each tract or lot or item which ~~((in their opinion))~~ is returned above its true and fair value to such price or sum as ~~((they believe))~~ to be the true and fair value thereof.

Third. They shall raise the valuation of each class of personal property which ~~((in their opinion))~~ is returned below its true and fair value to such price or sum as ~~((they believe))~~ to be the true and fair value thereof, and they shall raise the aggregate value of the personal property of each individual whenever ~~((they believe that such))~~ the aggregate value is less than the true valuation of the taxable personal property possessed by such individual, to such sum or amount as ~~((they believe))~~ to be the true value thereof, after at least five days' notice shall have been given in writing to the owner or agent thereof.

Fourth. They shall ~~((upon complaint in writing of any party aggrieved;))~~ reduce the valuation of each class of personal property enumerated on the detail and assessment list of the current year, which ~~((in their opinion))~~ is returned above its true and fair value, to such price or sum as ~~((they believe))~~ to be the true and fair value thereof; and ~~((upon like complaint;))~~ they shall reduce the aggregate valuation of the personal property of such individual who ~~((in their opinion;))~~ has been assessed at too large a sum ~~((;))~~ to such sum or amount as ~~((they believe))~~ was the true and fair value of ~~((his))~~ the personal property.

Fifth. The board may review all claims for either real or personal property tax exemption as determined by the county assessor, and shall consider any taxpayer appeals from the decision of the assessor thereon to determine (1) if the taxpayer is entitled to an exemption, and (2) if so, the amount thereof.

The clerk of the board shall keep an accurate journal or record of the proceedings and orders of said board ~~((in a book kept for that purpose;))~~ showing the facts and evidence upon which their action is based, and the said record shall be published the same as other proceedings of county legislative authority, and shall make a true record of the changes of the descriptions and assessed values ordered by the county board of equalization. The assessor shall correct the real and personal assessment rolls in accordance with the changes made by the said county board of equalization, and ~~((he))~~ the assessor shall make duplicate abstracts of such corrected values, one copy of which shall be retained in ~~((his))~~ the office, and one copy forwarded to the ~~((state board of equalization;))~~ department of revenue on or before the ~~((fifth))~~ eighteenth day of August next following the meeting of the county board of equalization.

The county board of equalization shall meet on the ~~((first Monday in))~~ 15th day of July and may continue in session and adjourn from time to time during a period not to exceed four weeks, but shall remain in session not less than three days: PROVIDED, That ~~((in addition to the several times fixed by statute, any county board of equalization may be reconvened for special or general purposes, but not later than three years after the date of adjournment of its regularly convened session by order of the department of revenue: PROVIDED, FURTHER, That))~~ the county board of equalization with the approval of the county legislative authority may convene at any time when petitions filed exceed twenty-five, or ten percent of the number of appeals filed in the preceding year, whichever is greater.

No taxes, except special taxes, shall be extended upon the tax rolls until the property valuations are equalized by the ~~((state board of equalization;))~~ department of revenue for the purpose of raising the state revenue.

County legislative authorities as such shall at no time have any authority to change the valuation of the property of any person or to release or commute in whole or in part the taxes due on the property of any person.

Sec. 24. Section 3, chapter 55, Laws of 1970 ex. sess. and RCW 84.48.014 are each amended to read as follows:

The board of equalization of each county shall consist of not less than three nor more than seven members including alternates. Such members shall be appointed by a majority of the ~~((board of county commissioners or like other))~~ members of the county ~~((governmental))~~ legislative authority, and shall be selected ~~((for their knowledge of the values of property in the county))~~ based upon the qualifications established by rule by the department of revenue and shall not be a holder of any elective office nor be an employee of any elected official: PROVIDED, HOWEVER, The county ~~((commissioners))~~ legislative authority may ~~((themselves))~~ itself constitute the board at ~~((their))~~ its discretion. Any member who does not attend the school required by RCW 84.48.042 within one year of appointment or reappointment shall be barred

from serving as a member of the board of equalization unless this requirement is waived for the member by the department for just cause.

Sec. 25. Section 11, chapter 55, Laws of 1970 ex. sess. and RCW 84.48.042 are each amended to read as follows:

The department of revenue shall establish a school for the training of members of the several boards of equalization throughout the state. Sessions of such schools shall, so far as practicable, be held in each district of the (~~county commissioners~~) Washington state association of counties. Every member of the board of equalization of each county (~~may~~) shall attend such school within one year following appointment or reappointment.

Sec. 26. Section 3, chapter 284, Laws of 1977 ex. sess. as amended by section 7, chapter 46, Laws of 1982 1st ex. sess. and RCW 84.48.075 are each amended to read as follows:

(1) The department of revenue shall annually, prior to the first Monday in (~~August~~) September, determine and submit to each assessor a preliminary indicated ratio for each county: PROVIDED, That the department shall establish rules and regulations pertinent to the determination of the indicated ratio, the indicated real property ratio and the indicated personal property ratio: PROVIDED FURTHER, That these rules and regulations may provide that data, as is necessary for said determination, which is available from the county assessor of any county and which has been audited as to its validity by the department, shall be utilized by the department in determining the indicated ratio.

(2) To such extent as is reasonable, the department may define use classes of property for the purposes of determination of the indicated ratio. Such use classes may be defined with respect to property use and may include agricultural, open space, timber and forest lands.

(3) The department shall review each county's preliminary ratio with the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, if requested by the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, respectively, between the first and third Mondays of (~~August~~) September. Prior to equalization of assessments pursuant to RCW 84.48.080 and after the third Monday of (~~August~~) September, the department shall certify to each county assessor the real and personal property ratio for that county.

(4) The department of revenue shall also examine procedures used by the assessor to assess real and personal property in the county, including calculations, use of prescribed value schedules, and efforts to locate all taxable property in the county. If any examination by the department discloses other than market value is being listed on the county assessment rolls of the county by the assessor and, after due notification by the department, is not corrected, the department of revenue shall, in accordance with rules adopted by the department, adjust the ratio of that type of property, which adjustment shall be used for determining the county's indicated ratio.

Sec. 27. Section 84.48.080, chapter 15, Laws of 1961 as last amended by section 1, chapter 28, Laws of 1982 1st ex. sess. and RCW 84.48.080 are each amended to read as follows:

Annually during the months of (~~August~~) September and October, the department of revenue shall examine and compare the returns of the assessment of the property in the several counties of the state, and the assessment of the property of railroad and other companies assessed by the department, and proceed to equalize the same, so that each county in the state shall pay its due and just proportion of the taxes for state purposes for such assessment year, according to the ratio the valuation of the property in each county bears to the total valuation of all property in the state.

First. The department shall classify all property, real and personal, and shall raise and lower the valuation of any class of property in any county to a value that shall be equal, so far as possible, to the true and fair value of such class as of January 1st of the current year for the purpose of ascertaining the just amount of tax due from each county for state purposes. Such classification may be on the basis of types of property, geographical areas, or both.

Second. The department shall keep a full record of its proceedings and the same shall be published annually by the department.

The department shall levy the state taxes authorized by law: PROVIDED, That the amount levied in any one year for general state purposes shall not exceed the lawful dollar rate on the dollar of the assessed value of the property of the entire state, which assessed value shall be one hundred percent of the true and fair value of such property in money. The department shall apportion the amount of tax for state purposes levied by the department, among the several counties, in proportion to the valuation of the taxable property of the county for the year as equalized by the department: PROVIDED, That for purposes of this apportionment, the department shall recompute the previous year's levy and the apportionment thereof to correct for changes and errors in taxable values reported to the department after October 1 of the preceding year and shall adjust the apportioned amount of the current year's state levy for each county by the difference between the apportioned amounts established by the original and revised levy computations for the previous year. For purposes of this section, changes in taxable values mean a final adjustment made by a county board of equalization, the state board of tax appeals, or a court of competent jurisdiction and shall include additions of omitted

property, other additions or deletions from the assessment or tax rolls, or a change in the indicated ratio of a county. Errors in taxable values mean errors corrected by a final reviewing body.

The department shall have authority to adopt rules and regulations to enforce obedience to its orders in all matters in relation to the returns of county assessments, the equalization of values, and the apportionment of the state levy by the department.

After the completion of the duties hereinabove prescribed, the director of the department shall certify the record of the proceedings of the department under this section, the tax levies made for state purposes and the apportionment thereof among the counties, and the certification shall be available for public inspection.

NEW SECTION. Sec. 28. A new section is added to chapter 84.48 RCW to read as follows:

The county assessor or treasurer may cancel or correct assessments on the assessment or tax rolls which are erroneous due to manifest errors in description, double assessments, clerical errors in extending the rolls, and such manifest errors in the listing of the property which do not involve a revaluation of property, such as the assessment of property exempted by law from taxation or the failure to deduct the exemption allowed by law to the head of a family. When the county assessor cancels or corrects an assessment, the assessor shall send a notice to the taxpayer advising the taxpayer that the action of the county assessor is not final and shall be considered by the county board of equalization, and that such notice shall constitute legal notice of such fact. When the county assessor or treasurer cancels or corrects an assessment, a record of such action shall be prepared and filed with the county board of equalization, setting forth therein the facts relating to the error.

The county board of equalization shall consider only such matters as appear in the record filed with it by the county assessor or treasurer and shall correct only such matters as are set forth in the record, but it shall have no power to change or alter the assessment of any person, or change the aggregate value of the taxable property of the county, except insofar as it is necessary to correct the errors mentioned in this section. If the county board of equalization finds that the action of the assessor was not correct, it shall issue a supplementary roll including such corrections as are necessary, and the assessment and levy shall have the same force and effect as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the supplementary roll. The board shall make findings of the facts upon which it bases its decision on all matters submitted to it, and when so made the assessment and levy shall have the same force as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the rolls as modified.

The county board of equalization shall convene on a day fixed by the board for the purpose of considering such matters as appear in the record filed by the county assessor or treasurer.

NEW SECTION. Sec. 29. A new section is added to chapter 84.48 RCW to read as follows:

The department of revenue shall make such rules consistent with this chapter as shall be necessary or desirable to permit its effective administration. The rules may provide for changes of venue for the various boards of equalization.

Sec. 30. Section 84.52.020, chapter 15, Laws of 1961 as last amended by section 33, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 84.52.020 are each amended to read as follows:

It shall be the duty of the city council or other governing body of cities of the first class, except cities having a population of three hundred thousand or more, the city councils or other governing bodies of cities of the second or third class, the board of directors of school districts of the first class, the superintendent of each educational service district for each constituent second class school district, commissioners of port districts, commissioners of metropolitan park districts, and of all officials or boards of taxing districts within or coextensive with any county required by law to certify to ~~((boards of county commissioners))~~ the county legislative authority, for the purpose of levying district taxes, budgets or estimates of the amounts to be raised by taxation on the assessed valuation of the property in the city or district, through their chairman and clerk, or secretary, to make and file such certified budget or estimates with the clerk of the ~~((board of county commissioners))~~ county legislative authority on or before the ~~((Wednesday next following the first Monday in October in each year))~~ fifteenth day of November.

Sec. 31. Section 84.52.070, chapter 15, Laws of 1961 and RCW 84.52.070 are each amended to read as follows:

It shall be the duty of the ~~((board of county commissioners))~~ county legislative authority of each county, on or before the ~~((second Monday in October))~~ thirtieth day of November in each year, to certify to the county assessor of the county the amount of taxes levied upon the property in the county for county purposes, and the respective amounts of taxes levied by the board for each taxing district, within or coextensive with the county, for district purposes, and it shall be the duty of city councils of cities of the first class having a population of three hundred thousand or more, and of city councils of cities of the fourth class, or towns, and of all officials or boards of taxing districts within or coextensive with the county, authorized by law to levy taxes directly and not through the ~~((board of county commissioners))~~ county legislative authority, on or before the ~~((second Monday in October))~~ thirtieth day of November in each year, to certify to the county assessor of the county the amount of taxes levied upon the property within the

city or district for city or district purposes. If a levy amount is not certified to the county assessor by the thirtieth day of November, the county assessor shall use no more than the certified levy amount for the previous year for the taxing district: PROVIDED, That this shall not apply to the state levy or when the assessor has not certified assessed values as required by RCW 84.48.130 at least twelve working days prior to November 30th.

Sec. 32. Section 84.52.080, chapter 15, Laws of 1961 as last amended by section 2, chapter 184, Laws of 1985 and RCW 84.52.080 are each amended to read as follows:

(1) The county assessor shall extend the taxes upon the tax rolls in the form herein prescribed. The rate percent necessary to raise the amounts of taxes levied for state and county purposes, and for purposes of taxing districts coextensive with the county, shall be computed upon the assessed value of the property of the county; the rate percent necessary to raise the amount of taxes levied for any taxing district within the county shall be computed upon the assessed value of the property of the district; all taxes assessed against any property shall be added together and extended on the rolls in a column headed consolidated or total tax. In extending any tax, whenever it amounts to a fractional part of a cent greater than five mills it shall be made one cent, and whenever it amounts to five mills or less than five mills it shall be dropped. The amount of all taxes shall be entered in the proper columns, as shown by entering the rate percent necessary to raise the consolidated or total tax and the total tax assessed against the property.

(2) For the purpose of computing the rate necessary to raise the amount of any excess levy in a taxing district which has classified or designated forest land under chapter 84.33 RCW, other than the state, the county assessor shall add the district's timber assessed value, as defined in RCW 84.33.035, to the assessed value of the property: PROVIDED, That for school districts maintenance and operations levies only one-half of the district's timber assessed value or eighty percent of the timber roll of such district in calendar year 1983 as determined under chapter 84.33 RCW, whichever is greater, shall be added.

(3) Upon the completion of such tax extension, it shall be the duty of the county assessor to make in each assessment book, tax roll or list a certificate in the following form:

I,, assessor of county, state of Washington, do hereby certify that the foregoing is a correct list of taxes levied on the real and personal property in the county of for the year one thousand nine hundred and

Witness my hand this day of, 19....

....., County Assessor

(4) The county assessor shall deliver said tax rolls to the county treasurer on or before the fifteenth day of (~~December~~) January, taking (~~his~~) receipt therefor, and at the same time the county assessor shall provide the county auditor with an abstract of the tax rolls showing the total amount of taxes collectible in each of the taxing districts.

Sec. 33. Section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 211, Laws of 1987 and RCW 84.56.020 are each amended to read as follows:

The county treasurer shall be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. All taxes upon real and personal property made payable by the provisions of this title shall be due and payable to the treasurer as aforesaid on or before the thirtieth day of April and shall be delinquent after that date: PROVIDED, That each tax statement shall include a notice that checks for payment of taxes may be made payable to 'Treasurer of County' or other appropriate office, but tax statements shall not include any suggestion that checks may be made payable to the name of the individual holding the office of treasurer nor any other individual: PROVIDED FURTHER, That when the total amount of tax on personal property or on any lot, block or tract of real property payable by one person is (~~ten~~) thirty dollars or more, and if one-half of such tax be paid on or before the said thirtieth day of April, the remainder of such tax shall be due and payable on or before the thirty-first day of October following and shall be delinquent after that date: PROVIDED FURTHER, That when the total amount of tax on any lot, block or tract of real property payable by one person is (~~ten~~) thirty dollars or more, and if one-half of such tax be paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of such tax, the remainder of such tax shall be due and payable on or before the thirty-first day of October following and shall be delinquent after that date.

Delinquent taxes under this section are subject to interest at the rate of twelve percent per annum computed on a monthly basis from the date of delinquency until paid. Interest shall be calculated at the rate in effect at the time of payment of the tax, regardless of when the taxes were first delinquent. In addition, delinquent taxes under this section are subject to penalties as follows:

(1) A penalty of three percent shall be assessed on the amount of tax delinquent on May 31st of the year in which the tax is due.

(2) An additional penalty of eight percent shall be assessed on the total amount of tax delinquent on November 30th of the year in which the tax is due.

(3) Penalties under this section shall not be assessed on taxes that were first delinquent prior to 1982.

For purposes of this chapter, 'interest' means both interest and penalties.

All collections of interest on delinquent taxes shall be credited to the county current expense fund; but the cost of foreclosure and sale of real property, and the fees and costs of distraint and sale of personal property, for delinquent taxes, shall, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and shall be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint and sale for delinquent taxes without regard to budget limitations.

Sec. 34. Section 84.69.050, chapter 15, Laws of 1961 as amended by section 1, chapter 5, Laws of 1973 2nd ex. sess. and RCW 84.69.050 are each amended to read as follows:

The part of the refund representing amounts paid to the state shall be paid from the county general fund and the ~~((state auditor))~~ department of revenue shall, upon the next succeeding settlement with the county, certify this amount refunded to the county: PROVIDED, That when a ~~((state-wide))~~ refund of tax funds pursuant to state levies is required, the ~~((state auditor and))~~ department of revenue shall authorize adjustment procedures whereby counties may deduct from property tax remittances to the state the amount required to cover the state's portion of the refunds.

Sec. 35. Section 84.69.060, chapter 15, Laws of 1961 as amended by section 2, chapter 5, Laws of 1973 2nd ex. sess. and RCW 84.69.060 are each amended to read as follows:

Refunds ordered under this chapter with respect to county ~~((and)),~~ state, and taxing district taxes shall be paid by checks drawn upon the appropriate fund by the county treasurer: PROVIDED, That in making refunds on a ~~((county or district wide))~~ levy code or tax code basis, the county treasurer may make an adjustment on the next property tax payment due for the amount of the refund unless the taxpayer requests immediate refund.

Sec. 36. Section 84.69.140, chapter 15, Laws of 1961 and RCW 84.69.140 are each amended to read as follows:

In any action in which recovery of taxes is allowed by the court, the plaintiff is entitled to interest on the taxes for which recovery is allowed at a rate ~~((of five percent per annum))~~ as determined under RCW 84.69.100 from the date of collection of the tax to the date of entry of judgment, and such accrued interest shall be included in the judgment. ~~((This section shall not apply to taxes paid before June 12, 1957.))~~

NEW SECTION. Sec. 37. The following acts or parts of acts are each repealed:

(1) Section 84.52.090, chapter 15, Laws of 1961 and RCW 84.52.090;

(2) Section 84.56.390, chapter 15, Laws of 1961, section 1, chapter 93, Laws of 1965 and RCW 84.56.390; and

(3) Section 84.56.400, chapter 15, Laws of 1961, section 2, chapter 93, Laws of 1965, section 13, chapter 55, Laws of 1970 ex. sess., section 1, chapter 160, Laws of 1975 1st ex. sess. and RCW 84.56.400.

NEW SECTION. Sec. 38. Sections 18, 20, 22, 23, 24, 31, and 33 of this act shall take effect January 1, 1989.*

On page 1, line 1 of the title, after "administration," strike the remainder of the title and insert "amending RCW 36.95.080, 82.03.070, 82.03.120, 82.03.140, 82.03.150, 82.03.160, 82.03.170, 84.08.130, 84.08.060, 84.12.200, 84.36.385, 84.38.030, 84.38.100, 84.38.120, 84.40.030, 84.40.040, 84.40.060, 84.40.130, 84.40.320, 84.48.010, 84.48.014, 84.48.042, 84.48.075, 84.48.080, 84.52.020, 84.52.070, 84.52.080, 84.56.020, 84.69.050, 84.69.060, and 84.69.140; adding a new section to chapter 84.12 RCW; adding a new section to chapter 84.40 RCW; adding new sections to chapter 84.48 RCW; repealing RCW 84.52.090, 84.56.390, and 84.56.400; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

POINT OF ORDER

Mr. Appelwick: I would ask that the Speaker rule on the scope and object of the Senate amendments to Substitute House Bill No. 1754.

SPEAKER'S RULING

The Speaker: Representative Appelwick, the Speaker has examined Substitute House Bill No. 1754 and the Senate amendments. Substitute House Bill No. 1754 is an act relating to tax administration and deals with a host of administrative procedures. The Senate amendments broaden the scope of the bill by creating other tax exemptions; it exempts use tax application from any donated governmental equipment. The amendment, no matter how worthy, is clearly outside the scope and object of the bill. Your point is well taken.

MOTION

Mr. Appelwick moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1754 and ask the Senate to recede therefrom. The motion was carried.

The Speaker called on Representative Appelwick to preside.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1845 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 7, chapter 172, Laws of 1935 as last amended by section 3, chapter 428, Laws of 1985 and RCW 9.41.070 are each amended to read as follows:

(1) The judge of a court of record, the chief of police of a municipality, or the sheriff of a county, shall within thirty days after the filing of an application of any person issue a license to such person to carry a pistol concealed on his person within this state for four years from date of issue, for the purposes of protection or while engaged in business, sport, or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. Such citizen's constitutional right to bear arms shall not be denied to him, unless he:

(a) Is ineligible to own a pistol under the provisions of RCW 9.41.040; or

(b) Is under twenty-one years of age; or

(c) Is subject to a court order or injunction regarding firearms pursuant to RCW 10.99.040, 10.99.045, or 26.09.060; or

(d) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime of violence; or

(e) Has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor; or

(f) Has been ordered to forfeit a firearm under RCW 9.41.098(1)(d) within one year before filing an application to carry a pistol concealed on his person.

The license shall be revoked immediately upon conviction of a crime which makes such a person ineligible to own a pistol or upon the third conviction for a violation of this chapter within five calendar years.

(2) Upon an order to forfeit a firearm under RCW 9.41.098(1)(d) the license shall:

(a) On the first forfeiture, be revoked by the department of licensing for one year;

(b) On the second forfeiture, be revoked by the department of licensing for two years;

(c) On the third or subsequent forfeiture, be revoked by the department of licensing for five years.

Any person whose license is revoked as a result of a forfeiture of a firearm under RCW 9.41.098(1)(d) may not reapply for a new license until the end of the revocation period.

The license shall be in triplicate, in form to be prescribed by the department of licensing, and shall bear the name, address, and description, fingerprints, and signature of the licensee, and the licensee's driver's license number or state identification card number if used for identification in applying for the license. The license application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state permit is not a defense to a federal prosecution.

The license application shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent by registered mail to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing said license.

~~((2))~~ (3) The fee for the original issuance of a four-year license shall be twenty dollars: PROVIDED, That no other additional charges by any branch or unit of government shall be borne by the applicant for the issuance of the license: PROVIDED FURTHER, That the fee shall be distributed as follows:

(a) Four dollars shall be paid to the state general fund;

(b) Four dollars shall be paid to the agency taking the fingerprints of the person licensed; and

(c) Twelve dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

((3)) (4) The fee for the renewal of such license shall be twelve dollars: PROVIDED, That no other additional charges by any branch or unit of government shall be borne by the applicant for the renewal of the license: PROVIDED FURTHER, That the fee shall be distributed as follows:

(a) Four dollars shall be paid to the state general fund; and

(b) Eight dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

((4)) (5) A licensee may renew a license if the licensee applies for renewal within ninety days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty of ten dollars in addition to the renewal fee specified in subsection ((3)) (4) of this section. The fee shall be distributed as follows:

(a) Three dollars shall be deposited in the state ((game)) wildlife fund and used exclusively for the printing and distribution of a pamphlet on the legal limits of the use of firearms, firearms safety, and the preemptive nature of state law. The pamphlet shall be given to each applicant for a license; and

(b) Seven dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

((5)) (6) Notwithstanding the requirements of subsections (1) through ((4)) (5) of this section, the chief of police of the municipality or the sheriff of the county of the applicant's residence may issue a temporary emergency license for good cause pending review under subsection (1) of this section.

((6)) (7) A political subdivision of the state shall not modify the requirements of this section or chapter, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section. A civil suit may be brought to enjoin a wrongful refusal to issue a license or a wrongful modification of the requirements of this section or chapter. The civil suit may be brought in the county in which the application was made or in Thurston county at the discretion of the petitioner. Any person who prevails against a public agency in any action in the courts for a violation of this chapter shall be awarded costs, including reasonable attorneys' fees, incurred in connection with such legal action.

Sec. 2. Section 6, chapter 232, Laws of 1983 as last amended by section 7, chapter 373, Laws of 1987 and by section 91, chapter 506, Laws of 1987 and RCW 9.41.098 are each reenacted and amended to read as follows:

(1) The superior courts and the courts of limited jurisdiction of the state may order forfeiture of a firearm which is proven to be:

(a) Found concealed on a person not authorized by RCW 9.41.060 or 9.41.070 to carry a concealed pistol: PROVIDED, That it is an absolute defense to forfeiture if the person possessed a valid Washington concealed pistol license within the preceding two years and has not become ineligible for a concealed pistol license in the interim. Before the firearm may be returned, the person must pay the past due renewal fee and the current renewal fee;

(b) Commercially sold to any person without an application as required by RCW 9.41.090;

(c) Found in the possession or under the control of a person at the time the person committed or was arrested for committing a crime of violence or a crime in which a firearm was used or displayed or a felony violation of the uniform controlled substances act, chapter 69.50 RCW;

(d) Found concealed on a person who is in any place in which a concealed pistol license is required, and who is under the influence of any drug or under the influence of intoxicating liquor, having 0.10 grams or more of alcohol per two hundred ten liters of breath or 0.10 percent or more by weight of alcohol in the person's blood, as shown by analysis of the person's breath, blood, or other bodily substance;

(e) Found in the possession of a person prohibited from possessing the firearm under RCW 9.41.040;

(f) Found in the possession of a person free on bail or personal recognizance pending trial, appeal, or sentencing for a crime of violence or a crime in which a firearm was used or displayed, except that violations of Title 77 RCW shall not result in forfeiture under this section;

(g) Found in the possession of a person found to have been mentally incompetent while in possession of a firearm when apprehended or who is thereafter committed pursuant to chapter 10.77 or 71.05 RCW;

(h) Known to have been used or displayed by a person in the violation of a proper written order of a court of general jurisdiction; or

(i) Known to have been used in the commission of a crime of violence or a crime in which a firearm was used or displayed or a felony violation of the uniformed controlled substances act, chapter 69.50 RCW.

(2) Upon order of forfeiture, the court in its discretion shall order destruction of any firearm that is illegal for any person to possess(~~retention of the firearm as evidence, appropriate use by a law enforcement agency in the state, donation to a historical museum, or sale at a public auction to a commercial seller~~). All firearms legal for citizen possession that are judicially forfeited or forfeited due to failure to make a claim under RCW 63.32.010 or 63.40.010 shall be

submitted for auction to commercial sellers. A maximum of ten percent of such firearms may be retained for use by local law enforcement agencies. Before submission for auction, a court may temporarily retain forfeited firearms if needed for evidence. The proceeds from any sale shall be divided as follows: The local jurisdiction shall retain its costs, including actual costs of storage and sale, and shall forward the remainder to the state department of wildlife for use in its firearms training program pursuant to RCW 77.32.155. If ((the court orders delivery)) a firearm is delivered to a law enforcement agency and the agency no longer requires use of the firearm, the agency shall dispose of the firearm ((in a manner which is consistent with)) by auction as provided by this subsection. The public auctioning agency shall, as a minimum, maintain a record of all forfeited firearms by manufacturer, model, caliber, serial number, date and circumstances of forfeiture, and final disposition. The records shall be open to public inspection and copying.

(3) The court shall order the firearm returned to the owner upon a showing that there is no probable cause to believe a violation of subsection (1) of this section existed or the firearm was stolen from the owner or the owner neither had knowledge of nor consented to the act or omission involving the firearm which resulted in its forfeiture.

(4) A law enforcement officer of the state or of any county or municipality may confiscate a firearm found to be in the possession of a person under circumstances specified in subsection (1) of this section. After confiscation, the firearm shall not be surrendered except: (a) To the prosecuting attorney for use in subsequent legal proceedings; (b) for disposition according to an order of a court having jurisdiction as provided in subsection (1) of this section; or (c) to the owner if the proceedings are dismissed or as directed in subsection (3) of this section.

Sec. 3. Section 1, chapter 100, Laws of 1925 ex. sess. as last amended by section 2, chapter 154, Laws of 1981 and RCW 63.32.010 are each amended to read as follows:

Whenever any personal property shall come into the possession of the police authorities of any city in connection with the official performance of their duties and said personal property shall remain unclaimed or not taken away for a period of sixty days from date of written notice to the owner thereof, if known, and in all other cases for a period of sixty days from the time said property came into the possession of the police department, unless said property has been held as evidence in any court, then, in that event, after sixty days from date when said case has been finally disposed of and said property released as evidence by order of the court, said city may:

(1) At any time thereafter sell said personal property at public auction to the highest and best bidder for cash in the manner hereinafter provided:

(2) Retain the property for the use of the police department subject to giving notice in the manner prescribed in RCW 63.32.020 and the right of the owner, or the owner's legal representative, to reclaim the property within one year after receipt of notice, without compensation for ordinary wear and tear if, in the opinion of the chief of police, the property consists of firearms or other items specifically usable in law enforcement work: PROVIDED, That at the end of each calendar year during which there has been such a retention, the police department shall provide the city's mayor or council and retain for public inspection a list of such retained items and an estimation of each item's replacement value. At the end of the one-year period any unclaimed firearm shall be disposed of pursuant to RCW 9.41.098(2);

(3) Destroy an item of personal property at the discretion of the chief of police if the following circumstances have occurred:

(a) The item has been in the possession of the police department for a period of at least one year from the time of first possession by the department;

(b) The item has been unclaimed by any person after notice procedures have been met, as prescribed in RCW 63.32.020; and

(c) The chief of police has determined that the item is unsafe and unable to be made safe for use by any member of the general public; or

(4) If the item is not unsafe or illegal to possess or sell, such item, after satisfying the notice requirements as prescribed in RCW 63.32.020, may be offered by the chief of police to bona fide dealers, in trade for law enforcement equipment, which equipment shall be treated as retained property for purpose of annual listing requirements of subsection (2) of this section.

Sec. 4. Section 1, chapter 104, Laws of 1961 as last amended by section 3, chapter 154, Laws of 1981 and RCW 63.40.010 are each amended to read as follows:

Whenever any personal property, other than vehicles governed by chapter 46.52 RCW, shall come into the possession of the sheriff of any county in connection with the official performance of his duties and said personal property shall remain unclaimed or not taken away for a period of sixty days from date of written notice to the owner thereof, if known, and in all other cases for a period of sixty days from the time said property came into the possession of the sheriff's office, unless said property has been held as evidence in any court, then, in that event, after sixty days from date when said case has been finally disposed of and said property released as evidence by order of the court, said county sheriff may:

(1) At any time thereafter sell said personal property at public auction to the highest and best bidder for cash in the manner hereinafter provided:

(2) Retain the property for the use of the sheriff's office subject to giving notice in the manner prescribed in RCW 63.40.020 and the right of the owner, or his or her legal representative, to reclaim the property within one year after the receipt of notice, without compensation for ordinary wear and tear if, in the opinion of the county sheriff, the property consists of firearms or other items specifically usable in law enforcement work: PROVIDED, That at the end of each calendar year during which there has been such a retention, the sheriff shall provide the county's executive or legislative authority and retain for public inspection a list of such retained items and an estimation of each item's replacement value. At the end of the one-year period any unclaimed firearm shall be disposed of pursuant to RCW 9.41.098(2);

(3) Destroy an item of personal property at the discretion of the county sheriff if the following circumstances have occurred:

(a) The item has been in the possession of the sheriff's office for a period of at least one year from the time of first possession by the office;

(b) The item has been unclaimed by any person after notice procedures have been met, as prescribed in RCW 63.40.020; and

(c) The county sheriff has determined that the item is unsafe and unable to be made safe for use by any member of the general public; or

(4) If the item is not unsafe or illegal to possess or sell, such item, after satisfying the notice requirements as prescribed in RCW 63.40.020, may be offered by the county sheriff to bona fide dealers, in trade for law enforcement equipment, which equipment shall be treated as retained property for purpose of annual listing requirements of subsection (2) of this section."

In line 2 of the title, after "licenses;" strike the remainder of the title and insert "amending RCW 9.41.070, 63.32.010, and 63.40.010; reenacting and amending RCW 9.41.098; and prescribing penalties."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Anderson moved that the House do concur in the Senate amendments to Substitute House Bill No. 1845.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1845 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1845 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 10; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsöld, Vaile, Walk, Walker, Wang, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Amondson, Bumgarner, Day, Ferguson, Holland, May, Padden, Prince, Williams B, Wilson S - 10.

Excused: Representatives Allen, Fuhrman, Vekich - 3.

Substitute House Bill No. 1845 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENTS FOR THE JOURNAL

I would like the Journal to indicate that my vote should have been "No" on SHB 1845 as amended by the Senate.

FORREST BAUGHER, 15th District.

I inadvertently voted incorrectly on SHB 1845 as amended by the Senate. I wanted to vote "Yes."

ROY A. FERGUSON, 48th District.

SENATE AMENDMENT TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1883 with the following amendment:

On page 5, line 13, after "with" strike everything down through "sales" on line 16 and insert "vehicle dealers licensed under this chapter in dealer sales or leases. However, financial institutions shall not broker vehicles and cooperation is limited to organizing, promoting, and financing of such dealer sales or leases"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Schmidt moved that the House do concur in the Senate amendment to Substitute House Bill No. 1883. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1883 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1883 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Allen, Fuhrman, Vekich - 3.

Substitute House Bill No. 1883 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

With consent of the House, Representative Fisher was excused from further proceedings under the Call of the House.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate concurred in the House Human Services Committee amendment without House Amendment No. 314 to SENATE BILL NO. 6675 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1952 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 48, chapter 266, Laws of 1986 and RCW 43.220.070 are each amended to read as follows:

(1) Conservation corps members shall be unemployed residents of the state between eighteen and twenty-five years of age at the time of enrollment who are citizens or lawful permanent residents of the United States. The age requirements may be waived for corps leaders and specialists with special leadership or occupational skills; such members shall be given special responsibility for providing leadership, character development, and sense of community responsibility to the corps members, groups, and work crews to which they are assigned. The upper age requirement may be waived for residents who have a sensory or mental handicap. Special effort shall be made to recruit minority and disadvantaged youth who meet selection criteria of the conservation corps. Preference shall be given to youths residing in areas, both urban and rural, in which there exists substantial unemployment exceeding the state average unemployment rate.

(2) Corps members shall not be considered state employees. Other provisions of law relating to civil service, hours of work, rate of compensation, sick leave, unemployment compensation, state retirement plans, and vacation leave do not apply to the Washington conservation corps except for the crew leaders, who shall be project employees, and the administrative and supervisory personnel.

(3) Enrollment shall be for a period of six months which may be extended for an additional six months by mutual agreement of the corps and the corps member. Corps members shall be reimbursed at the minimum wage rate established by federal law: PROVIDED, That if agencies elect to run a residential program, the appropriate costs for room and board shall be deducted from the corps member's paycheck as provided in chapter 43.220 RCW.

(4) Corps members are to be available at all times for emergency response services coordinated through the department of community development or other public agency. Duties may include sandbagging and flood cleanup, search and rescue, and other functions in response to emergencies."

On page 1, line 1 of the title, after "corps;" strike the remainder of the title and insert "and amending RCW 43.220.070."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Schoon moved that the House do concur in the Senate amendments to Substitute House Bill No. 1952.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1952 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1952 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fisher, Fuhrman, Vekich - 4.

Substitute House Bill No. 1952 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE JOINT RESOLUTION

March 5, 1988

Mr. Speaker:

The Senate has passed HOUSE JOINT RESOLUTION NO. 4223 with the following amendment:

On page 1, line 21, after "benefited" insert ". Any financing authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Nelson moved that the House do concur in the Senate amendment to House Joint Resolution No. 4223.

Representatives Nelson and Barnes spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE JOINT RESOLUTION AS SENATE AMENDED

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of House Joint Resolution No. 4223 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 4223 as amended by the Senate, and the resolution passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fisher, Fuhrman, Vekich - 4.

House Joint Resolution No. 4223 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENT TO HOUSE JOINT RESOLUTION

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4231 with the following amendment:

On page 1, line 13, after "for the benefit of" strike everything through "disabilities" on line 16, and insert "(blind, deaf, dumb, or otherwise defective youth, for the insane or idiotic) youth who are blind or deaf or otherwise disabled; for persons who are mentally ill or developmentally disabled"

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Pruitt moved that the House do concur in the Senate amendment to Substitute House Joint Resolution No. 4231. The motion was carried.

FINAL PASSAGE OF HOUSE JOINT RESOLUTION AS SENATE AMENDED

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of Substitute House Joint Resolution No. 4231 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 4231 as amended by the Senate, and the resolution passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P., King R., Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Sommers D., Sommers H., Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fisher, Fuhrman, Vekich - 4.

Substitute House Joint Resolution No. 4231 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENT TO HOUSE CONCURRENT RESOLUTION

March 6, 1988

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 4403 with the following amendment:

On page 1, line 17, after "and" insert:

"BE IT FURTHER RESOLVED, That this resolution not be construed as an effort to change salmon allocations between user groups; and"
and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. K. Wilson moved that the House do concur in the Senate amendment to Substitute House Concurrent Resolution No. 4403.

Ms. K. Wilson spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE CONCURRENT RESOLUTION AS SENATE AMENDED

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of Substitute House Concurrent Resolution No. 4403 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Concurrent Resolution No. 4403 as amended by the Senate, and the resolution was adopted by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P., King R., Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Sommers D., Sommers H., Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, Fisher, Fuhrman, Vekich - 4.

Substitute House Concurrent Resolution No. 4403 as amended by the Senate, having received the constitutional majority, was declared adopted.

Representative Fisher appeared at the bar of the House.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4757, by Representatives J. King, Cantwell, Sutherland, S. Wilson, Peery, Sprengle, K. Wilson, Scott, P. King, Beck, Haugen and Sanders

WHEREAS, Arch MacDonald as a community and state leader has made a positive difference in the lives of many people and communities in the State of Washington; and

WHEREAS, Arch MacDonald has admired and contributed to both major political parties and believes in our democratic process of government; and

WHEREAS, Arch MacDonald's foresight and vision have brought about great changes and improvements in the quality of life in the State of Washington, particularly in Snohomish County, Clark County and the Tri-Cities area; and

WHEREAS, The original development of Cascade Park by Arch MacDonald and his partner, Donald MacKay, has turned into one of the finest residential communities in Clark County and the State of Washington; and

WHEREAS, The Clark County Economic Council acknowledged at its annual meeting in 1983 that Arch MacDonald and Donald MacKay have provided more economic stimulation to Clark County than any other individuals, past or present; and

WHEREAS, Arch MacDonald's personal involvement has played a major factor in having Hewlett-Packard and Tektronix locate high-technology plants in Clark County; and

WHEREAS, Arch MacDonald was instrumental in bringing Hewlett-Packard into Snohomish County and has been working to help develop the economic potential that exists in that county; and

WHEREAS, Arch MacDonald and Donald MacKay developed one of the finest large cattle ranches and irrigation projects (Lewis & Clark Angus Ranch) in the Tri-Cities area, which was incorporated into the City of West Richland to allow for development into compatible multiple uses; and

WHEREAS, Arch MacDonald has continually stressed the importance of modes of transportation such as highways and major airport facilities and carriers to our economy and has worked toward their development and improvement within the State of Washington; and

WHEREAS, Arch MacDonald's sphere of influence has touched all aspects of the quality of life in the State of Washington and has made Washington State a better place to live; and

WHEREAS, Arch MacDonald recently was one of the moving parties in a major land-use case heard before the United States Supreme Court that has brought about greater protection of property rights for property owners of all states; and

WHEREAS, Arch MacDonald is the first non-Indian honorary member of the Tulalip Tribes of Washington; and

WHEREAS, Arch MacDonald is now seventy-six years of age, is still going strong and is too busy thinking of others to have time to think of himself, even though he has had a setback with the discovery of cancer;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor Arch MacDonald as a man who has left his mark not only in the hearts of the people, but also in the hearts of our communities by quietly and methodically pursuing a vision which benefits every person who lives in the State of Washington; and

BE IT FURTHER RESOLVED, That the people of the State of Washington, through its elected representatives, publicly thank Arch MacDonald for his dedication, encouragement and long-term vision which has benefited all aspects of our quality of life in the State of Washington; and

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

Ms. Cantwell moved adoption of the resolution and spoke in favor of it. The resolution was adopted.

The Speaker (Mr. Appelwick presiding) declared the House to be at ease.

With consent of the House, Representative Appelwick was excused from further proceedings under the Call of the House.

Representatives Appelwick and Fuhrman appeared at the bar of the House.

The Speaker (Mr. O'Brien presiding) called the House to order.

MESSAGE FROM THE SENATE

March 8, 1988

Mr. Speaker:

The Senate grants the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 1302. The President has appointed the following members as conferees: Senators Pullen, Talmadge and Anderson.

W. D. Naismith, Assistant Secretary.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the revised report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420, revising provisions on property taxes, have had the same under consideration and we report that we are unable to agree and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Strike everything after the enacting clause and insert the following:

***NEW SECTION, Sec. 1.** The legislature finds that, due to statutory and constitutional limitations, the interdependence of the regular property tax levies of the state, counties, county road districts, cities and towns, and junior taxing districts can cause significant reductions in the otherwise authorized levies of those taxing districts, resulting in serious disruptions to essential services provided by those taxing districts. The purpose of this act is to avoid unnecessary reductions in regular property tax revenue without exceeding existing statutory and constitutional tax limitations on cumulative regular property tax levy rates. The legislature declares that it is a purpose of the state, counties, county road districts, cities and towns, public hospital districts, library districts, fire protection districts, metropolitan park districts, and other taxing districts to participate in the methods provided by this act by which revenue levels supporting the services provided by all taxing districts might be maintained.

Sec. 2. Section 1, chapter 107, Laws of 1986 and RCW 39.67.010 are each amended to read as follows:

Any agreement or contract between two taxing districts other than the state which is otherwise authorized by law may be made contingent upon a particular property tax levy rate of an identified taxing district other than the state where such rate affects the regular property tax rate of one of the parties to the contract and therefore affects the party's resources with which to perform under the contract. The governing body of every taxing district that could have its tax levy adversely affected by such a contract shall be notified about the contract.

~~((This section shall expire December 31, 1988.))~~

Sec. 3. Section 2, chapter 107, Laws of 1986 and RCW 39.67.020 are each amended to read as follows:

Any taxing district other than the state may transfer funds to another taxing district other than the state where the regular property tax levy rate of the second district may affect the regular property tax levy rate of the first district and where such transfer is part of an agreement whereby proration or reduction of property taxes is lessened or avoided. The governing body of every taxing district that could have its tax levy adversely affected by such an agreement shall be notified about the agreement.

~~((This section shall expire December 31, 1988.))~~

Sec. 4. Section 3, chapter 107, Laws of 1986 and RCW 84.55.092 are each amended to read as follows:

The regular property tax ~~((levies))~~ levy for each taxing district other than the state ~~((for taxes due in 1987 through 1991))~~ may be set at the amount which would ~~((otherwise))~~ be

allowed otherwise under this chapter if the regular property tax levy for the district for taxes due in prior years beginning with 1986 ~~((and 1987))~~ had been set at the full amount allowed under this chapter.

~~((This section shall expire December 31, 1991.)) The purpose of this section is to remove the incentive for a taxing district to maintain its tax levy at the maximum level permitted under this chapter, and to protect the future levy capacity of a taxing district that reduces its tax levy below the level that it otherwise could impose under this chapter, by removing the adverse consequences to future levy capacities resulting from such levy reductions.~~

Sec. 5. Section 134, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.043 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named shall be as follows:

(1) Levies of the senior taxing districts shall be as follows: (a) The levy by the state shall not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county shall not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy ~~((or))~~ by any road district shall not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by ~~((or for))~~ any city or town shall not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value ~~((PROVIDED FURTHER, That counties of the fifth class and under are))~~. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes ~~((and from one dollar and fifty-seven and one-half cents to two dollars and twenty-five cents per thousand dollars of assessed value for county road purposes))~~ if the total ~~((levy))~~ levies for both ~~((purposes does))~~ the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value ~~((PROVIDED FURTHER, That counties of the fourth and the ninth class are hereby authorized to levy two dollars and two and one-half cents per thousand dollars of assessed value until such time as the junior taxing agencies are utilizing all the dollar rates available to them; AND PROVIDED FURTHER, That the total property tax levy authorized by law without a vote of the people shall not exceed nine dollars and fifteen cents per thousand dollars of assessed value))~~, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) Except as provided in RCW 84.52.100, the aggregate levies of junior taxing districts and senior taxing districts, other than the state, shall not exceed five dollars and fifty-five cents per thousand dollars of assessed valuation. The term 'junior taxing districts' includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection shall not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district ~~((shall not be included in the limitation set forth by this proviso.~~

Nothing herein shall prevent levies at the rates provided by existing law by or for any port or power district); (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; and (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069.

(3) It is the intent of the legislature that the provisions of this section shall supersede all conflicting provisions of law including ~~((section 24, chapter 299, Laws of 1971 ex. sess. and section 8, chapter 124, Laws of 1972 ex. sess))~~ RCW 84.52.050.

Sec. 6. Section 7, chapter 138, Laws of 1987 and RCW 84.52.100 are each amended to read as follows:

(1) The governing body of any library district, public hospital district, metropolitan park district, or fire protection district may provide for the submission of a ballot proposition to the voters of the taxing district authorizing the taxing district to maintain its otherwise authorized tax levy rate, and authorizing an increase in the cumulative regular property tax limitation established in RCW 84.52.043 of ~~((nine))~~ five dollars and ~~((fifteen))~~ fifty-five cents per thousand dollars of assessed valuation within the taxing district, as provided in this section. A fire protection district may use this authority to increase its regular property tax levy up to fifty cents per thousand dollars of assessed valuation.

(2) A resolution by a governing body, requesting that a special election be called to submit such a ballot proposition to the voters, must be transmitted to the county legislative authority of the county, or county legislative authorities of the counties, within which the taxing district is located, at least forty-five days before the special election date at which the ballot proposition is submitted. The ballot proposition shall be worded substantially as follows:

'Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five

consecutive year period allowing (insert the name of the taxing district) to maintain its otherwise statutory authorized property tax rate?

The ballot proposition for a fire protection district shall be worded substantially as follows:

'Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period allowing (insert the name of the taxing district) to permit the fire protection district to impose its property tax at a value up to fifty cents per thousand dollars of assessed valuation?'

Approval of this ballot proposition by a simple majority vote shall authorize the following for the succeeding five consecutive year period: (a) Property tax rates of junior taxing districts are calculated first as if this proposition had not been approved; (b) subject to the one hundred six percent limitation, the regular property tax rate of the taxing district receiving such authorization is increased to a level not exceeding the lesser of: (i) its maximum statutory authorized regular property tax rate; or (ii) whatever tax rate it otherwise would have been able to impose plus an additional thirty-five cents per thousand dollars of assessed valuation; and (c) the cumulative property tax rate limitation is increased within the boundaries of the taxing district receiving this authorization to an amount equal to ((~~nine~~) five dollars and ((~~fifteen~~) fifty-five cents per thousand dollars of assessed valuation plus the increased amount of the regular levy rate of this taxing district, but not to exceed ((~~nine~~) five dollars and ((~~fifty~~) ninety cents per thousand dollars of assessed valuation.

(3) If two or more taxing districts that occupy a portion of the same territory receive such approval, the additional authorized taxing capacity above ((~~nine~~) five dollars and ((~~fifteen~~) fifty-five cents per thousand dollars of assessed valuation shall be distributed among these taxing districts by adjusting their levy rate requests in the same manner and under the same conditions as if they were the only taxing districts in the area subject to adjustment of their property tax rates and the levy rate adjustments were being made with the cumulative limitation of ((~~nine~~) five dollars and ((~~fifteen~~) fifty-five cents per thousand dollars of assessed valuation.

(4) Levies authorized under RCW 84.52.069 are not subject to the rate adjustments and the ((~~nine~~) five dollar and ((~~fifty~~) ninety cent per thousand dollar of assessed valuation cumulative limitation on regular property tax rates established by this section.

Sec. 7. Section 84.52.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 255, Laws of 1987 and RCW 84.52.010 are each amended to read as follows:

Except as is permitted under RCW 84.55.050, all taxes shall be levied or voted in specific amounts.

The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, shall be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county shall be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, as now or hereafter amended, exceeds the limitations provided in either of these sections, the assessor shall recompute and establish a consolidated levy in the following manner:

(1) The full certified rates of tax levy for state, county, county road district, and city or town purposes shall be extended on the tax rolls in amounts not exceeding the limitations established by law (~~PROVIDED, That in the event of a levy made pursuant to RCW 84.34.230, the rates of levy for county and county road district purposes shall be reduced in such uniform percentages as will result in a consolidated levy by such taxing districts which will be no greater on any property than a consolidated levy by such taxing districts would be if the levy had not been made pursuant to RCW 84.34.230~~), subject to subsection (2)(e) of this section; however any state levy shall take precedence over all other levies and shall not be reduced for any purpose other than that required by RCW 84.55.010; and

(2) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property shall be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(a) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, and 67.38.130 shall be reduced on a pro rata basis or eliminated;

(b) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts shall be reduced on a pro rata basis or eliminated;

(c) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, public

hospital districts, metropolitan park districts, and library districts, shall be reduced on a pro rata basis or eliminated:

(d) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 shall be reduced on a pro rata basis or eliminated: ~~((and))~~

(e) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for cities and towns, fire protection districts under RCW 52.16.130, public hospital districts, metropolitan park districts, and library districts shall be adjusted as provided in section 8 of this 1988 act; and

(f) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.130, and the certified property tax levy rates of public hospital districts, metropolitan park districts, and library districts, shall be reduced on a pro rata basis or eliminated.

NEW SECTION, Sec. 8. A new section is added to chapter 84.52 RCW to read as follows:

(1) In any county, if, after any reduction in levy rates required by RCW 84.52.010(2)(a) through (d), the consolidated tax levy rate still exceeds the limitations in RCW 84.52.043 or 84.52.050, then the department pursuant to rules shall direct the county assessor to adjust the regular property tax levy rates in the following manner:

(a) First, the assessor determines a first preliminary rate pursuant to RCW 84.52.010(2)(f).

(b) Second, the assessor determines a second preliminary rate which is the additional rate, if any, permitted by RCW 84.52.100.

(i) If the preliminary rates together are sufficient to permit all rates subject to RCW 84.52.010(2)(f) to be levied without reduction, then the assessor shall extend on the tax rolls the full certified rates pursuant to RCW 84.52.010(2)(f) and 84.52.100.

(ii) If the preliminary rates together are not sufficient to permit all rates subject to RCW 84.52.010(2)(f) to be levied without reduction pursuant to both RCW 84.52.010(2)(f) and 84.52.100, the assessor shall reduce the rate of the taxing district subject to RCW 84.52.010(2)(e) with the smallest assessed valuation such that, after first allowing for any additional rate permitted by RCW 84.52.100, there is no reduction of the rates under RCW 84.52.010(2)(f). Where the reduction of the levy of a taxing district is not sufficient, the taxing district with the next smallest assessed valuation shall have its levy reduced under this subsection until there is no reduction of rates under RCW 84.52.010(2)(f). The assessor shall then extend on the tax rolls the rates derived pursuant to this subsection (b)(ii).

(2) The taxing districts whose levies would have been reduced but for subsection (1) of this section shall pay to each district that had its levy so reduced pursuant to subsection (1) of this section a proportionate share of the reduced amount based on the amount by which each district would have had its total levy rate reduced if subsection (1) of this section were not in effect and the rates had been adjusted pursuant to RCW 84.52.010(2)(f) and 84.52.100.

(a) In the case of a public hospital district, library district, fire protection district, or metropolitan park district whose levy is reduced under subsection (1) of this section, the district shall bear a proportionate share as if its rate were sufficient to collect its certified levy.

(b) In the case of a city or town that is annexed by a library district or a fire protection district, which city's or town's levy is reduced under this section, or is in a tax code area where a levy rate is reduced under this section, the city or town shall forgo receipt of, or pay to each district whose levy rate is reduced, ten percent of the amount which would otherwise be paid to the city or town from each district whose levy rate is not reduced as a result of subsection (1) of this section, collectively not to exceed one-half of the following amount: The assessed valuation of the reduced district multiplied by a rate equal to the city's or town's levy rate, calculated based on its certified levy request, plus the rate(s) of the annexing district(s) minus the rate the city or town would have been able to levy were it not annexed, not to exceed twenty-two and one-half cents.

(3) Fifty-five percent of the amount under subsection (2) of this section shall be distributed on or before May 31 of the tax collection year for which the levy is reduced and forty-five percent on or before November 30 of that year.

(4) This section shall expire on December 31, 1989.

NEW SECTION, Sec. 9. The department of revenue shall adopt such rules consistent with this act as shall be necessary or desirable to permit its effective administration. The rules shall provide how section 8 of this act shall apply to a taxing district that has received authorization to increase its levy according to RCW 84.52.100 and use the method that will be the least costly to all taxing districts involved.

NEW SECTION, Sec. 10. There is created in the custody of the state treasurer an account to be known as the 'small county assistance account.' Effective July 1, 1988, and notwithstanding RCW 43.84.092, one-half of the investment income earned on moneys in the local sales and use tax account created by RCW 82.14.050 and which has not been distributed according to RCW 82.14.060 shall be placed into this account. Any moneys in the account on December 31, 1989, shall be transferred to the general fund.

The state treasurer shall disburse moneys from this account, upon certification by the director of revenue, to each fifth class and smaller county that contracts with, or transfers funds

to, a taxing district or districts under RCW 39.67.010 or 39.67.020 if, as a result of the contracts or transfers, the county is able to increase its county-wide general tax levy above one dollar and eighty cents per thousand dollars of assessed valuation, in accordance with RCW 84.52.043.

Each eligible county shall receive an amount of money from this account that is equal to the amount that the county transfers or pays to the other taxing district or districts. One-half of the distributions shall be made to each eligible county on or before April 30, 1989, and one-half of the distributions shall be made to each eligible county on or before October 31, 1989. These amounts shall be proportionally reduced if the moneys in the account are insufficient to reimburse the full amount that these counties transferred or paid to such taxing districts. Distributions from this account are not subject to appropriation.

Each county that so transfers or pays moneys to taxing districts shall provide evidence of such arrangements to the director of revenue on or before January 31, 1989. The director of revenue shall certify to the state treasurer each county that is eligible for such disbursements and the amount that the county so transferred or paid.

This section expires January 1, 1990.

NEW SECTION, Sec. 11. The sum of one hundred thousand dollars is appropriated for the biennium ending June 30, 1989, from the general fund to the small county assistance account to be used exclusively for purposes specified in section 10 of this act.

NEW SECTION, Sec. 12. A new section is added to chapter 52.04 RCW to read as follows:

Any attempted annexation in 1987 and thereafter by a fire protection district of contiguous territory, that is located in a county other than the county in which the fire protection district was located, is validated where the annexation would have occurred if the territory had been located in the same county as the fire protection district. The effective date of such annexations occurring in 1987 shall be February 1, 1988, for purposes of establishing the boundaries of taxing districts for purposes of imposing property taxes as provided in RCW 84.09.030.

Any reference to a county official of the county in which a fire protection district is located or proposed to be located shall be deemed to refer to the appropriate county official of each county in which the fire protection district is located or proposed to be located.

NEW SECTION, Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "taxes;" strike the remainder of the title and insert "amending RCW 39.67.010, 39.67.020, 84.55.092, 84.52.043, 84.52.100, and 84.52.010; adding a new section to chapter 84.52 RCW; adding a new section to chapter 52.04 RCW; creating new sections; and making an appropriation"

Signed by Senators Cantu, Garrett, Lee; Representatives Appelwick, Haugen, Ferguson.

MOTION

On motion of Ms. Haugen, the revised Report of the Conference Committee on Engrossed Substitute House Bill No. 1420 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 657, insists on its position and once again asks the House to concur therein, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Fisher moved that the House insist on its position regarding the Senate amendments to Substitute House Bill No. 657 and again ask the Senate to recede therefrom. The motion was carried.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 608 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 608, imposing penalties for malicious reporting of child or dependent adult abuse or neglect, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Adopt the Senate Law & Justice striking amendments (For committee amendments, see Journal, 57th Day, March 7, 1988.) with the following changes:

On page 12, beginning on line 38 of the Senate striking amendment, strike all material down to and including line 5 on page 13 and insert the following:

"(4) A person who maliciously makes a false report of abuse or neglect knowing the report is false shall be guilty of a gross misdemeanor punishable in accordance with RCW 9A.20.021."

Signed by Senators Pullen, McCaslin; Representatives P. King, Armstrong, Padden.

MOTION

On motion of Mr. Armstrong, the Report of the Conference Committee on Substitute House Bill No. 608 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1271 and has granted said committee the powers of Free Conference. The report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1271, revising provisions relating to the department of corrections, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Adopt the Senate Committee on Health Care & Corrections amendment to page 12, after line 9 and the corresponding title amendment;

Reject the amendment by Senator Owen to page 9, after line 14 (For amendments, see Journal, 55th Day, March 5, 1988.);

Adopt the following amendments:

On page 9, after line 24 of the Substitute House Bill, insert the following:

"NEW SECTION. Sec. 14. The training center general population housing units at the Washington correction center at Shelton shall be subject to an inmate population limit of no more than one hundred fifteen percent of the rated capacity. However, the governor may declare an emergency and increase by fifteen percent for a twelve-month period of time the population limitation of the training center general population housing units."

Renumber the sections consecutively and correct internal references accordingly.

On page 12, after line 9 of the Substitute House Bill, insert the following:

"Sec. 20. Section 1, chapter 402, Laws of 1987 and section 2, chapter 456, Laws of 1987 and RCW 9.94A.120 are each reenacted and amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2), (5), and (7) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

- (a) Devote time to a specific employment or occupation;
 - (b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;
 - (c) Pursue a prescribed, secular course of study or vocational training;
 - (d) Remain within prescribed geographical boundaries and notify the court or the community corrections officer ~~((of))~~ prior to any change in the offender's address or employment;
 - (e) Report as directed to the court and a community corrections officer; or
 - (f) Pay a fine and/or accomplish some community service work.
- (6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, a term of community supervision not to exceed one year, and/or a fine. The court may impose a sentence which provides more than one year of confinement if the court finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7) (a) When an offender is convicted of a sex offense other than a violation of RCW 9A.44.040 or RCW 9A.44.050 and has no prior convictions for a sex offense or any other felony sexual offenses in this or any other state, the sentencing court, on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

After receipt of the reports, the court shall then determine whether the offender and the community will benefit from use of this special sexual offender sentencing alternative. If the court determines that both the offender and the community will benefit from use of this provision, the court shall then impose a sentence within the sentence range and, if this sentence is less than six years of confinement, the court may suspend the execution of the sentence and place the offender on community supervision for up to two years. As a condition of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;
- (iii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer ~~((of))~~ prior to any change in the offender's address or employment;
- (iv) Report as directed to the court and a community corrections officer;
- (v) Pay a fine, accomplish some community service work, or any combination thereof; or
- (vi) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.

If the offender violates these sentence conditions the court may revoke the suspension and order execution of the sentence. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(b) When an offender is convicted of any felony sexual offense committed before July 1, 1987, and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of social and health services for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment program at the location determined by the secretary of social and

health services or the secretary's designee, only if the report indicates that the offender is amenable to the treatment program provided at these facilities. The offender shall be transferred to the state pending placement in the treatment program. Any offender who has escaped from the treatment program shall be referred back to the sentencing court.

If the offender does not comply with the conditions of the treatment program, the secretary of social and health services may refer the matter to the sentencing court. The sentencing court shall commit the offender to the department of corrections to serve the balance of the term of confinement.

If the offender successfully completes the treatment program before the expiration of the term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer ((of) prior to any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of community supervision, the court may order the offender to serve out the balance of the community supervision term in confinement in the custody of the department of corrections.

After June 30, 1993, this subsection (b) shall cease to have effect.

(c) When an offender commits any felony sexual offense on or after July 1, 1987, and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, request the department of corrections to evaluate whether the offender is amenable to treatment and the department may place the offender in a treatment program within a correctional facility operated by the department.

Except for an offender who has been convicted of a violation of RCW 9A.44.040 or 9A.44.050, if the offender completes the treatment program before the expiration of his term of confinement, the department of corrections may request the court to convert the balance of confinement to community supervision and to place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer ((of) prior to any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

Nothing in (c) of this subsection shall confer eligibility for such programs for offenders convicted and sentenced for a sexual offense committed prior to July 1, 1987.

(8) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(9) If a sentence imposed includes a fine or restitution, the sentence shall specify a reasonable manner and time in which the fine or restitution shall be paid. In any sentence under this chapter the court may also require the offender to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (a) to pay court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, (b) to make recoupment of the cost of defense attorney's fees if counsel is provided at public expense, (c) to contribute to a county or interlocal drug fund, and (d) to make such other payments as provided by law. All monetary payments shall be ordered paid by no later than ten years after the date of the judgment of conviction.

(10) Except as provided under RCW 9.94A.140(1), a court may not impose a sentence providing for a term of confinement or community supervision which exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(11) All offenders sentenced to terms involving community supervision, community service, restitution, or fines shall be under the supervision of the secretary of the department of corrections or such person as the secretary may designate and shall follow implicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(12) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(13) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210(2) through (6).

(14) The court shall order restitution whenever the offender is convicted of a felony that results in injury to any person or damage to or loss of property, whether the offender is sentenced to confinement or placed under community supervision, unless extraordinary circumstances exist that make restitution inappropriate in the court's judgment. The court shall set forth the extraordinary circumstances in the record if it does not order restitution.

(15) As a part of any sentence, the court may impose and enforce an order that relates directly to the circumstances of the crime for which the offender has been convicted, prohibiting the offender from having any contact with other specified individuals or a specific class of individuals for a period not to exceed the maximum allowable sentence for the crime, regardless of the expiration of the offender's term of community supervision.

(16) In any sentence of partial confinement, the court may require the defendant to serve the partial confinement in work release.

Sec. 21. Section 17, chapter 137, Laws of 1981 and RCW 9.94A.170 are each amended to read as follows:

(1) A term of confinement ordered in a sentence pursuant to this chapter shall be tolled by any period of time during which the offender has absented him or herself from ((supervision)) confinement without the prior approval of the entity in whose custody the offender has been placed. A term of partial confinement shall be tolled during any period of time spent in total confinement pursuant to a new conviction or pursuant to sanctions for violation of sentence conditions on a separate felony conviction.

(2) A term of supervision ordered in a sentence pursuant to this chapter shall be tolled by any period of time during which the offender has absented himself or herself from supervision without prior approval of the entity under whose supervision the offender has been placed.

(3) Any period of supervision shall be tolled during any period of time the offender is in confinement for any reason. However, if an offender is detained pursuant to RCW 9.94A.195 and is later found not to have violated a condition or requirement of supervision, time spent in confinement due to such detention shall not toll the period of supervision.

(4) For confinement sentences, the date for the tolling of the sentence shall be established by the entity responsible for the confinement. For sentences involving supervision, the date for the tolling of the sentence shall be established by the court, based on reports from the entity responsible for the supervision.

Sec. 22. Section 22, chapter 209, Laws of 1984 and RCW 9.94A.383 are each amended to read as follows:

On all sentences of confinement for one year or less, the court may impose up to one year of community supervision. ((For confinement sentences, unless otherwise ordered by the court, the period of community supervision begins at the date of release from confinement. For non-confinement sentences, the period of community supervision begins at the date of entry of the judgment and sentence.)) An offender shall be on community supervision as of the date of sentencing. However, during the time for which the offender is in total or partial confinement pursuant to the sentence or a violation of the sentence, the period of community supervision shall toll.

Sec. 23. Section 11, chapter 115, Laws of 1983 as last amended by section 5, chapter 456, Laws of 1987 and RCW 9.94A.400 are each amended to read as follows:

(1) (a) Except as provided in (b) of this subsection, whenever a person is to be sentenced for two or more current offenses, the sentence range for each current offense shall be determined by using all other current and prior convictions as if they were prior convictions for the purpose of the offender score: PROVIDED, That if the court enters a finding that some or all of the current offenses encompass the same criminal conduct then those current offenses shall be counted as one crime. Sentences imposed under this subsection shall be served concurrently. Consecutive sentences may only be imposed under the exceptional sentence provisions of RCW 9.94A.120 and 9.94A.390(2)(e) or any other provision of RCW 9.94A.390. 'Same criminal conduct,' as used in this subsection, means two or more crimes that require the same criminal intent, are committed at the same time and place, and involve the same victim. This definition does not apply in cases involving vehicular assault or vehicular homicide if the victims occupied the same vehicle. However, the sentencing judge may consider multiple victims in such instances as an aggravating circumstance under RCW 9.94A.390.

(b) Whenever a person is convicted of three or more serious violent offenses, as defined in RCW 9.94A.330, arising from separate and distinct criminal conduct, the sentence range for the offense with the highest seriousness level under RCW 9.94A.320 shall be determined using the offender's criminal history in the offender score and the sentence range for other serious violent offenses shall be determined by using an offender score of zero. The sentence range for any offenses that are not serious violent offenses shall be determined according to (a) of this subsection. All sentences imposed under (b) of this subsection shall be served consecutively to each other and concurrently with sentences imposed under (a) of this subsection.

(2) Whenever a person while under sentence of felony commits another felony and is sentenced to another term of imprisonment, the latter term shall not begin until expiration of all prior terms.

(3) Subject to subsections (1) and (2) of this section, whenever a person is sentenced for a felony that was committed while the person was not under sentence of a felony, the sentence shall run concurrently with any felony sentence which has been imposed by any court in this or another state or by a federal court subsequent to the commission of the crime being sentenced unless the court pronouncing the current sentence expressly orders that they be served consecutively.

(4) Whenever any person granted probation under RCW 9.95.210 or 9.92.060, or both, has the probationary sentence revoked and a prison sentence imposed, that sentence shall run consecutively to any sentence imposed pursuant to this chapter, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(5) However, in the case of consecutive sentences, all periods of total confinement shall be served before any partial confinement, community service, community supervision, or any other requirement or conditions of any of the sentences. Except for exceptional sentences as authorized under RCW 9.94A.120(2), if two or more sentences that run consecutively include periods of community supervision, the aggregate of the community supervision period shall not exceed twenty-four months.

NEW SECTION. Sec. 24. Increased sanctions authorized by sections 20 through 23 of this act are applicable only to those persons committing offenses after the effective date of this section.

NEW SECTION. Sec. 25. Sections 20 through 23 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 3 of the title, strike "and 72.08.380" and insert "72.08.380, 9.94A.170, 9.94A.383, and 9.94A.400"

On page 1, line 4 of the title, after "72.01.050" insert "and 9.94A.120"

On page 1, line 4 of the title, after "72.02 RCW;" insert "creating new sections;"

On page 1, line 6 of the title, after "72.08.380;" strike "and"

On page 1, line 13 of the title, after "72.15.070" and before the period insert "; and declaring an emergency"

Signed by Senators Deccio, Owen, West; Representatives Sprengle, Braddock.

MOTION

On motion of Mr. Armstrong, the Report of the Conference Committee on Substitute House Bill No. 1271 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1302 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1302, establishing penalties for sexual offenses against developmentally disabled persons, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 5, chapter 14, Laws of 1975 1st ex. sess. as last amended by section 2, chapter 118, Laws of 1983 and RCW 9A.44.050 are each amended to read as follows:

(1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person:

(a) By forcible compulsion; ((or))

(b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated; or

(c) When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

(2) Rape in the second degree is a class B felony.

Sec. 2. Section 9A.88.100, chapter 260, Laws of 1975 1st ex. sess. as last amended by section 10, chapter ... (SHB 1333), Laws of 1988 and RCW 9A.44.100 are each amended to read as follows:

(1) A person is guilty of indecent liberties when he knowingly causes another person who is not his spouse to have sexual contact with him or another:

(a) By forcible compulsion; or

(b) When the other person is incapable of consent by reason of being mentally defective, mentally incapacitated, or physically helpless; or

(c) When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

(2) Indecent liberties is a class B felony.

Sec. 3. Section 1, chapter 14, Laws of 1975 1st ex. sess. as last amended by section 1, chapter ... (SHB 1333), Laws of 1988 and RCW 9A.44.010 are each amended to read as follows:

As used in this chapter:

(1) 'Sexual intercourse' (a) has its ordinary meaning and occurs upon any penetration, however slight, and

(b) Also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes, and

(c) Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.

(2) 'Sexual contact' means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party.

(3) 'Married' means one who is legally married to another, but does not include a person who is living separate and apart from his or her spouse and who has filed in an appropriate court for legal separation or for dissolution of his or her marriage.

(4) 'Mental incapacity' is that condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, the influence of a substance or from some other cause(;;).

(5) 'Physically helpless' means a person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act(;;).

(6) 'Forcible compulsion' means physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to herself or himself or another person, or in fear that she or he or another person will be kidnapped(;;).

(7) 'Consent' means that at the time of the act of sexual intercourse there are actual words or conduct indicating freely given agreement to have sexual intercourse(;;).

(8) 'Significant relationship' means a situation in which the perpetrator is:

(a) A person who undertakes the responsibility, professionally or voluntarily, to provide education, health, welfare, or organized recreational activities principally for minors; or

(b) A person who in the course of his or her employment supervises minors.

(9) 'Abuse of a supervisory position' means a direct or indirect threat or promise to use authority to the detriment or benefit of a minor.

(10) 'Developmentally disabled,' for purposes of RCW 9A.44.050(1)(c) and 9A.44.100(1)(c), means a person as defined in RCW 71.20.016.

(11) 'Person with supervisory authority,' for purposes of RCW 9A.44.050(1)(c) and 9A.44.100(1)(c), means any proprietor or employee of any public or private care or treatment facility who directly supervises developmentally disabled persons at the facility.

NEW SECTION. Sec. 4. A new section is added to chapter 9A.88 RCW to read as follows:

Patronizing a prostitute. (1) A person is guilty of patronizing a prostitute if:

(a) Pursuant to a prior understanding, he or she pays a fee to another person as compensation for such person or a third person having engaged in sexual conduct with him or her; or

(b) He or she pays or agrees to pay a fee to another person pursuant to an understanding that in return therefor such person will engage in sexual conduct with him or her; or

(c) He or she solicits or requests another person to engage in sexual conduct with him or her in return for a fee.

(2) For purposes of this section, 'sexual conduct' has the meaning given in RCW 9A.88.030.

(3) Patronizing a prostitute is a misdemeanor.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. Section 4 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. The remainder of this act shall take effect July 1, 1988.*

On page 1, line 1 of the title, after "offenses" strike the remainder of the title and insert "amending RCW 9A.44.050, 9A.44.100, and 9A.44.010; adding a new section to chapter 9A.88 RCW; prescribing penalties; providing an effective date; and declaring an emergency."

Signed by Senators Pullen, Talmadge, Anderson; Representatives Crane, Armstrong, Padden.

MOTION

On motion of Mr. Armstrong, the Report of the Conference Committee on Substitute House Bill No. 1302 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1445 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1445, prohibiting drug-related activities in rental dwellings, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Adopt the Senate Committee on Law & Justice striking amendment (For amendment, see Journal, 58th Day, March 8, 1988.) with the following changes:

On page 11, after line 30 of the Senate amendment, insert the following:

NEW SECTION, Sec. 8. A new section is added to chapter 69.41 RCW to read as follows:

Whenever a legend drug which is sold, delivered, or possessed in violation of this chapter is seized at rental premises, the law enforcement agency shall make a reasonable attempt to discover the identity of the landlord and shall notify the landlord in writing, at the last address listed in the property tax records and at any other address known by the law enforcement agency, of the seizure and the location of the seizure.

NEW SECTION, Sec. 9. A new section is added to chapter 69.50 RCW to read as follows:

Whenever a controlled substance which is manufactured, distributed, dispensed, or acquired in violation of this chapter is seized at rental premises, the law enforcement agency shall make a reasonable attempt to discover the identity of the landlord and shall notify the landlord in writing, at the last address listed in the property tax records and at any other address known by the law enforcement agency, of the seizure and the location of the seizure.

NEW SECTION, Sec. 10. A new section is added to chapter 69.52 RCW to read as follows:

Whenever an imitation controlled substance which is manufactured, distributed, or possessed in violation of this chapter is seized at rental premises, the law enforcement agency shall make a reasonable attempt to discover the identity of the landlord and shall notify the landlord in writing, at the last address listed in the property tax records and at any other address known to the law enforcement agency, of the seizure and the location of the seizure.

NEW SECTION, Sec. 11. A new section is added to chapter 59.18 RCW to read as follows:

Any law enforcement agency which seizes a legend drug pursuant to a violation of chapter 69.41 RCW, a controlled substance pursuant to a violation of chapter 69.50 RCW, or an imitation controlled substance pursuant to a violation of chapter 69.52 RCW, shall make a reasonable attempt to discover the identity of the landlord and shall notify the landlord in writing, at the last address listed in the property tax records and at any other address known to the law enforcement agency, of the seizure and the location of the seizure of the illegal drugs or substances.

NEW SECTION, Sec. 12. A new section is added to chapter 59.20 RCW to read as follows:

Any law enforcement agency which seizes a legend drug pursuant to a violation of chapter 69.41 RCW, a controlled substance pursuant to a violation of chapter 69.50 RCW, or an imitation controlled substance pursuant to a violation of chapter 69.52 RCW, shall make a reasonable attempt to discover the identity of the landlord and shall notify the landlord in writing, at the last address listed in the property tax records and at any other address known to the law enforcement agency, of the seizure and the location of the seizure of the illegal drugs or substances."

Renumber the sections consecutively and correct any internal references accordingly.

On page 14, line 6 of the senate title amendment, after "69.53.020;" insert "adding a new section to chapter 69.41 RCW; adding a new section to chapter 69.50 RCW; adding a new section to chapter 69.52 RCW; adding a new section to chapter 59.18 RCW; adding a new section to chapter 59.20 RCW;"

Signed by Senators Pullen, Halsan, McCaslin; Representatives Armstrong, Wineberry, Padden.

MOTION

On motion of Mr. Armstrong, the Report of the Conference Committee on Substitute House Bill No. 1445 was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 5595, establishing liens for owners of self-storage facilities, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Reject the House amendments (For amendments, see Journal, 51st Day, March 1, 1988.);

Adopt the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. This chapter shall be known as the 'Washington self-service storage facility act.'

NEW SECTION. Sec. 2. For the purposes of this chapter, the following terms shall have the following meanings:

(1) 'Self-service storage facility' means any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to the space for the purpose of storing and removing personal property on a self-service basis, but does not include a garage or other storage area in a private residence. No occupant may use a self-service storage facility for residential purposes.

(2) 'Owner' means the owner, operator, lessor, or sublessor of a self-service storage facility, his or her agent, or any other person authorized by him or her to manage the facility, or to receive rent from an occupant under a rental agreement.

(3) 'Occupant' means a person, or his or her sublessee, successor, or assign, who is entitled to the use of the storage space at a self-service storage facility under a rental agreement, to the exclusion of others.

(4) 'Rental agreement' means any written agreement or lease which establishes or modifies the terms, conditions, rules or any other provision concerning the use and occupancy of a self-service storage facility.

(5) 'Personal property' means movable property not affixed to land, and includes, but is not limited to, goods, merchandise, furniture, and household items.

(6) 'Last known address' means that address provided by the occupant in the latest rental agreement, or the address provided by the occupant in a subsequent written notice of a change of address.

NEW SECTION. Sec. 3. The owner of a self-service storage facility and his or her heirs, executors, administrators, successors, and assigns have a lien upon all personal property located at a self-service storage facility for rent, labor, or other charges, present or future, incurred pursuant to the rental agreement, and for expenses necessary for the preservation, sale, or disposition of personal property subject to this chapter. The lien may be enforced consistent with this chapter. However, any lien on a motor vehicle or boat which has attached and is set forth in the documents of title to the motor vehicle or boat shall have priority over any lien created pursuant to this chapter.

NEW SECTION. Sec. 4. When any part of the rent or other charges due from an occupant remains unpaid for six consecutive days, and the rental agreement so provides, an owner may deny the occupant access to the storage space at a self-service storage facility.

NEW SECTION. Sec. 5. When any part of the rent or other charges due from an occupant remains unpaid for fourteen consecutive days, an owner may terminate the right of the occupant to the use of the storage space at a self-service storage facility by sending a notice to the occupant's last known address, and to the alternative address specified in section 13(2) of this act, by first class mail, postage prepaid, containing all of the following:

(1) An itemized statement of the owner's claim showing the sums due at the time of the notice and the date when the sums become due.

(2)(a) If the property has a value of one hundred dollars or more, the sale shall be conducted in a commercially reasonable manner, and, after deducting the amount of the lien and costs of sale, the owner shall retain any excess proceeds of the sale on the occupant's behalf. The occupant, or any other person having a court order or other judicial process against the property, may claim the excess proceeds, or a portion thereof sufficient to satisfy the particular claim, at any time within six months of the date of sale.

(b) If the property has a value of less than one hundred dollars, the property may be disposed of in a reasonable manner.

(3) No employee or owner, or family member of an employee or owner, may acquire, directly or indirectly, the property sold pursuant to subsection (2)(a) of this section or disposed of pursuant to subsection (2)(b) of this section.

(4) The owner is entitled to retain any interest earned on the excess proceeds until the excess proceeds are claimed by another person or are turned over to the state as abandoned property pursuant to section 21 of this act.

(5) After the sale or other disposition pursuant to this section has been completed, the owner shall provide an accounting of the disposition of the proceeds of the sale or other disposition to the occupant at the occupant's last known address and at the alternative address.

NEW SECTION, Sec. 10. Any person who has a perfected security interest under Article 62A.9 RCW of the uniform commercial code may claim any personal property subject to the security interest and subject to a lien pursuant to this chapter by paying the total amount due, as specified in the lien notices, for the storage of the property. Upon payment of the total amount due, the owner shall deliver possession of the particular property subject to the security interest to the person who paid the total amount due. The owner shall not be liable to any person for any action taken pursuant to this section if the owner has fully complied with sections 6 and 7 of this act.

NEW SECTION, Sec. 11. Prior to any sale pursuant to section 9 of this act, any person claiming a right to the goods may pay the amount necessary to satisfy the lien and the reasonable expenses incurred for particular actions taken pursuant to this chapter. In that event, the goods shall not be sold, but shall be retained by the owner subject to the terms of this chapter pending a court order directing a particular disposition of the property.

NEW SECTION, Sec. 12. (1) Except as provided in subsection (2) of this section, a purchaser in good faith of goods disposed of pursuant to section 9(2) of this act takes the goods free of any rights of persons against whom the lien was claimed, despite noncompliance by the owner of the storage facility with this chapter.

(2) A purchaser or subsequent purchaser shall return the goods to the occupant if the occupant tenders the original purchase price plus any costs incurred by the original purchaser within six months of the date of the purchase, unless the occupant was personally served with notice of the lien sale. If the occupant was personally served, the occupant has no right to repurchase the property.

(3) If the occupant exercises his or her right to repurchase property pursuant to subsection (2) of this section, a subsequent purchaser is entitled to rescind a transaction with a previous purchaser.

NEW SECTION, Sec. 13. (1) Each contract for the rental or lease of individual storage space in a self-service storage facility shall be in writing and shall contain, in addition to the provisions otherwise required or permitted by law to be included, a statement requiring the occupant to disclose any lienholders or secured parties who have an interest in the property that is or will be stored in the self-service storage facility, a statement that the occupant's property will be subject to a claim of lien and may even be sold to satisfy the lien if the rent or other charges due remain unpaid for fourteen consecutive days, and that such actions are authorized by this chapter.

(2) The lien authorized by this chapter shall not attach, unless the rental agreement requests, and provides space for, the occupant to give the name and address of another person to whom the preliminary lien notice and subsequent notices required to be given under this chapter may be sent. Notices sent pursuant to section 5 or 7 of this act shall be sent to the occupant's address and the alternative address, if both addresses are provided by the occupant. Failure of an occupant to provide an alternative address shall not affect an owner's remedies under this chapter or under any other provision of law.

NEW SECTION, Sec. 14. Any insurance protecting the personal property stored within the storage space against fire, theft, or damage is the responsibility of the occupant. The owner is under no obligation to provide insurance.

NEW SECTION, Sec. 15. Nothing in this chapter may be construed to impair or affect the right of the parties to create additional rights, duties, and obligations which do not conflict with the provisions of this chapter. The rights provided by this chapter shall be in addition to all other rights provided by law to a creditor against his or her debtor.

NEW SECTION, Sec. 16. This chapter shall only apply to rental agreements entered into, extended, or renewed after the effective date of this section. Rental agreements entered into

before the effective date of this section which provide for monthly rental payments but providing no specific termination date shall be subject to this chapter on the first monthly rental payment date next succeeding the effective date of this section.

NEW SECTION. Sec. 17. All rental agreements entered into before the effective date of this section, and not extended or renewed after that date, or otherwise made subject to this chapter pursuant to section 16 of this act, and the rights, duties, and interests flowing from them, shall remain valid, and may be enforced or terminated in accordance with their terms or as permitted by any other statute or law of this state.

NEW SECTION. Sec. 18. If an owner issues any warehouse receipt, bill of lading, or other document of title for the personal property stored, the owner and the occupant are subject to Article 62A.7 RCW (commencing with RCW 62A.7-101) of the uniform commercial code and this chapter does not apply.

Sec. 19. Section 6, chapter 205, Laws of 1982 as amended by section 4, chapter 324, Laws of 1986 and RCW 18.11.070 are each amended to read as follows:

(1) It is unlawful for any person to act as an auctioneer or for an auction company to engage in any business in this state without a license.

(2) This chapter does not apply to:

(a) An auction of goods conducted by an individual who personally owns those goods and who did not acquire those goods for resale;

(b) An auction conducted by or under the direction of a public authority;

(c) An auction held under judicial order in the settlement of a decedent's estate;

(d) An auction which is required by law to be at auction;

(e) An auction conducted by or on behalf of a political organization or a charitable corporation or association if the person conducting the sale receives no compensation; ((or))

(f) An auction of livestock or agricultural products which is conducted under chapter 16.65 or 20.01 RCW. Auctions not regulated under chapter 16.65 or 20.01 RCW shall be fully subject to the provisions of this chapter; or

(g) An auction held under chapter 19.— RCW (sections 1 through 18 of this 1988 act).

Sec. 20. Section 3, chapter 252, Laws of 1941 as last amended by section 9, chapter 370, Laws of 1977 ex. sess. and RCW 18.85.110 are each amended to read as follows:

This chapter shall not apply to (1) any person who purchases property and/or a business opportunity for his own account, or that of a group of which he is a member, or who, as the owner or part owner of property, and/or a business opportunity, in any way disposes of the same; nor, (2) any duly authorized attorney in fact, or an attorney at law in the performance of his duties; nor, (3) any receiver, trustee in bankruptcy, executor, administrator, guardian, or any person acting under the order of any court, or selling under a deed of trust; nor, (4) any secretary, bookkeeper, accountant, or other office personnel who does not engage in any conduct or activity specified in any of the definitions under RCW 18.85.010; nor, (5) any owner of rental or lease property, members of the owner's family whether or not residing on such property, or a resident manager of a complex of residential dwelling units wherein such manager resides; nor, (6) any person who manages residential dwelling units on an incidental basis and not as his principal source of income so long as that person does not advertise or hold himself out to the public by any oral or printed solicitation or representation that he is so engaged; nor, (7) only with respect to the rental or lease of individual storage space, any person who owns or manages a self-service storage facility as defined under chapter 19.— RCW (sections 1 through 18 of this 1988 act).

NEW SECTION. Sec. 21. A new section is added to chapter 63.29 RCW to read as follows:

The personal papers and personal effects held by the owner and the excess proceeds of a sale conducted pursuant to section 9 of this act by an owner of a self-service storage facility to satisfy the lien and costs of storage which are not claimed by the occupant of the storage space or any other person which remains unclaimed for more than six months are presumed abandoned.

NEW SECTION. Sec. 22. Sections 1 through 18 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 23. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

On page 1, line 1 of the title, after "facilities;" strike the remainder of the title and insert "amending RCW 18.11.070 and 18.85.110; adding a new section to chapter 63.29 RCW; and adding a new chapter to Title 19 RCW."

Signed by Senators Lee, Niemi, West; Representatives Armstrong, Appelwick, Padden.

MOTION

On motion of Mr. Armstrong, the Report of the Conference Committee on Substitute Senate Bill No. 5595 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 1515 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred HOUSE BILL NO. 1515, modifying the termination dates of various state agencies, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Adopt the Senate Committee on Governmental Operations amendments on page 2, line 20 and on page 7, line 18 and the title amendment on line 5 (For committee amendments, see Journal, 58th Day, March 8, 1988.);

Adopt the following amendments:

On page 7 of the House Bill as amended by the Senate Committee Amendment, after section 16, insert the following:

*PART IX

WASHINGTON STATE GUARD

NEW SECTION. Sec. 17. A new section is added to chapter 38.16 RCW to read as follows:

To assist the state of Washington in the event of mobilization of state and federal military forces in the state, and notwithstanding other provisions of the state military law and other regulations governing appointment and promotion of officers and enlisted personnel of the Washington state guard, members of the Washington committee for employer support of the guard and reserve may be appointed to serve in a civil affairs unit of the Washington state guard. The rank shall be determined by the adjutant general."

In line 4 of the title, after "43.131.334," insert "adding a new section to chapter 38.16 RCW:"

On page 7 of the House Bill as amended by the Senate Committee Amendment, after section 16, insert the following:

*NEW SECTION. Sec. 17. LEGISLATIVE INTENT. The legislature intends, by enacting this 1988 Administrative Procedure Act, to clarify the existing law of administrative procedure, to achieve greater consistency with other states and the federal government in administrative procedure, and to provide greater public and legislative access to administrative decision making. The legislature intends that to the greatest extent possible and unless this chapter clearly requires otherwise, current agency practices and court decisions interpreting the Administrative Procedure Act in effect before the effective date of this act shall remain in effect. The legislature also intends that the courts should interpret provisions of this chapter consistently with decisions of other courts interpreting similar provisions of other states, the federal government, and model acts.

PART IX.

GENERAL PROVISIONS

Sec. 101. DEFINITIONS. Section 5, chapter 10, Laws of 1982 and RCW 34.04.010 are each amended to read as follows:

The definitions set forth in this section shall apply throughout this chapter, unless the context clearly requires otherwise.

(1) 'Adjudicative proceedings' means a proceeding before an agency in which an opportunity for hearing before that agency is required by statute or constitutional right before or after the issuance of an order by the agency. Adjudicative proceedings also include all cases of licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law.

(2) 'Agency' means any state board, commission, department, institution of higher education, or officer, authorized by law to make rules or to ((adjudicate-contested-cases)) conduct adjudicative proceedings, except those in the legislative or judicial branches, the governor, or the attorney general except to the extent otherwise required by law.

(3) 'Agency action' means the implementation or enforcement of a statute, the adoption or application of an agency rule or order, the issuance, denial, or suspension of a license, the imposition of sanctions, or the granting or withholding of benefits.

Agency action does not include an agency decision regarding (a) contracting or procurement of goods, services, public works, and the purchase, lease, or acquisition by eminent

domain of real estate, as well as all activities necessarily related to those functions, or (b) determinations as to the sufficiency of a showing of interest filed in support of a representation petition, or mediation or conciliation of labor disputes or arbitration of labor disputes under a collective bargaining law or similar statute, or (c) any sale, lease, contract, or other proprietary decision of the department of natural resources in the management of public lands, or (d) the granting of a license, franchise, or permission for the use of trademarks, symbols, and similar property owned or controlled by the agency.

(4) 'Agency head' means the individual or body of individuals in whom the ultimate legal authority of the agency is vested by any provision of law. If the agency head is a body of individuals, a majority of those individuals constitutes the agency head.

(5) 'Entry' of an order means the signing of the order by all persons who are to sign the order, as an official act indicating that the order is to be effective.

(6) 'Filing' of a document that is required to be filed with an agency means delivery of the document to a place designated by the agency by rule for receipt of official documents, or in the absence of such designation, at the office of the agency head.

(7) 'Institutions of higher education' are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, the various community colleges, and the governing boards of each of the above, and the various colleges, divisions, departments, or offices authorized by the governing board of the institution involved to act for the institution, all of which are sometimes referred to in this chapter as 'institutions.'

(8) 'Interpretive statement' means a written expression of the opinion of an agency, entitled an interpretive statement by the agency head or its designee, as to the meaning of a statute or other provision of law, of a court decision, or of an agency order.

(9)(a) 'License' means a franchise, permit, certification, approval, registration, charter, or similar form of authorization required by law, but does not include (i) a license required solely for revenue purposes, or (ii) a certification of an exclusive bargaining representative, or similar status, under a collective bargaining law or similar statute, or (iii) a license, franchise, or permission for use of trademarks, symbols, and similar property owned or controlled by the agency.

(b) 'Licensing' includes the agency process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal, or modification of a license.

(10) (a) 'Order,' without further qualification, means a written statement of particular applicability that finally determines the legal rights, duties, privileges, immunities, or other legal interests of a specific person or persons.

(b) 'Order of adoption' means the official written statement by which an agency adopts, amends, or repeals a rule.

(11) 'Party to agency proceedings,' or 'party' in a context so indicating, means:

(a) A person to whom the agency action is specifically directed; or

(b) A person named as a party to the agency proceeding or allowed to intervene or participate as a party in the agency proceeding.

(12) 'Party to judicial review or civil enforcement proceedings,' or 'party' in a context so indicating, means:

(a) A person who files a petition for a judicial review or civil enforcement proceeding; or

(b) A person named as a party in a judicial review or civil enforcement proceeding, or allowed to participate as a party in a judicial review or civil enforcement proceeding.

(13) 'Person' means any individual, partnership, corporation, association, governmental subdivision or unit thereof, or public or private organization or entity of any character, and includes another agency.

(14) 'Policy statement' means a written description of the current approach of an agency, entitled a policy statement by the agency head or its designee, to implementation of a statute or other provision of law, of a court decision, or of an agency order, including where appropriate the agency's current practice, procedure, or method of action based upon that approach.

((2)) (15) 'Rule' means any agency order, directive, or regulation of general applicability (a) the violation of which subjects a person to a penalty or administrative sanction; (b) which establishes, alters, or revokes any procedure, practice, or requirement relating to agency hearings; (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; (d) which establishes, alters, or revokes any qualifications or standards for the issuance, suspension, or revocation of licenses to pursue any commercial activity, trade, or profession; or (e) which establishes, alters, or revokes any mandatory standards for any product or material which must be met before distribution or sale. The term includes the amendment or repeal of a prior rule, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, (ii) declaratory rulings issued pursuant to ((RCW-34-04-080, as now or hereafter amended)) section 203 of this act, ((or)) (iii) traffic restrictions for motor vehicles, bicyclists, and pedestrians established by the secretary of transportation or his designee where notice of such restrictions is given by official traffic control devices, or (iv) rules of

institutions of higher education involving standards of admission, academic advancement, academic credit, graduation and the granting of degrees, employment relationships, or fiscal processes.

((3) 'Contested case' means a proceeding before an agency in which an opportunity for a hearing before such agency is required by law or constitutional right prior or subsequent to the determination by the agency of the legal rights, duties, or privileges of specific parties. Contested cases shall also include all cases of licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law or agency rules:

(4) 'License' includes the whole or part of any agency permit, certificate, approval, registration, charter, or any form of permission required by law, including agency rule, to engage in any activity, but does not include a license required solely for revenue purposes:

(5) 'Licensing' includes the agency process respecting the or modification of a license:

(6)) (16) 'Rules review committee' or 'committee' means the joint administrative rules review committee created pursuant to ((RCW 34.04.210)) section 601 of this act for the purpose of selectively reviewing existing and proposed rules of state agencies.

(17) 'Rule making' means the process for formulation and adoption of a rule.

Sec. 102. SAVINGS—AUTHORITY OF AGENCIES TO COMPLY WITH CHAPTER—EFFECT OF SUBSEQUENT LEGISLATION. Section 24, chapter 237, Laws of 1967 and RCW 34.04.940 are each amended to read as follows:

Nothing in ((the Administrative Procedure Act shall)) this chapter may be held to diminish the constitutional rights of any person or to limit or repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. Every agency is granted all authority necessary to comply with the requirements of ((the Administrative Procedure Act)) this chapter through the issuance of rules or otherwise. No subsequent legislation shall be held to supersede or modify the provisions of ((the Administrative Procedure Act)) this chapter or its applicability to any agency except to the extent that such legislation shall do so expressly.

Sec. 103. EXCLUSIONS FROM CHAPTER OR PARTS OF CHAPTER. Section 15, chapter 234, Laws of 1959 as last amended by section 8, chapter 141, Laws of 1984 and RCW 34.04.150 are each amended to read as follows:

((Except as provided under RCW 34.04.290;)) (1) This chapter shall not apply to:

(a) The state militia, or

(b) The board of ((prison terms and paroles, or any institution of higher education as defined in RCW 20B.19.020)) clemency and pardons, or

(c) The department of corrections or the indeterminate sentencing review board with respect to persons who are in their custody or are subject to the jurisdiction of those agencies.

(2) The provisions of ((RCW 34.04.090 through 34.04.130)) sections 401 through 522 of this act shall not apply ((to)):

(a) To adjudicative proceedings of the board of industrial insurance appeals ((or the board of tax appeals unless an election is made pursuant to RCW 82.03.140 or 82.03.190. The provisions of RCW 34.04.090 through 34.04.130 and the provisions of RCW 34.04.170 shall not apply)):

(b) Except for actions pursuant to chapter 46.29 RCW, to the denial, suspension, or revocation of a driver's license by the department of licensing((: To the extent they are inconsistent with RCW 80.50.140, the provisions of RCW 34.04.130, 34.04.133, and 34.04.140 shall not apply to review of decisions made under RCW 80.50.100;)):

(c) To the department of labor and industries where another statute expressly provides for review of adjudicative proceedings of a department action, order, decision, or award before the board of industrial insurance appeals;

(d) To actions of the state personnel board, the higher education personnel board, or the personnel appeals board; or

(e) To the extent they are inconsistent with any provisions of chapter 43.43 RCW((: the provisions of this chapter shall not apply to such provisions)).

(3) Unless a party makes an election for a formal hearing pursuant to RCW 82.03.140 or 82.03.190, sections 401 through 429 of this act do not apply to a review hearing conducted by the board of tax appeals.

(4) All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act.

Sec. 104. OPERATION OF CHAPTER IF IN CONFLICT WITH FEDERAL LAW. Section 19, chapter 234, Laws of 1959 and RCW 34.04.930 are each amended to read as follows:

If any part of this chapter ((shall be)) is found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds to the state, ((such)) the conflicting part of this chapter is ((hereby declared to be)) inoperative solely to the extent of ((such)) the conflict and with respect to the agencies directly affected, and such findings or

determination shall not affect the operation of the remainder of this chapter in its application to the agencies concerned.

NEW SECTION. Sec. 105. WAIVER. Except to the extent precluded by another provision of law, a person may waive any right conferred upon that person by this chapter.

NEW SECTION. Sec. 106. INFORMAL SETTLEMENTS. Except to the extent precluded by another provision of law and subject to approval by agency order, informal settlement of matters that may make unnecessary more elaborate proceedings under this chapter is strongly encouraged. Agencies may establish by rule specific procedures for attempting and executing informal settlement of matters. This section does not require any party or other person to settle a matter.

NEW SECTION. Sec. 107. CONVERSION OF PROCEEDINGS. (1) If it becomes apparent during the course of an adjudicative or rule-making proceeding undertaken pursuant to this chapter that another form of proceeding under this chapter is necessary, is in the public interest, or is more appropriate to resolve issues affecting the participants, on his or her own motion or on the motion of any party, the presiding officer or other official responsible for the original proceeding shall advise the parties of necessary steps for conversion and, if within the official's power, commence the new proceeding. If the agency refuses to convert to another proceeding, that decision is not subject to judicial review. Commencement of the new proceeding shall be accomplished pursuant to the procedural rules of the new proceeding, except that elements already performed need not be repeated.

(2) If appropriate, a new proceeding may be commenced independently of the original proceeding or may replace the original proceeding.

(3) Conversion to a replacement proceeding shall not be undertaken if the rights of any party will be substantially prejudiced.

(4) To the extent feasible the record of the original proceeding shall be included in the record of a replacement proceeding.

(5) The time of commencement of a replacement proceeding shall be considered to be the time of commencement of the original proceeding.

NEW SECTION. Sec. 108. VARIATION FROM TIME LIMITS. (1) An agency may modify time limits established in this chapter only as set forth in this section.

(2) The time limits set forth in this chapter may be modified by rule of the agency or by rule of the chief administrative law judge if:

(a) The agency has an agency head composed of a body of individuals serving part time who do not regularly meet on a schedule that would allow compliance with the time limits of this chapter in the normal course of agency affairs;

(b) The agency does not have a permanent staff to comply with the time limits set forth in this chapter without substantial loss of efficiency and economy; and

(c) The rights of persons dealing with the agency are not substantially impaired.

(3) The time limits set forth in this chapter may be modified by rule if the agency determines that the change is necessary to the performance of its statutory duties. Agency rule may provide for emergency variation when required in a specific case.

(4) Time limits may be changed pursuant to section 104 of this act.

(5) Time limits may be waived pursuant to section 105 of this act.

(6) Any modification in the time limits set forth in this chapter shall be to new time limits that are reasonable under the specific circumstances.

(7) In any rule-making or adjudicative proceeding, any agency whose time limits vary from those set forth in this chapter shall provide reasonable and adequate notice of the pertinent time limits to persons affected. In an adjudicative proceeding, such notice may be given by the presiding or reviewing officer involved in the proceeding. In a rule-making proceeding, the notice may be given in the notice of proposed rule-making.

(8) Two years after the effective date of this section, the chief administrative law judge shall cause a survey to be made of variations by agencies from the time limits set forth in this chapter, and shall submit a written report of the results of the survey to the office of the governor.

PART X.

PUBLIC ACCESS TO AGENCY RULES

Sec. 201. PUBLICATION OF CODE AND REGISTER—REMOVAL OF UNCONSTITUTIONAL RULES—DISTRIBUTION OF REGISTERS AND CODES—COUNTY LAW LIBRARIES—JUDICIAL NOTICE OF RULES. Section 5, chapter 234, Laws of 1959 as last amended by section 7, chapter 32, Laws of 1982 1st ex. sess. and RCW 34.04.050 are each amended to read as follows:

(1) The code reviser shall ~~((as soon as practicable after March 23, 1960, compile and index))~~ cause the Washington Administrative Code to be compiled, indexed by subject, and published. All current, permanently effective rules ((adopted by each agency and remaining in effect)) of each agency shall be published in the Washington Administrative Code. Compilations shall be supplemented or revised as often as necessary and at least ((once every two years)) annually in a form compatible with the main compilation.

(2) Subject to the provisions of this chapter, the code reviser shall prescribe a uniform numbering system, form, and style for all proposed and adopted rules.

(3) The code reviser shall publish a register (~~in which he shall set~~) setting forth the text of all rules filed during the appropriate register publication period.

~~((3))~~ (4) The code reviser may (~~in his discretion~~) omit from the register or the compilation, rules (~~the publication of which~~) that would be unduly cumbersome, expensive, or otherwise inexpedient to publish, if such rules are made available in printed or processed form on application to the adopting agency, and if (~~such~~) the register or compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

~~((4))~~ (5) The code reviser may edit and revise rules for publication, codification, and compilation, without changing the meaning of any such rule (~~in accordance with the provisions of RCW 34.04.052~~).

~~((5))~~ (6) When a rule, in whole or in part, is declared invalid and unconstitutional by a court of final appeal, the adopting agency shall give notice to that effect in the register. With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

(a) The rules are declared unconstitutional by a court of final appeal; or

(b) The adopting agency ceases to exist and the rules are not transferred by statute to a successor agency.

~~((6))~~ (7) Registers and compilations shall be made available, in written form to (a) state elected officials whose offices are created by Article II or III of the state Constitution or by RCW 48.02.010, upon request, (b) to the secretary of the senate and the chief clerk of the house for committee use, as required, but not to exceed the number of standing committees in each body, (c) to county boards of law library trustees and to the Olympia representatives of the Associated Press and the United Press International without request, free of charge, and (d) to other persons at a price fixed by the code reviser.

~~((7))~~ (8) The board of law library trustees of each county shall keep and maintain a complete and current set of registers and compilations for use and inspection as provided in RCW 27.24.060.

~~((8))~~ (9) Judicial notice shall be taken of rules filed and published as provided in ~~(RCW 34.04.040)~~ section 315 of this act and this section.

Sec. 202. RULES FOR AGENCY PROCEDURE—INDEXES OF OPINIONS AND STATEMENTS. Section 2, chapter 234, Laws of 1959 as last amended by section 13, chapter 67, Laws of 1981 and RCW 34.04.020 are each amended to read as follows:

(1) In addition to other rule-making requirements imposed by law:

~~((1))~~ (a) Each agency shall adopt rules governing the formal and informal procedures prescribed or authorized by this chapter and rules of practice before the agency, together with forms and instructions (~~PROVIDED That~~). Rules for the conduct of (~~contested cases~~) adjudicative proceedings shall be those which are (~~promulgated~~) adopted by the chief administrative law judge (~~pursuant to RCW 34.04.022, as now or hereafter amended~~) under section 205 of this act.

~~((2))~~ (b) To assist interested persons dealing with it, each agency shall adopt as a rule a description of its organization, stating the general course and method of its operations and the methods whereby the public may obtain information and make submissions or requests. No person may be required to comply with agency procedure not adopted as a rule as herein required.

~~((3))~~ (2) To the extent not prohibited by federal law or regulation, nor prohibited for reasons of confidentiality by state law, each agency shall keep on file for public inspection all final orders, decisions, and opinions in (~~contested cases~~) adjudicative proceedings, interpretive statements, policy statements, and any digest or index to those orders, decisions, ((or)) opinions, or statements prepared by or for the agency ((for its own use)).

(3) No agency order, decision, or opinion is valid or effective against any person, nor may it be invoked by the agency for any purpose, unless it is available for public inspection (~~as herein required~~). A written final order issued after the effective date of this section, may not be relied on as precedent by an agency to the detriment of any person until it has been indexed as required by RCW 42.17.260. This (~~provision~~) subsection is not applicable in favor of any person who has actual knowledge (~~thereof~~) of the order, decision, or opinion. The agency has the burden of proving that knowledge, but may meet that burden by proving that the person has been properly served with a copy of the order.

(4) Each agency that is authorized by law to exercise discretion in deciding individual cases is encouraged to formalize the general principles that may evolve from these decisions by adopting the principles as rules that the agency will follow until they are amended or repealed.

NEW SECTION. Sec. 203. INTERPRETIVE AND POLICY STATEMENTS. (1) If the adoption of rules is not feasible and practicable, an agency is encouraged to advise the public of its current opinions, approaches, and likely courses of action by means of interpretive or policy statements. Current interpretive and policy statements are advisory only. An agency is encouraged to convert long-standing interpretive and policy statements into rules.

(2) Each agency shall maintain a roster of interested persons, consisting of persons who have requested in writing to be notified of all interpretive and policy statements issued by that agency. Each agency shall update the roster once each year and eliminate persons who do not indicate a desire to continue on the roster. Whenever an agency issues an interpretive or policy statement, it shall send a copy of the statement to each person listed on the roster. The agency may charge a nominal fee to the interested person for this service.

Sec. 204. DECLARATORY ORDER BY AGENCY—PETITION—COURT REVIEW. Section 8, chapter 234, Laws of 1959 and RCW 34.04.080 are each amended to read as follows:

~~((On petition of any interested)) (1) Any person(;) may petition an agency ((may issue)) for a declaratory ((ruling)) order with respect to the applicability to ((any person, property, or state of facts of any)) specified circumstances of a rule, order, or statute enforceable by ((it. A declaratory ruling, if issued after argument and stated to be binding, is binding between the agency and the petitioner on the state of facts alleged, unless it is altered or set aside by a court. Such a ruling is subject to review in the superior court of Thurston county in the manner hereinafter provided for the review of decisions in contested cases. Each agency shall prescribe by rule the form for such petitions and the procedure for their submission, consideration, and disposition)) the agency. The petition shall set forth facts and reasons on which the petitioner relies to show:~~

~~(a) That uncertainty necessitating resolution exists;~~

~~(b) That there is actual controversy arising from the uncertainty such that a declaratory order will not be merely an advisory opinion;~~

~~(c) That the uncertainty adversely affects the petitioner;~~

~~(d) That the adverse effect of uncertainty on the petitioner outweighs any adverse effects on others or on the general public that may likely arise from the order requested; and~~

~~(e) That the petition complies with any additional requirements established by the agency under subsection (2) of this section.~~

~~(2) Each agency may adopt rules that provide for: (a) The form, contents, and filing of petitions for a declaratory order; (b) the procedural rights of persons in relation thereto; and (c) the disposition of those petitions. These rules may include a description of the classes of circumstances in which the agency will not enter a declaratory order and shall be consistent with the public interest and with the general policy of this chapter to facilitate and encourage agencies to provide reliable advice.~~

~~(3) Within fifteen days after receipt of a petition for a declaratory order, the agency shall give notice of the petition to all persons to whom notice is required by law, and may give notice to any other person it deems desirable.~~

~~(4) Sections 401 through 429 of this act apply to agency proceedings for declaratory orders only to the extent an agency so provides by rule or order.~~

~~(5) Within thirty days after receipt of a petition for a declaratory order an agency, in writing, shall do one of the following:~~

~~(a) Enter an order declaring the applicability of the statute, rule, or order in question to the specified circumstances;~~

~~(b) Set the matter for specified proceedings to be held no more than ninety days after receipt of the petition;~~

~~(c) Set a specified time no more than ninety days after receipt of the petition by which it will enter a declaratory order; or~~

~~(d) Decline to enter a declaratory order, stating the reasons for its action.~~

~~(6) The time limits of subsection (5)(b) and (c) of this section may be extended by the agency for good cause.~~

~~(7) An agency may not enter a declaratory order that would substantially prejudice the rights of a person who would be a necessary party and who does not consent in writing to the determination of the matter by a declaratory order proceeding.~~

~~(8) A declaratory order has the same status as any other order entered in an agency adjudicative proceeding. Each declaratory order shall contain the names of all parties to the proceeding on which it is based, the particular facts on which it is based, and the reasons for its conclusions.~~

NEW SECTION. Sec. 205. MODEL RULES OF PROCEDURE. The chief administrative law judge shall adopt model rules of procedure appropriate for use by as many agencies as possible. The model rules shall deal with all general functions and duties performed in common by the various agencies. Each agency shall adopt as much of the model rules as is reasonable under its circumstances. Any agency adopting a rule of procedure that differs from the model rules shall include in the order of adoption a finding stating the reasons for variance.

PART XI.

RULE-MAKING PROCEDURES

NEW SECTION. Sec. 301. SOLICITATION OF COMMENTS BEFORE NOTICE PUBLICATION—RULES COORDINATOR. (1) In addition to seeking information by other methods, an agency may, before publication of a notice of a proposed rule adoption under section 303 of this act,

solicit comments from the public on a subject of possible rule making under active consideration within the agency, by causing notice to be published in the state register of the subject matter and indicating where, when, and how persons may comment.

(2) Each agency may appoint committees to comment, before publication of a notice of proposed rule adoption under section 303 of this act, on the subject of a possible rule-making action under active consideration within the agency.

(3) Each agency shall designate a rules coordinator, who shall have knowledge of the subjects of rules being proposed or prepared within the agency for proposal, maintain the records of any such action, and respond to public inquiries about possible or proposed rules and the identity of agency personnel working, reviewing, or commenting on them. The office and mailing address of the rules coordinator shall be published in the state register at the time of designation and in the first issue of each calendar year thereafter for the duration of the designation. The rules coordinator may be an employee of another agency.

NEW SECTION. Sec. 302. RULE-MAKING DOCKET. (1) Each agency shall maintain a current public rule-making docket. The rule-making docket shall contain a listing of the subject of each rule currently being prepared by the agency for proposal under section 303 of this act, the name and address of agency personnel responsible for the proposal, and an indication of the present status of the proposal.

(2) The rule-making docket shall contain a listing of each pending rule-making proceeding. A rule-making proceeding is pending from the time it is commenced by publication of a notice of proposed rule adoption under section 303 of this act until it is terminated under section 306(3) of this act.

(3) For each rule-making proceeding, the docket shall indicate all of the following:

(a) The subject of the proposed rule;

(b) A citation to all notices relating to the proceeding that have been published in the state register under section 303 of this act;

(c) The place where written submissions about the proposed rule may be inspected;

(d) The time during which written submissions will be accepted;

(e) The current timetable established for the agency proceeding, including the time and place of any rule-making hearing, the date of the rule's adoption, filing, indexing, publication, and its effective date.

Sec. 303. NOTICE OF PROPOSED RULE—CONTENTS—DISTRIBUTION BY AGENCY—INSTITUTIONS OF HIGHER EDUCATION. Section 1, chapter 84, Laws of 1977 ex. sess. as last amended by section 2, chapter 221, Laws of 1982 and RCW 34.04.045 are each amended to read as follows:

(1) ((For the purpose of legislative review of agency rules filed pursuant to this chapter, any proposed new or amendatory rule shall be accompanied by a statement prepared by the adopting agency which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the agency's stationery or a form bearing the agency's name and shall contain, but is not limited to:)) At least twenty days before the rule-making hearing at which the agency receives public comment regarding adoption of a rule, the agency shall cause notice of the hearing to be published in the state register. The publication constitutes the proposal of a rule. The notice shall include all of the following:

(a) A title, ~~((containing))~~ a description of the rule's purpose, and any other information which may be of assistance in identifying the rule or its purpose;

(b) Citations of the statutory authority for adopting the rule and the specific statute the rule is intended to implement;

(c) A summary of the rule and a statement of the reasons supporting the proposed action;

(d) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(e) The name of the person or organization, whether private, public, or governmental, proposing the rule;

(f) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(g) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement;

(h) When, where, and how persons may present their views on the proposed rule;

(i) The date on which the agency intends to adopt the rule;

(j) A short explanation of the rule, its purpose, and anticipated effects, including in the case of a proposal that would modify existing rules, a short description of the changes the proposal would make; and

(k) A copy of the small business economic impact statement, ((where)) if applicable.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the statement on file and available for public inspection and shall forward three copies of the notice and the statement to the rules review committee.

(3) No later than three days after its publication in the state register, the agency shall cause a copy of the notice of proposed rule adoption to be mailed to each person who has

made a timely request to the agency for a mailed copy of such notices. An agency may charge for the actual cost of providing individual mailed copies of these notices.

(4) In addition to the notice required by subsections (1) and (2) of this section, an institution of higher education shall cause the notice to be published in the campus or standard newspaper of the institution at least seven days before the rule-making hearing.

NEW SECTION. Sec. 304. PUBLIC PARTICIPATION IN RULE MAKING. (1) The agency shall make a good faith effort to insure that the information on the proposed rule published pursuant to section 303 of this act accurately reflects the rule to be presented and considered at the oral hearing on the rule. Written comment about a proposed rule, including supporting data, shall be accepted by an agency if received no later than the time and date specified in the notice, or such later time and date established at the rule-making hearing.

(2) The agency shall provide an opportunity for oral comment to be received by the agency in a rule-making hearing.

(3) The agency head, a member of the agency head, or a presiding officer designated by the agency head shall preside at the rule-making hearing. Rule-making hearings shall be open to the public. The agency shall cause a record to be made of the hearing by stenographic, mechanical, or electronic means. Unless the agency head presides or is present at substantially all the hearings, the presiding official shall prepare a memorandum for consideration by the agency head, summarizing the contents of the presentations made at the rule-making hearing. The summarizing memorandum is a public document and shall be made available to any person in accordance with chapter 42.17 RCW.

(4) Rule-making hearings are legislative in character and shall be reasonably conducted by the presiding official to afford interested persons the opportunity to present comment. Rule-making hearings may be continued to a later time and place established on the record without publication of further notice under section 303 of this act.

Sec. 305. PETITION FOR ADOPTION, AMENDMENT, REPEAL OF RULE—AGENCY ACTION. Section 6, chapter 234, Laws of 1959 as amended by section 5, chapter 237, Laws of 1967 and RCW 34.04.060 are each amended to read as follows:

Any ((interested)) person may petition an agency requesting the ((promulgation)) adoption, amendment, or repeal of any rule. Each agency ((shall)) may prescribe by rule the form for such petitions and the procedure for their submission, consideration, and disposition. Within ((thirty)) sixty days after submission of a petition, ((or at the next meeting of the agency if it does not meet within thirty days:)) the agency shall ((formally consider the petition and shall within thirty days thereafter)) (1) either deny the petition in writing ((()), stating its reasons for the denial(()), or (2) initiate rule-making proceedings in accordance with ((RCW 34.04.025)) this chapter.

Sec. 306. WITHDRAWAL OF PROPOSAL—TIME AND MANNER OF ADOPTION. Section 11, chapter 186, Laws of 1980 and RCW 34.04.048 are each amended to read as follows:

(1) A proposed rule may be withdrawn by the proposing agency at any time before adoption. A withdrawn rule may not be adopted unless it is again proposed in accordance with ((RCW 34.04.025 as now or hereafter amended)) section 303 of this act.

(2) Before adopting a rule, an agency shall consider the written and oral submissions, or any memorandum summarizing oral submissions.

(3) Rules not adopted within one ((year)) hundred eighty days after publication of the text as last proposed in the register shall be regarded as withdrawn. An agency may not thereafter adopt the text of the rules without filing the text in accordance with ((RCW 34.04.025 as now or hereafter amended)) section 303 of this act. The code reviser shall give notice of the withdrawal in the register.

(4) An agency may not adopt a rule before the time established in the published notice, or such later time established on the record or by publication in the state register.

NEW SECTION. Sec. 307. VARIANCE BETWEEN PROPOSED AND FINAL RULE. (1) Unless it complies with subsection (3) of this section, an agency may not adopt a rule that is substantially different from the rule proposed in the published notice of proposed rule adoption or a supplemental notice in the proceeding. If an agency contemplates making a substantial variance from a proposed rule described in a published notice, it may file a supplemental notice with the code reviser meeting the requirements of section 303 of this act and reopen the proceedings for public comment on the proposed variance, or the agency may reject the proposed rule and commence a new rule-making proceeding to adopt a substantially different rule. If a new rule-making proceeding is commenced, relevant public comment received regarding the initial proposed rule shall be considered in the new proceeding.

(2) The following factors shall be considered in determining whether an adopted rule is substantially different from the proposed rule on which it is based:

(a) The extent to which a reasonable person affected by the adopted rule would have understood that the published proposed rule would affect his or her interests;

(b) The extent to which the subject of the adopted rule or the issues determined in it are substantially different from the subject or issues involved in the published proposed rule; and

(c) The extent to which the effects of the adopted rule differ from the effects of the published proposed rule.

(3) If the agency, without filing a supplemental notice under subsection (1) of this section, adopts a rule that varies in content from the proposed rule, the general subject matter of the adopted rule must remain the same as the proposed rule. The agency shall briefly describe any changes, other than editing changes, and the principal reasons for adopting the changes. The brief description shall be filed with the code reviser together with the order of adoption for publication in the state register. Within sixty days of publication of the adopted rule in the state register, any interested person may petition the agency to amend any portion of the adopted rule that is substantially different from the proposed rule. The petition shall briefly demonstrate how the adopted rule is substantially different from the proposed rule and shall contain the text of the petitioner's proposed amendment. For purposes of the petition, an adopted rule is substantially different if the issues determined in the adopted rule differ from the issues determined in the proposed rule or the anticipated effects of the adopted rule differ from those of the proposed rule. If the petition meets the requirements of this subsection and section 305 of this act, the agency shall initiate rule-making proceedings upon the proposed amendments within the time provided in section 305 of this act.

Sec. 308. FAILURE TO GIVE TWENTY DAYS NOTICE OF INTENDED ACTION—EFFECT. Section 4, chapter 237, Laws of 1967 and RCW 34.04.027 are each amended to read as follows:

Except for emergency rules adopted under section 309 of this act, when twenty days notice of intended action to adopt, amend, or repeal a rule has not been ((filed with the code reviser, as required in RCW 34.04.025)) published in the state register, as required by section 303 of this act, the code reviser shall not publish such rule and such rule shall not be effective for any purpose.

Sec. 309. EMERGENCY RULES AND AMENDMENTS. Section 3, chapter 234, Laws of 1959 as last amended by section 4, chapter 324, Laws of 1981 and RCW 34.04.030 are each amended to read as follows:

(1) If ((the)) an agency for good cause finds:

(a) That immediate adoption ((or)), amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that ((observance of)) observing the time requirements of notice and opportunity to ((present views on the proposed action)) comment upon adoption of a permanent rule would be contrary to the public interest((:)); or

(b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule,

the agency may dispense with ((such)) those requirements and adopt, amend, or repeal the rule ((or amendment as)) on an emergency ((rule or amendment)) basis. The agency's finding and a concise statement of the reasons for its finding shall be incorporated in the order for adoption of the emergency rule or amendment ((as)) filed with the office of the code reviser under ((RCW 34.04.040)) section 315 of this act and with the rules review committee.

(2) An emergency rule ((or amendment)) adopted under this section takes effect upon filing with the code reviser and may not remain in effect for longer than ((ninety)) one hundred twenty days after filing. Identical or substantially similar emergency rules may not be adopted in sequence unless conditions have changed or the agency has published notice of its intent to adopt the rule as a permanent rule, and is actively undertaking the appropriate procedures to adopt the rule as a permanent rule. This section does not relieve any agency from compliance with any law requiring that its permanent rules be approved by designated persons or bodies before they become effective.

NEW SECTION. Sec. 310. CONCISE EXPLANATORY STATEMENT. (1) At the time it files an adopted rule with the code reviser or within thirty days thereafter, an agency shall place into the rule-making file maintained under section 313 of this act a concise explanatory statement about the rule, identifying (a) the agency's reasons for adopting the rule, and (b) a description of any difference between the text of the proposed rule as published in the register and the text of the rule as adopted, other than editing changes, stating the reasons for change.

(2) Upon the request of any interested person within thirty days after adoption of a rule, the agency shall issue a concise statement of the principal reasons for overruling the considerations urged against its adoption.

NEW SECTION. Sec. 311. ORDER ADOPTING RULE. CONTENTS. The order of adoption by which each rule is adopted by an agency shall contain all of the following:

(1) The date the agency adopted the rule;

(2) A concise statement of the purpose of the rule;

(3) A reference to all rules repealed, amended, or suspended by the rule;

(4) A reference to the specific statutory or other authority authorizing adoption of the rule;

(5) Any findings required by any provision of law as a precondition to adoption or effectiveness of the rule; and

(6) The effective date of the rule if other than that specified in section 315(2) of this act.

NEW SECTION. Sec. 312. INCORPORATION BY REFERENCE. An agency may incorporate by reference and without publishing the incorporated matter in full, all or any part of a code, standard, rule, or regulation that has been adopted by an agency of the United States, of this state, or of another state, by a political subdivision of this state, or by a generally recognized

organization or association if incorporation of the full text in the agency rules would be unduly cumbersome, expensive, or otherwise inexpedient. The reference in agency rules shall fully identify the incorporated matter. An agency may incorporate by reference such matter in its rules only if the agency, organization, or association originally issuing that matter makes copies readily available to the public. The incorporating agency shall have, maintain, and make available for public inspection a copy of the incorporated matter. The rule must state where copies of the incorporated matter are available.

NEW SECTION. Sec. 313. RULE-MAKING FILE. (1) Each agency shall maintain an official rule-making file for each rule that it (a) proposes by publication in the state register, or (b) adopts. The file and materials incorporated by reference shall be available for public inspection.

(2) The agency rule-making file shall contain all of the following:

(a) Copies of all publications in the state register with respect to the rule or the proceeding upon which the rule is based;

(b) Copies of any portions of the agency's public rule-making docket containing entries relating to the rule or the proceeding on which the rule is based;

(c) All written petitions, requests, submissions, and comments received by the agency and all other written material regarded by the agency as important to adoption of the rule or the proceeding on which the rule is based;

(d) Any official transcript of oral presentations made in the proceeding on which the rule is based or, if not transcribed, any tape recording or stenographic record of them, and any memorandum prepared by a presiding official summarizing the contents of those presentations;

(e) The concise explanatory statement required by section 310 of this act;

(f) All petitions for exceptions to, amendment of, or repeal or suspension of, the rule; and

(g) Any other material placed in the file by the agency.

(3) Internal agency documents are exempt from inclusion in the rule-making file under subsection (2) of this section to the extent they constitute preliminary drafts, notes, recommendations, and intra-agency memoranda in which opinions are expressed or policies formulated or recommended, except that a specific document is not exempt from inclusion when it is publicly cited by an agency in connection with its decision.

(4) Upon judicial review, the file required by this section constitutes the official agency rule-making file with respect to that rule. Unless otherwise required by another provision of law, the official agency rule-making file need not be the exclusive basis for agency action on that rule.

NEW SECTION. Sec. 314. SUBSTANTIAL COMPLIANCE WITH PROCEDURES. No rule proposed after the effective date of this section, is valid unless it is adopted in substantial compliance with sections 301 through 318 of this act. Inadvertent failure to mail notice of a proposed rule adoption to any person as required by section 303(3) of this act does not invalidate a rule. No action based upon this section may be maintained to contest the validity of any rule unless it is commenced within two years after the effective date of the rule.

Sec. 315. RULES FILED WITH CODE REVISER—REGISTER—EFFECTIVE DATES. Section 4, chapter 234, Laws of 1959 as last amended by section 17, chapter 505, Laws of 1987 and RCW 34.04.040 are each amended to read as follows:

(1) Each agency shall file ~~((forthwith))~~ in the office of the code reviser a certified copy of all rules ~~((now in effect and hereafter adopted))~~ it adopts, except ~~((the))~~ for rules contained in tariffs filed with or published by the Washington utilities and transportation commission. The code reviser shall place upon each rule a notation of the time and date of filing and shall keep a permanent register of ((such)) filed rules open to public inspection. In filing a rule, each agency shall use the standard form prescribed for this purpose by the code reviser.

(2) Emergency rules adopted under ~~((RCW 34.04.030 shall))~~ section 309 of this act become effective upon filing. All other rules ~~((hereafter adopted shall))~~ become effective upon the expiration of thirty days after the date of filing, unless a later date is required by statute or specified in the rule.

(3) A rule may become effective immediately upon its filing with the code reviser or on any subsequent date earlier than that established by subsection (2) of this section, if the agency establishes that effective date in the adopting order and finds that:

(a) Such action is required by the state or federal Constitution, a statute, or court order;

(b) The rule only delays the effective date of another rule that is not yet effective; or

(c) The earlier effective date is necessary because of imminent peril to the public health, safety, or welfare.

The finding and a brief statement of the reasons therefor required by this subsection shall be made a part of the order adopting the rule.

(4) With respect to a rule made effective pursuant to subsection (3) of this section, each agency shall make reasonable efforts to make the effective date known to persons who may be affected by it.

Sec. 316. RULES FOR FILING AND FORM OF RULES AND NOTICES. Section 13, chapter 237, Laws of 1967 and RCW 34.04.055 are each amended to read as follows:

The code reviser may (~~prescribe regulations~~) adopt rules for carrying out the provisions of this chapter relating to the filing and publication of rules and notices of intention to adopt rules, including the form and style to be employed by the various agencies in the drafting of such rules and notices.

Sec. 317. STYLE, FORMAT, AND NUMBERING OF RULES—AGENCY COMPLIANCE. Section 14, chapter 237, Laws of 1967 and RCW 34.04.057 are each amended to read as follows:

After the rules of an agency have been published by the code reviser:

(1) All agency orders amending or rescinding such rules, or creating new rules, shall be formulated in accordance with the style, format, and numbering system of the Washington Administrative Code (~~and~~);

(2) Any subsequent printing or reprinting of such rules shall be printed in the style and format (including the numbering system) of such code; and

(3) Amendments of previously adopted rules shall incorporate any editorial corrections made by the code reviser.

Sec. 318. FORMAT AND STYLE OF RULES AMENDING EXISTING SECTIONS, ADDING NEW SECTIONS—EFFECT OF FAILURE TO COMPLY. Section 1, chapter 19, Laws of 1977 as amended by section 14, chapter 186, Laws of 1980 and RCW 34.04.058 are each amended to read as follows:

(1) Rules (~~promulgated~~) proposed or adopted by an agency pursuant to (~~RCW 34.04.025 or 34.04.030, as now or hereafter amended, which~~) this chapter that amend existing sections of the administrative code shall have the words which are amendatory to such existing sections underlined. Any matter to be deleted from an existing section shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. (~~In the case of~~) A new section (~~such~~) shall be designated 'NEW SECTION' in upper case type and such designation shall be underlined, but the complete text of the section shall not be underlined. No rule may be forwarded by any agency to the code reviser, nor may the code reviser accept for filing any rule unless the format of such rule is in compliance with the provisions of this section.

(2) Once the rule has been formally adopted by the agency the code reviser need not, except with regard to the register published pursuant to (~~RCW 34.04.050(2)~~) section 201(3) of this act, include the items enumerated in subsection (1) of this section in the official code.

(3) Any addition to or deletion from an existing code section not filed by the agency in the style prescribed by subsection (1) of this section shall in all respects be ineffectual, and shall not be shown in subsequent publications or codifications of that section unless the ineffectual portion of the rule is clearly distinguished and an explanatory note is appended thereto by the code reviser in accordance with (~~RCW 34.04.050, as now or hereafter amended, and RCW 34.04.052~~) section 201 of this act.

PART XII.

ADJUDICATIVE PROCEEDINGS

NEW SECTION. Sec. 401. APPLICATION OF PART IV. (1) Adjudicative proceedings are governed by sections 402 through 423 of this act, except as otherwise provided:

(a) By a rule that adopts the procedures for brief adjudicative proceedings in accordance with the standards provided in section 425 of this act for those proceedings;

(b) By section 424 of this act pertaining to emergency adjudicative proceedings; or

(c) By section 204 of this act pertaining to declaratory proceedings.

(2) Sections 401 through 429 of this act do not apply to rule-making proceedings unless another statute expressly so requires.

NEW SECTION. Sec. 402. COMMENCEMENT—WHEN REQUIRED. (1) Within the scope of its authority, an agency may commence an adjudicative proceeding at any time with respect to a matter within the agency's jurisdiction.

(2) When required by law or constitutional right, and upon the timely application of any person, an agency shall commence an adjudicative proceeding.

(3) An agency may require by rule that an application for an adjudicative proceeding be in writing and that it be filed at a specific address and in a specified manner.

(4) If an agency is required to hold an adjudicative proceeding, an application for an agency to enter an order includes an application for the agency to conduct appropriate adjudicative proceedings, whether or not the applicant expressly requests those proceedings.

(5) An adjudicative proceeding commences when the agency or a presiding officer notifies a party that a prehearing conference, hearing, or other stage of an adjudicative proceeding will be conducted.

NEW SECTION. Sec. 403. DECISION NOT TO CONDUCT AN ADJUDICATION. If an agency decides not to conduct an adjudicative proceeding in response to an application, the agency shall furnish the applicant a copy of its decision in writing, with a brief statement of the agency's reasons and of any administrative review available to the applicant.

NEW SECTION. Sec. 404. AGENCY ACTION ON APPLICATIONS FOR ADJUDICATION. After receipt of an application for an adjudicative proceeding, other than a declaratory order, an agency shall proceed as follows:

(1) Except in situations governed by subsection (2) or (3) of this section, within ninety days after receipt of the application or of the response to a timely request made by the agency under subsection (2) of this section, the agency shall do one of the following:

(a) Approve or deny the application, in whole or in part, on the basis of brief or emergency adjudicative proceedings, if those proceedings are available under this chapter for disposition of the matter;

(b) Commence an adjudicative proceeding in accordance with this chapter; or

(c) Dispose of the application in accordance with section 403 of this act;

(2) Within thirty days after receipt of the application, the agency shall examine the application, notify the applicant of any obvious errors or omissions, request any additional information the agency wishes to obtain and is permitted by law to require, and notify the applicant of the name, mailing address, and telephone number of an office that may be contacted regarding the application;

(3) If the application seeks relief that is not available when the application is filed but may be available in the future, the agency may proceed to make a determination of eligibility within the time limits provided in subsection (1) of this section. If the agency determines that the applicant is eligible, the agency shall maintain the application on the agency's list of eligible applicants as provided by law and, upon request, shall notify the applicant of the status of the application.

Sec. 405. RATE CHANGES, LICENSES. Section 8, chapter 237, Laws of 1967 as amended by section 1, chapter 33, Laws of 1980 and RCW 34.04.170 are each amended to read as follows:

(1) Unless otherwise provided by law: (a) Applications for rate changes and uncontested applications for licenses may, in the agency's discretion, be conducted as adjudicative proceedings; (b) applications for licenses that are contested and review of denials of applications for licenses or rate changes shall be conducted as adjudicative proceedings; and (c) an agency may not revoke, suspend, modify, annul, withdraw, or amend a license unless the agency gives notice of an opportunity for an appropriate adjudicative proceeding in accordance with this chapter or other statute.

(2) An agency with authority to grant or deny a professional or occupational license shall notify an applicant for a new or renewal license not later than twenty days prior to the date of the examination required for that license of any grounds for denial of the license which are based on specific information disclosed in the application submitted to the agency. The agency shall notify the applicant either that the license is denied or that the decision to grant or deny the license will be made at a future date. If the agency fails to give the notification prior to the examination and the applicant is denied licensure, the examination fee shall be refunded to the applicant. If the applicant takes the examination, the agency shall notify the applicant of the result.

(3) When a licensee has made timely and sufficient application for the renewal of a license or a new license with reference to any activity of a continuing nature, an existing full, temporary, or provisional license does not expire until the application has been finally determined by the agency, and, in case the application is denied or the terms of the new license limited, until the last day for seeking review of the agency order or a later date fixed by order of the reviewing court.

~~((2))~~ (4) If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

NEW SECTION. Sec. 406. PRESIDING OFFICERS—DISQUALIFICATION, SUBSTITUTION. (1) Except as provided in subsection (2) of this section, in the discretion of the agency head, the presiding officer in an administrative hearing shall be:

(a) The agency head or one or more members of the agency head;

(b) If the agency has statutory authority to do so, a person other than the agency head or an administrative law judge designated by the agency head to make the final decision and enter the final order; or

(c) One or more administrative law judges assigned by the office of administrative hearings in accordance with chapter 34.12 RCW.

(2) An agency expressly exempted under RCW 34.12.020(4) or other statute from the provisions of chapter 34.12 RCW or an institution of higher education shall designate a presiding officer as provided by rules adopted by the agency.

(3) Any individual serving or designated to serve alone or with others as presiding officer is subject to disqualification for bias, prejudice, interest, or any other cause provided in this chapter or for which a judge is disqualified.

(4) Any party may petition for the disqualification of an individual promptly after receipt of notice indicating that the individual will preside or, if later, promptly upon discovering facts establishing grounds for disqualification.

(5) The individual whose disqualification is requested shall determine whether to grant the petition, stating facts and reasons for the determination.

(6) If a substitute is required for an individual who becomes unavailable as a result of disqualification or any other reason, the substitute must be appointed by the appropriate appointing authority.

(7) Any action taken by a duly appointed substitute for an unavailable individual is as effective as if taken by the unavailable individual.

NEW SECTION. Sec. 407. REPRESENTATION. (1) A party to an adjudicatory proceeding may participate personally or, if the party is a corporation or other artificial person, by a duly authorized representative.

(2) Whether or not participating in person, any party may be advised and represented at the party's own expense by counsel or, if permitted by provision of law, other representative.

NEW SECTION. Sec. 408. CONFERENCE—PROCEDURE AND PARTICIPATION. (1) Agencies may hold prehearing or other conferences for the settlement or simplification of issues. Every agency shall by rule describe the conditions under which and the manner in which conferences are to be held.

(2) In the discretion of the presiding officer, and where the rights of the parties will not be prejudiced thereby, all or part of the conference may be conducted by telephone, television, or other electronic means. Each participant in the conference must have an opportunity to participate effectively in, to hear, and, if technically and economically feasible, to see the entire proceeding while it is taking place.

Sec. 409. NOTICE OF HEARING. Section 9, chapter 234, Laws of 1959 as last amended by section 1, chapter 31, Laws of 1980 and RCW 34.04.090 are each amended to read as follows:

(1) ((In any contested case all parties shall be afforded an opportunity for hearing after not less than twenty days' notice, but no hearing shall be required until the hearing is demanded unless other statutory provisions or agency rules provide otherwise;)) The agency or the office of administrative hearings shall set the time and place of the hearing and give not less than seven days advance written notice to all parties and to all persons who have filed written petitions to intervene in the matter.

(2) The notice shall include:

(a) Unless otherwise ordered by the presiding officer, the names and mailing addresses of all parties to whom notice is being given and, if known, the names and addresses of their representatives;

(b) If the agency intends to appear, the mailing address and telephone number of the office designated to represent the agency in the proceeding;

(c) The official file or other reference number and the name of the proceeding;

(d) The name, official title, mailing address, and telephone number of the presiding officer, if known;

(e) A statement of the time, place and nature of the proceeding;

((f)) (f) A statement of the legal authority and jurisdiction under which the hearing is to be held;

((g)) (g) A reference to the particular sections of the statutes and rules involved;

((h)) (h) A short and plain statement of the matters asserted by the agency; and

(i) A statement that a party who fails to attend or participate in a hearing or other stage of an adjudicative proceeding may be held in default in accordance with this chapter. ((If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter upon request a more definite and detailed statement shall be furnished.

(2) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved:

(3) An agency may provide by rule for entry of summary orders in part or in whole after notice and hearing to all parties. The motion shall be granted if the pleadings, dispositions and admissions on file, together with the affidavits, if any, show there is no genuine issue as to any material fact and that the moving party is entitled to the order as a matter of law.

(4) Unless precluded by law, informal disposition may also be made of any contested case by stipulation, agreed settlement, consent order, or default:

(5) The record in a contested case shall include:

(a) All pleadings, motions, intermediate rulings;

(b) Evidence received or considered;

(c) A statement of matters officially noticed;

(d) Questions and offers of proof, objections, and ruling thereon;

(e) Proposed findings and exceptions;

(f) Any decision, opinion, or report by the officer presiding at the hearing;

(6) Oral proceedings shall be transcribed for the purposes of agency decision pursuant to RCW 34.04.110, as now or hereafter amended, rehearing, or court review. A copy of the record or any part thereof shall be transcribed and furnished to any party to the hearing upon request therefor and payment of the reasonable costs thereof.

(7) Findings of fact shall be based exclusively on the evidence and on matters officially noticed:

~~(8) Each agency shall adopt appropriate rules of procedure for notice and hearing in contested cases:~~

~~(9) Agencies, or their authorized agents, may:~~

~~(a) Administer oaths and affirmations, examine witnesses, and receive evidence, and no person shall be compelled to divulge information which he could not be compelled to divulge in a court of law;~~

~~(b) Issue subpoenas as provided in RCW 34.04.105;~~

~~(c) Rule upon offers of proof and receive relevant evidence;~~

~~(d) Take or cause depositions to be taken pursuant to rules promulgated by the agency, and no person shall be compelled to divulge information which he could not be compelled to divulge by deposition in connection with a court proceeding;~~

~~(e) Regulate the course of the hearing;~~

~~(f) Hold conferences for the settlement or simplification of the issues by consent of the parties;~~

~~(g) Dispose of procedural requests or similar matters;~~

~~(h) Issue summary orders;~~

~~(i) Make decisions or proposals for decisions pursuant to RCW 34.04.110;~~

~~(j) Take any other action authorized by agency rule consistent with this chapter;))~~

(3) If the agency is unable to state the matters required by subsection (2)(h) of this section at the time the notice is served, the initial notice may be limited to a statement of the issues involved. If the proceeding is initiated by a person other than the agency, the initial notice may be limited to the inclusion of a copy of the initiating document. Thereafter, upon request, a more definite and detailed statement shall be furnished.

(4) The notice may include any other matters considered desirable by the agency.

NEW SECTION, Sec. 410. PLEADINGS, BRIEFS, MOTIONS, SERVICE. (1) The presiding officer, at appropriate stages of the proceedings, shall give all parties full opportunity to submit and respond to pleadings, motions, objections, and offers of settlement.

(2) At appropriate stages of the proceedings, the presiding officer may give all parties full opportunity to file briefs, proposed findings of fact and conclusions of law, and proposed initial or final orders.

(3) A party that files a pleading, brief, or other paper with the agency or presiding officer shall serve copies on all other parties, unless a different procedure is specified by agency rule.

NEW SECTION, Sec. 411. DEFAULT. (1) An agency may provide forms for and, by rule, may provide procedures for and impose time limits upon, submission of requests for hearing. Failure of a party to request a hearing within the time limit or limits established by the agency rule constitutes a waiver of that party's right to hearing, and the agency may proceed to resolve the case without further notice to, or hearing for the benefit of, that party. There shall be a minimum of twenty days from notice of an opportunity to request a hearing before a party is deemed to have waived his or her right to a hearing under this subsection.

(2) If a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties a default or other dispositive order, which shall include a statement of the grounds for the order.

(3) Within seven days after service of a default order under subsection (2) of this section, or such longer period as provided by agency rule, the party against whom it was entered may file a written motion requesting that the order be vacated, and stating the grounds relied upon. During the time within which a party may file a written motion under this subsection, the presiding officer may adjourn the proceedings or conduct them without the participation of that party, having due regard for the interests of justice and the orderly and prompt conduct of the proceedings.

NEW SECTION, Sec. 412. INTERVENTION. (1) The presiding officer may grant a petition for intervention at any time, upon determining that the petitioner qualifies as an intervenor under any provision of law and that the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.

(2) If a petitioner qualifies for intervention, the presiding officer may impose conditions upon the intervenor's participation in the proceedings, either at the time that intervention is granted or at any subsequent time. Conditions may include:

(a) Limiting the intervenor's participation to designated issues in which the intervenor has a particular interest demonstrated by the petition; and

(b) Limiting the intervenor's use of discovery, cross-examination, and other procedures so as to promote the orderly and prompt conduct of the proceedings; and

(c) Requiring two or more intervenors to combine their presentations of evidence and argument, cross-examination, discovery, and other participation in the proceedings.

(3) The presiding officer shall timely grant or deny each pending petition for intervention, specifying any conditions, and briefly stating the reasons for the order. The presiding officer may modify the order at any time, stating the reasons for the modification. The presiding officer shall promptly give notice of the decision granting, denying, or modifying intervention to the petitioner for intervention and to all parties.

Sec. 413. SUBPOENAS, DISCOVERY, AND PROTECTIVE ORDERS. Section 10, chapter 237, Laws of 1967 and RCW 34.04.105 are each amended to read as follows:

(1) ~~((In order to determine the necessity or desirability of adopting, amending, repealing, or otherwise revising a rule or proposed rule, agencies may hold public hearings, subpoena witnesses, administer oaths, take the testimony of any person under oath, and in connection therewith, require the production for examination of any books or papers relating to the subject matter of contemplated regulation. Each agency may make rules as to the issuance of subpoenas by the agency or its authorized agents. This subsection shall not preclude the exercise of subpoena powers for investigative purposes granted agencies by other statutory provisions.~~

~~(2) In any contested case after service of notice as required in RCW 34.04.090(1), as now or hereafter amended, agencies, their authorized agents, and hearing examiners hearing the case:~~

~~(a) Shall issue a subpoena upon the request of any party and, to the extent required by agency rule, upon a statement showing general relevance and reasonable scope of the evidence sought; PROVIDED, HOWEVER, That such subpoena may be issued with like effect by the attorney of record of the party to the contested case in whose behalf the witness is required to appear, and the form of such subpoena in each case may be the same as when issued by the agency except that it shall only be subscribed by the signature of such attorney;~~

~~(b) May issue a subpoena upon their own motion.~~

~~(3)) The presiding officer may issue subpoenas and may enter protective orders. A subpoena may be issued with like effect by the agency or the attorney of record in whose behalf the witness is required to appear.~~

~~(2) An agency may by rule determine whether or not discovery is to be available in adjudicative proceedings and, if so, which forms of discovery may be used.~~

~~(3) Except as otherwise provided by agency rules, the presiding officer may decide whether to permit the taking of depositions, the requesting of admissions, and all other procedures authorized by rules 26 through 36 of the superior court civil rules. The presiding officer may condition use of discovery on a showing of necessity and unavailability by other means. In exercising such discretion, the presiding officer shall consider: (a) Whether all parties are represented by counsel; (b) whether undue expense or delay in bringing the case to hearing will result; (c) whether the discovery will promote the orderly and prompt conduct of the proceeding; and (d) whether the interests of justice will be promoted.~~

~~(4) Subpoenas issued and discovery orders and protective orders entered under this section may be enforced under the provisions of this chapter on civil enforcement of agency action.~~

~~(5) The subpoena powers created by this section shall be state-wide in effect.~~

~~((4)) (6) Witnesses in an ((agency hearing or contested case)) adjudicatory proceeding shall be paid the same fees and allowances, in the same manner and under the same conditions, as provided for witnesses in the courts of this state by chapter 2.40 RCW and by RCW 5.56.010, ((as now or hereafter amended; PROVIDED:)) except that the agency shall have the power to fix the allowance for meals and lodging in like manner as is provided in RCW 5.56.010((as now or hereafter amended;)) as to courts. ((Such)) The person initiating an adjudicatory proceeding or the party requesting issuance of a subpoena shall pay the fees and allowances(;) and the cost of producing records required to be produced by ((agency)) subpoena((; shall be paid by the agency or, in a contested case, by the party requesting the issuance of the subpoena.~~

~~(5) If an individual fails to obey a subpoena, or obeys a subpoena but refuses to testify when requested concerning any matter under examination or investigation at the hearing, the agency or attorney issuing the subpoena may petition the superior court of the county where the hearing is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the agency. The court upon such petition shall enter an order directing the witness to appear before the court at a time and place to be fixed in such order and then and there to show cause why he has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant, and in the case of a rule-making hearing that the requested appearance and testimony are necessary to secure information the expected nature of which would reasonably tend to cause the agency to exercise its rule-making authority, the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers, and on failing to obey said order the witness shall be dealt with as for contempt of court).~~

NEW SECTION. Sec. 414. PROCEDURE AT HEARING. (1) The presiding officer shall regulate the course of the proceedings, in conformity with the prehearing order, if any.

(2) To the extent necessary for full disclosure of all relevant facts and issues, the presiding officer shall afford to all parties the opportunity to respond, present evidence and argument,

conduct cross-examination, and submit rebuttal evidence, except as restricted by a limited grant of intervention or by the prehearing order.

(3) In the discretion of the presiding officer, and where the rights of the parties will not be prejudiced thereby, all or part of the hearing may be conducted by telephone, television, or other electronic means. Each party in the hearing must have an opportunity to participate effectively in, to hear, and, if technically and economically feasible, to see the entire proceeding while it is taking place.

(4) The presiding officer shall cause the hearing to be recorded by a method chosen by the agency. The agency is not required, at its expense, to prepare a transcript, unless required to do so by a provision of law. Any party, at the party's expense, may cause a reporter approved by the agency to prepare a transcript from the agency's record, or cause additional recordings to be made during the hearing if the making of the additional recording does not cause distraction or disruption.

(5) The hearing is open to public observation, except for the parts that the presiding officer states to be closed under a provision of law expressly authorizing closure or under a protective order issued by the presiding officer pursuant to rules adopted by the chief administrative law judge. A presiding officer may order the exclusion of witnesses upon a showing of good cause. To the extent that the hearing is conducted by telephone, television, or other electronic means, and is not closed, the availability of public observation is satisfied by giving members of the public an opportunity, at reasonable times, to hear or inspect the agency's record, and to inspect any transcript obtained by the agency.

Sec. 415. RULES OF EVIDENCE—CROSS-EXAMINATION. Section 10, chapter 234, Laws of 1959 and RCW 34.04.100 are each amended to read as follows:

~~((In contested cases:))~~

~~(1) ((Agencies, or their authorized agents, may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent men in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. They may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.~~

~~(2) All evidence, including but not limited to records and documents in the possession of the agency of which it desires to avail itself, shall be offered and made a part of the record in the case, and no other factual information or evidence shall be considered in the determination of the case.)) Evidence, including hearsay evidence, is admissible if in the judgment of the presiding officer it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. The presiding officer shall exclude evidence that is excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the courts of this state. The presiding officer may exclude evidence that is irrelevant, immaterial, or unduly repetitious.~~

~~(2) If not inconsistent with subsection (1) of this section, the presiding officer shall refer to the Washington Rules of Evidence as guidelines for evidentiary rulings.~~

~~(3) All testimony of parties and witnesses shall be made under oath or affirmation.~~

~~(4) Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.~~

~~((3) Every party shall have the right of cross-examination of witnesses who testify, and shall have the right to submit rebuttal evidence.~~

~~((4) Agencies, or their authorized agents, may take)) (5) Official notice may be taken of (a) any judicially cognizable facts ((and in addition may take notice of general)), (b) technical((;)) or scientific facts within ((their)) the agency's specialized knowledge, and (c) codes or standards that have been adopted by an agency of the United States, of this state or of another state, or by a nationally recognized organization or association. Parties shall be notified either before or during hearing, or by reference in preliminary reports or otherwise, of the material so noticed and the sources thereof, including any staff memoranda and data, and they shall be afforded an opportunity to contest the facts and material so noticed. ((Agencies, or their authorized agents, may utilize their experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to them.)) A party proposing that official notice be taken may be required to produce a copy of the material to be noticed.~~

NEW SECTION. Sec. 416. EX PARTE COMMUNICATIONS. (1) A presiding officer may not communicate, directly or indirectly, regarding any issue in the proceeding other than communications necessary to procedural aspects of maintaining an orderly process, with any person employed by the agency without notice and opportunity for all parties to participate, except as provided in this subsection:

(a) Where the ultimate legal authority of an agency is vested in a multimember body, and where that body presides at an adjudication, members of the body may communicate with one another regarding the proceeding;

(b) Any presiding officer may receive aid from legal counsel, or from staff assistants who are subject to the presiding officer's supervision; and

(c) Presiding officers may communicate with other employees or consultants of the agency who have not participated in the proceeding in any manner, and who are not engaged in any investigative or prosecutorial functions in the same or a factually related case.

(d) This subsection does not apply to communications required for the disposition of ex parte matters specifically authorized by statute.

(2) Unless required for the disposition of ex parte matters specifically authorized by statute or unless necessary to procedural aspects of maintaining an orderly process, a presiding officer may not communicate, directly or indirectly, regarding any issue in the proceeding, with any person not employed by the agency who has a direct or indirect interest in the outcome of the proceeding, without notice and opportunity for all parties to participate.

(3) Unless necessary to procedural aspects of maintaining an orderly process, persons to whom a presiding officer may not communicate under subsections (1) and (2) of this section may not communicate with presiding officers without notice and opportunity for all parties to participate.

(4) If, before serving as presiding officer in an adjudicative proceeding, a person receives an ex parte communication of a type that could not properly be received while serving, the person, promptly after starting to serve, shall disclose the communication in the manner prescribed in subsection (5) of this section.

(5) A presiding officer who receives an ex parte communication in violation of this section shall place on the record of the pending matter all written communications received, all written responses to the communications, and a memorandum stating the substance of all oral communications received, all responses made, and the identity of each person from whom the presiding officer received an ex parte communication. The presiding officer shall advise all parties that these matters have been placed on the record. Upon request made within ten days after notice of the ex parte communication, any party desiring to rebut the communication shall be allowed to place a written rebuttal statement on the record. Portions of the record pertaining to ex parte communications or rebuttal statements do not constitute evidence of any fact at issue in the matter unless a party moves the admission of any portion of the record for purposes of establishing a fact at issue and that portion is admitted pursuant to section 415 of this act.

(6) If necessary to eliminate the effect of an ex parte communication received in violation of this section, a presiding officer who receives the communication may be disqualified, and the portions of the record pertaining to the communication may be sealed by protective order.

(7) The agency shall, and any party may, report any violation of this section to appropriate authorities for any disciplinary proceedings provided by law. In addition, each agency by rule may provide for appropriate sanctions, including default, for any violations of this section.

NEW SECTION. Sec. 417. SEPARATION OF FUNCTIONS. (1) A person who has served as investigator, prosecutor, or advocate in an adjudicative proceeding or in its preadjudicative stage, or one who is subject to the authority, direction, or discretion of such a person, may not serve as a presiding officer in the same proceeding.

(2) A person, including an agency head, who has participated in a determination of probable cause or other equivalent preliminary determination in an adjudicative proceeding may serve as presiding officer or assist or advise a presiding officer in the same proceeding unless a party demonstrates grounds for disqualification in accordance with section 406 of this act.

(3) A person may serve as presiding officer at successive stages of the same adjudicative proceeding unless a party demonstrates grounds for disqualification in accordance with section 406 of this act.

NEW SECTION. Sec. 418. ENTRY OF ORDERS. (1) Except as provided in subsection (2) of this section:

(a) If the presiding officer is the agency head or one or more members of the agency head, the presiding officer may enter an initial order if further review is available within the agency, or a final order if further review is not available;

(b) If the presiding officer is a person designated by the agency to make the final decision and enter the final order, the presiding officer shall enter a final order; and

(c) If the presiding officer is one or more administrative law judges, the presiding officer shall enter an initial order.

(2) With respect to agencies exempt from chapter 34.12 RCW or an institution of higher education, the presiding officer shall transmit a full and complete record of the proceedings, including such comments upon demeanor of witnesses as the presiding officer deems relevant, to each agency official who is to enter a final or initial order after considering the record and evidence so transmitted.

(3) Initial and final orders shall include a statement of findings and conclusions, and the reasons and basis therefor, on all the material issues of fact, law, or discretion presented on the record, including the remedy or sanction and, if applicable, the action taken on a petition for a stay of effectiveness. Any findings based substantially on credibility of evidence or demeanor of witnesses shall be so identified. Findings set forth in language that is essentially a repetition or paraphrase of the relevant provision of law shall be accompanied by a concise and explicit statement of the underlying evidence of record to support the findings. The order shall also include a statement of the available procedures and time limits for seeking reconsideration or

other administrative relief. An initial order shall include a statement of any circumstances under which the initial order, without further notice, may become a final order.

(4) Findings of fact shall be based exclusively on the evidence of record in the adjudicative proceeding and on matters officially noticed in that proceeding. Findings shall be based on the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. Findings may be based on such evidence even if it would be inadmissible in a civil trial. However, the presiding officer shall not base a finding exclusively on such inadmissible evidence unless the presiding officer determines that doing so would not unduly abridge the parties' opportunities to confront witnesses and rebut evidence. The basis for this determination shall appear in the order.

(5) Where it bears on the issues presented, the agency's experience, technical competency, and specialized knowledge may be used in the evaluation of evidence.

(6) If a person serving or designated to serve as presiding officer becomes unavailable for any reason before entry of the order, a substitute presiding officer shall be appointed as provided in section 406 of this act. The substitute presiding officer shall use any existing record and may conduct any further proceedings appropriate in the interests of justice.

(7) The presiding officer may allow the parties a designated time after conclusion of the hearing for the submission of memos, briefs, or proposed findings.

(8) Initial or final orders shall be served in writing within ninety days after conclusion of the hearing or after submission of memos, briefs, or proposed findings in accordance with subsection (7) of this section unless this period is waived or extended for good cause shown.

(9) The presiding officer shall cause copies of initial and final orders to be delivered to each party and to the agency head.

NEW SECTION. Sec. 419. REVIEW OF INITIAL ORDERS. (1) As authorized by law, an agency may by rule provide that initial orders in specified classes of cases may become final without further agency action unless, within a specified period, (a) the agency head upon its own motion determines that the initial order should be reviewed, or (b) a party to the proceedings files exceptions to the initial order. Upon occurrence of either event, notice shall be given to all parties to the proceeding.

(2) As provided by law, an agency head may appoint a person to review initial orders and to prepare and enter final agency orders.

(3) Sections 406 and 416 of this act apply to any person reviewing an initial order on behalf of an agency as part of the decision process, and to persons communicating with them, to the same extent that it is applicable to presiding officers.

(4) The officer reviewing the initial order (including the agency head reviewing an initial order) is, for the purposes of this chapter, termed the reviewing officer. The reviewing officer shall exercise all the decision-making power that the reviewing officer would have had to decide and enter the final order had the reviewing officer presided over the hearing, except to the extent that the issues subject to review are limited by a provision of law or by the reviewing officer upon notice to all the parties. In reviewing findings of fact by presiding officers, the reviewing officers shall give due regard to the presiding officer's opportunity to observe the witnesses.

(5) The reviewing officer shall personally consider the whole record or such portions of it as may be cited by the parties.

(6) The reviewing officer shall afford each party an opportunity to present written argument and may afford each party an opportunity to present oral argument.

(7) The reviewing officer shall enter a final order disposing of the proceeding or remand the matter for further proceedings, with instructions to the presiding officer who entered the initial order. Upon remanding a matter, the reviewing officer shall order such temporary relief as is authorized and appropriate.

(8) A final order shall include, or incorporate by reference to the initial order, all matters required by section 418(3) of this act.

(9) The reviewing officer shall cause copies of the final order or order remanding the matter for further proceedings to be served upon each party.

NEW SECTION. Sec. 420. STAY. A party may submit to the presiding or reviewing officer, as is appropriate to the stage of the proceeding, a petition for stay of effectiveness of a final order within ten days of its service unless otherwise provided by statute or stated in the final order. Disposition of the petition for stay shall be made by the presiding officer, reviewing officer, or agency head as provided by agency rule. Disposition may be made either before or after the effective date of the final order. Disposition denying a stay is not subject to judicial review.

NEW SECTION. Sec. 421. RECONSIDERATION. (1) Within ten days of the service of a final order, any party may file a petition for reconsideration, stating the specific grounds upon which relief is requested. The place of filing shall be specified by agency rule.

(2) The petition shall be disposed of by the same person or persons who entered the order, if reasonably available. The disposition shall be in the form of a written order denying the petition, granting the petition and dissolving or modifying the final order, or granting the petition and setting the matter for further hearing. The petition shall be deemed to have been denied if not disposed of within twenty days.

(3) No petition for reconsideration may stay the effectiveness of an order.

(4) The agency head may extend the time limits in this section for good cause, with due consideration that the rights of the parties will not be prejudiced by the good extension and that extension will be in the public interest.

(5) The filing of a petition for reconsideration is not a prerequisite for seeking judicial review. An order denying reconsideration, or an extension of time limits pursuant to subsection (4) of this section is not subject to judicial review.

NEW SECTION, Sec. 422. EFFECTIVENESS OF ORDERS. (1) Unless a later date is stated in an order or a stay is granted, an order is effective when signed, but:

(a) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the final order;

(b) A nonparty may not be required to comply with a final order unless the agency has made the final order available for public inspection and copying or the nonparty has actual knowledge of the final order;

(c) For purposes of determining time limits for further administrative procedure or for judicial review, the determinative date is the date of service of the order.

(2) Unless a later date is stated in the initial order or a stay is granted, the time when an initial order becomes a final order in accordance with section 418 of this act is determined as follows:

(a) When the initial order is entered, if administrative review is unavailable; or

(b) When the agency head with such authority enters an order staying, after a petition for administrative review has been filed, that review will not be exercised.

(3) This section does not preclude an agency from taking immediate action to protect the public interest in accordance with section 424 of this act.

NEW SECTION, Sec. 423. AGENCY RECORD. (1) An agency shall maintain an official record of each adjudicative proceeding under this chapter.

(2) The agency record shall include:

(a) Notices of all proceedings;

(b) Any prehearing order;

(c) Any motions, pleadings, briefs, petitions, requests, and intermediate rulings;

(d) Evidence received or considered;

(e) A statement of matters officially noticed;

(f) Proffers of proof and objections and rulings thereon;

(g) Proposed findings, requested orders, and exceptions;

(h) The recording prepared for the presiding officer at the hearing, together with any transcript of all or part of the hearing considered before final disposition of the proceeding;

(i) Any final order, initial order, or order on reconsideration;

(j) Staff memoranda or data submitted to the presiding officer, unless prepared and submitted by personal assistants and not inconsistent with section 416 of this act; and

(k) Matters placed on the record after an *ex parte* communication.

(3) Except to the extent that this chapter or another statute provides otherwise, the agency record constitutes the exclusive basis for agency action in adjudicative proceedings under this chapter and for judicial review of adjudicative proceedings.

NEW SECTION, Sec. 424. EMERGENCY ADJUDICATIVE PROCEEDINGS. (1) Unless otherwise provided by law, an agency may use emergency adjudicative proceedings in a situation involving an immediate danger to the public health, safety, or welfare requiring immediate agency action.

(2) The agency may take only such action as is necessary to prevent or avoid the immediate danger to the public health, safety, or welfare that justifies use of emergency adjudication.

(3) The agency shall enter an order, including a brief statement of findings of fact, conclusions of law, and policy reasons for the decision if it is an exercise of the agency's discretion, to justify the determination of an immediate danger and the agency's decision to take the specific action.

(4) The agency shall give such notice as is practicable to persons who are required to comply with the order. The order is effective when entered.

(5) After entering an order under this section, the agency shall proceed as quickly as feasible to complete any proceedings that would be required if the matter did not involve an immediate danger.

(6) The agency record consists of any documents regarding the matter that were considered or prepared by the agency. The agency shall maintain these documents as its official record.

(7) Unless otherwise required by a provision of law, the agency record need not constitute the exclusive basis for agency action in emergency adjudicative proceedings or for judicial review thereof.

(8) This section shall not apply to agency action taken pursuant to a provision of law that expressly authorizes the agency to issue a cease and desist order. The agency may proceed, alternatively, under that independent authority.

NEW SECTION. Sec. 425. BRIEF ADJUDICATIVE PROCEEDINGS—APPLICABILITY. (1) An agency may use brief adjudicative proceedings if:

(a) The use of those proceedings in the circumstances does not violate any provision of law;

(b) The protection of the public interest does not require the agency to give notice and an opportunity to participate to persons other than the parties;

(c) The matter is entirely within one or more categories for which the agency by rule has adopted this section and sections 426 through 429 of this act; and

(d) The issue and interests involved in the controversy do not warrant use of the procedures of sections 402 through 424 of this act.

(2) Brief adjudicative proceedings are not authorized for public assistance and food stamp programs provided for in Title 74 RCW, including but not limited to public assistance as defined in RCW 74.04.005(1).

NEW SECTION. Sec. 426. BRIEF ADJUDICATIVE PROCEEDINGS—PROCEDURE. (1) If not specifically prohibited by law, the following persons may be designated as the presiding officer of a brief adjudicative proceeding:

(a) The agency head;

(b) One or more members of the agency head;

(c) One or more administrative law judges; or

(d) One or more other persons designated by the agency head.

(2) Before taking action, the presiding officer shall give each party an opportunity to be informed of the agency's view of the matter and to explain the party's view of the matter.

(3) At the time any unfavorable action is taken the presiding officer shall give each party a brief statement of the reasons for the decision. Within ten days, the presiding officer shall give the parties a brief written statement of the reasons for the decision and information about any internal administrative review available.

(4) The brief written statement is a proposed order. If no review is taken of the proposed order as authorized by sections 427 and 428 of this act, the proposed order shall be the final order.

NEW SECTION. Sec. 427. BRIEF PROCEEDINGS—ADMINISTRATIVE REVIEW—APPLICABILITY. Unless prohibited by any provision of law, an agency, on its own motion, may conduct administrative review of an order resulting from brief adjudicative proceedings. An agency shall conduct this review upon the written or oral request of a party if the agency receives the request within twenty-one days after furnishing the written statement required by section 426(3) of this act.

NEW SECTION. Sec. 428. BRIEF PROCEEDINGS—ADMINISTRATIVE REVIEW—PROCEDURES. Unless otherwise provided by statute:

(1) If the parties have not requested review, the agency may review an order resulting from a brief adjudicative proceeding on its own motion and without notice to the parties, but it may not take any action on review less favorable to any party than the original order without giving that party notice and an opportunity to explain that party's view of the matter.

(2) The reviewing officer may be any person who could have presided at the brief proceeding, but the reviewing officer must be one who is authorized to grant appropriate relief upon review.

(3) The reviewing officer shall give each party an opportunity to explain the party's view of the matter and shall make any inquiries necessary to ascertain whether the proceeding must be converted to a formal adjudicative hearing.

(4) The order on review must be in writing, must include a brief statement of the reasons for the decision, and must be entered within twenty days after the date of the initial order or of the request for review, whichever is later. The order shall include a description of any further available administrative review or, if none is available, a notice that judicial review may be available.

(5) A request for administrative review is deemed to have been denied if the agency does not make a disposition of the matter within twenty days after the request is submitted.

NEW SECTION. Sec. 429. AGENCY RECORD IN BRIEF PROCEEDINGS. (1) The agency record consists of any documents regarding the matter that were considered or prepared by the presiding officer for the brief adjudicative proceeding or by the reviewing officer for any review. The agency shall maintain these documents as its official record.

(2) Unless otherwise required by a provision of law, the agency record need not constitute the exclusive basis for agency action in brief adjudicative proceedings or for the judicial review of brief adjudicative proceedings.

PART XIII.

JUDICIAL REVIEW AND CIVIL ENFORCEMENT

NEW SECTION. Sec. 501. RELATIONSHIP BETWEEN THIS CHAPTER AND OTHER JUDICIAL REVIEW AUTHORITY. This chapter establishes the exclusive means of judicial review of agency action, except:

(1) The provisions of this chapter for judicial review do not apply to litigation in which the sole issue is a claim for money damages or compensation and the agency whose action is at issue does not have statutory authority to determine the claim.

(2) Ancillary procedural matters before the reviewing court, including intervention, class actions, consolidation, joinder, severance, transfer, protective orders, and other relief from disclosure of privileged or confidential material, are governed, to the extent not inconsistent with this chapter, by court rule.

(3) To the extent that de novo review or jury trial review of agency action is expressly authorized by provision of law.

NEW SECTION, Sec. 502. PETITION FOR REVIEW—WHERE FILED. (1) Except as provided in subsection (2) of this section and section 508 of this act, proceedings for review under this chapter shall be instituted by filing a petition in the superior court, at the petitioner's option, for (a) Thurston county, (b) the county of the petitioner's residence or principal place of business, or (c) in any county where the property owned by the petitioner and affected by the contested decision is located.

(2) For proceedings involving institutions of higher education, the petition shall be filed either in the county in which the principal office of the institution involved is located or in the county of a branch campus if the action involves such branch.

Sec. 503. DIRECT REVIEW BY COURT OF APPEALS. Section 1, chapter 76, Laws of 1980 and RCW 34.04.133 are each amended to read as follows:

The final decision of an administrative agency in ~~((a contested case))~~ an adjudicative proceeding under this chapter ~~((34.04 RCW))~~ may be directly reviewed by the court of appeals upon certification by the superior court pursuant to this section. An application for ~~((such))~~ direct review must be filed with the superior court within thirty days of the filing of the petition for review in superior court. The superior court may certify a case for direct review only if the judicial review is limited to the record of the agency proceeding and the court finds that:

(1) Fundamental and urgent issues affecting the future administrative process or the public interest are involved which require a prompt determination;

(2) Delay in obtaining a final and prompt determination of such issues would be detrimental to any party or the public interest;

(3) An appeal to the court of appeals would be likely regardless of the determination in superior court; and

(4) The appellate court's determination in the proceeding would have significant precedential value.

Sec. 504. REFUSAL OF REVIEW BY COURT OF APPEALS. Section 2, chapter 76, Laws of 1980 and RCW 34.04.135 are each amended to read as follows:

The court of appeals may refuse to accept review of a case certified pursuant to ~~((RCW 34.04.133))~~ section 503 of this act. The refusal to accept such review is not subject to further appellate review, notwithstanding anything in Rule 13.3 of the Rules of Appellate Procedure to the contrary.

Sec. 505. APPEAL TO SUPREME COURT OR COURT OF APPEALS. Section 14, chapter 234, Laws of 1959 as amended by section 87, chapter 81, Laws of 1971 and RCW 34.04.140 are each amended to read as follows:

An aggrieved party may secure a review of any final judgment of the superior court under this chapter by appeal to the supreme court or the court of appeals. ~~((Such))~~ The appeal shall be taken in the manner provided by law for appeals from the superior court in other civil cases.

NEW SECTION, Sec. 506. STANDING. A person has standing to obtain judicial review of agency action if that person is aggrieved or adversely affected by the agency action. A person is aggrieved or adversely affected within the meaning of this section only when all three of the following conditions are present:

(1) The agency action has prejudiced or is likely to prejudice that person;

(2) That person's asserted interests are among those that the agency was required to consider when it engaged in the agency action challenged; and

(3) A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the agency action.

NEW SECTION, Sec. 507. EXHAUSTION OF ADMINISTRATIVE REMEDIES. A person may file a petition for judicial review under this chapter only after exhausting all administrative remedies available within the agency whose action is being challenged, or available within any other agency authorized to exercise administrative review, except:

(1) A petitioner for judicial review of a rule need not have participated in the rule-making proceeding upon which that rule is based, or have petitioned for its amendment or repeal;

(2) A petitioner for judicial review need not exhaust administrative remedies to the extent that this chapter or any other statute states that exhaustion is not required; or

(3) The court may relieve a petitioner of the requirement to exhaust any or all administrative remedies upon a showing that:

(a) The remedies would be patently inadequate;

(b) The exhaustion of remedies would be futile; or

(c) The grave irreparable harm that would result from having to exhaust administrative remedies would clearly outweigh the public policy requiring exhaustion of administrative remedies.

Sec. 508. DECLARATORY JUDGMENT ON VALIDITY OF RULE. Section 7, chapter 234, Laws of 1959 as amended by section 8, chapter 6, Laws of 1982 and RCW 34.04.070 are each amended to read as follows:

~~((H))~~ The validity of any rule may be determined upon petition for a declaratory judgment ~~((thereon))~~ addressed to the superior court of Thurston county, when it appears that the rule, or its threatened application, interferes with or impairs or immediately threatens to interfere with or impair, the legal rights or privileges of the petitioner. The agency shall be made a party to the proceeding. The declaratory judgment order may be ~~((rendered))~~ entered whether or not the petitioner has first requested the agency to pass upon the validity of the rule in question.

~~((2))~~ In a proceeding under subsection (1) of this section the court shall declare the rule invalid only if it finds that it violates constitutional provisions or exceeds the statutory authority of the agency or was adopted without compliance with statutory rule-making procedures.

~~(3)~~ A petition for a declaratory judgment pursuant to this section may not be solely based on the contents of the small business economic impact statement. However, in the case of a petition for a declaratory judgment as to the validity of any rule which is adopted after June 10, 1982, and which is based on grounds other than the contents of the small business economic impact statement, the compliance or noncompliance with the agency with the provisions of this chapter and where applicable the small business economic impact statement shall constitute part of the whole record of the agency's action in connection with the petition:))

NEW SECTION, Sec. 509. TIME FOR FILING PETITION FOR REVIEW. Subject to other requirements of this chapter or of another statute:

(1) A petition for judicial review of a rule may be filed at any time, except as limited by section 314 of this act.

(2) A petition for judicial review of an order shall be filed with the court and served on the agency, the office of the attorney general, and all parties of record within thirty days after service of the final order.

(3) A petition for judicial review of agency action other than the adoption of a rule or the entry of an order is not timely unless filed with the court and served on the agency, the office of the attorney general, and all other parties of record within thirty days after the agency action, but the time is extended during any period that the petitioner did not know and was under no duty to discover or could not reasonably have discovered that the agency had taken the action or that the agency action had a sufficient effect to confer standing upon the petitioner to obtain judicial review under this chapter.

(4) Service of the petition on the agency shall be by delivery of a copy of the petition to the office of the director, or other chief administrative officer or chairperson of the agency, at the principal office of the agency. Service of a copy by mail upon the other parties of record and the office of the attorney general shall be deemed complete upon deposit in the United States mail, as evidenced by the postmark.

(5) Failure to timely serve a petition on the office of the attorney general is not grounds for dismissal of the petition.

NEW SECTION, Sec. 510. PETITION FOR REVIEW—CONTENTS. A petition for review must set forth:

(1) The name and mailing address of the petitioner;

(2) The name and mailing address of the petitioner's attorney, if any;

(3) The name and mailing address of the agency whose action is at issue;

(4) Identification of the agency action at issue, together with a duplicate copy, summary, or brief description of the agency action;

(5) Identification of persons who were parties in any adjudicative proceedings that led to the agency action;

(6) Facts to demonstrate that the petitioner is entitled to obtain judicial review;

(7) The petitioner's reasons for believing that relief should be granted; and

(8) A request for relief, specifying the type and extent of relief requested.

NEW SECTION, Sec. 511. STAY AND OTHER TEMPORARY REMEDIES. (1) Unless precluded by law, the agency may grant a stay, in whole or in part, or other temporary remedy during the pendency of judicial review.

(2) After a petition for review has been filed, a party may file a motion in the reviewing court seeking a stay or other temporary remedy.

(3) If judicial relief is sought for a stay or other temporary remedy from agency action based on public health, safety, or welfare grounds the court shall not grant such relief unless the court finds that:

(a) The applicant is likely to prevail when the court finally disposes of the matter;

(b) Without relief the applicant will suffer irreparable injury;

(c) The grant of relief to the applicant will not substantially harm other parties to the proceedings; and

(d) The threat to the public health, safety, or welfare is not sufficiently serious to justify the agency action in the circumstances.

(4) If the court determines that relief should be granted from the agency's action granting a stay or other temporary remedies, the court may remand the matter or may enter an order denying a stay or granting a stay on appropriate terms.

NEW SECTION. Sec. 512. LIMITATION ON NEW ISSUES. (1) Issues not raised before the agency may not be raised on appeal, except to the extent that:

(a) The person did not know and was under no duty to discover or could not have reasonably discovered facts giving rise to the issue;

(b) The agency action subject to judicial review is a rule and the person has not been a party in adjudicative proceedings that provided an adequate opportunity to raise the issue;

(c) The agency action subject to judicial review is an order and the person was not notified of the adjudicative proceeding in substantial compliance with this chapter; or

(d) The interests of justice would be served by resolution of an issue arising from:

(i) A change in controlling law occurring after the agency action; or

(ii) Agency action occurring after the person exhausted the last feasible opportunity for seeking relief from the agency.

(2) The court shall remand to the agency for determination any issue that is properly raised pursuant to subsection (1) of this section.

NEW SECTION. Sec. 513. JUDICIAL REVIEW OF FACTS CONFINED TO RECORD. Judicial review of disputed issues of fact shall be conducted by the court without a jury and must be confined to the agency record for judicial review as defined by this chapter, supplemented by additional evidence taken pursuant to this chapter.

NEW SECTION. Sec. 514. NEW EVIDENCE TAKEN BY COURT OR AGENCY. (1) The court may receive evidence in addition to that contained in the agency record for judicial review, only if it relates to the validity of the agency action at the time it was taken and is needed to decide disputed issues regarding:

(a) Improper constitution as a decision-making body or grounds for disqualification of those taking the agency action;

(b) Unlawfulness of procedure or of decision-making process; or

(c) Material facts in rule making, brief adjudications, or other proceedings not required to be determined on the agency record.

(2) The court may remand a matter to the agency, before final disposition of a petition for review, with directions that the agency conduct fact-finding and other proceedings the court considers necessary and that the agency take such further action on the basis thereof as the court directs, if:

(a) The agency was required by this chapter or any other provision of law to base its action exclusively on a record of a type reasonably suitable for judicial review, but the agency failed to prepare or preserve an adequate record;

(b) The court finds that (i) new evidence has become available that relates to the validity of the agency action at the time it was taken, that one or more of the parties did not know and was under no duty to discover or could not have reasonably been discovered until after the agency action, and (ii) the interests of justice would be served by remand to the agency;

(c) The agency improperly excluded or omitted evidence from the record; or

(d) A relevant provision of law changed after the agency action and the court determines that the new provision may control the outcome.

NEW SECTION. Sec. 515. AGENCY RECORD FOR REVIEW—COSTS. (1) Within thirty days after service of the petition, or within further time allowed by the court or by other provision of law, the agency shall transmit to the court the original or a certified copy of the agency record for judicial review of the agency action. The record shall consist of any agency documents expressing the agency action, other documents identified by the agency as having been considered by it before its action and used as a basis for its action, and any other material described in this chapter as the agency record for the type of agency action at issue, subject to the provisions of this section.

(2) If part of the record has been preserved without a transcript, the agency shall prepare a transcript for inclusion in the record transmitted to the court, except for portions that the parties stipulate to omit in accordance with subsection (4) of this section.

(3) The agency may charge a nonindigent petitioner with the reasonable costs of preparing any necessary copies and transcripts for transmittal to the court. A failure by the petitioner to pay any of this cost to the agency relieves the agency from the responsibility for preparation of the record and transmittal to the court.

(4) The record may be shortened, summarized, or organized temporarily or, by stipulation of all parties, permanently.

(5) The court may tax the cost of preparing transcripts and copies for the record:

(a) Against a party who unreasonably refuses to stipulate to shorten, summarize, or organize the record;

(b) As provided by section 516 of this act; or

(c) In accordance with any other provision of law.

(6) Additions to the record pursuant to section 514 of this act must be made as ordered by the court.

(7) The court may require or permit subsequent corrections or additions to the record.

Sec. 516. JUDICIAL REVIEW. Section 13, chapter 234, Laws of 1959 as last amended by section 1, chapter 52, Laws of 1977 ex. sess. and RCW 34.04.130 are each amended to read as follows:

(1) ~~((Any person aggrieved by a final decision in a contested case, whether such decision is affirmative or negative in form, is entitled to judicial review thereof only under the provisions of this 1967 amendatory act, and such person may not use any other procedure to obtain judicial review of a final decision, even though another procedure is provided elsewhere by a special statute or a statute of general application. Where the agency's rules provide a procedure for rehearing or reconsideration, and that procedure has been invoked, the agency decision shall not be final until the agency shall have acted thereon.~~

~~(2) Proceedings for review under this chapter shall be instituted by filing a petition in the superior court, at the petitioner's option, for (a) Thurston county, (b) the county of the petitioner's residence or principal place of business, or (c) in any county where the property owned by the petitioner and affected by the contested decision is located. The petition shall be served and filed within thirty days after the service of the final decision of the agency. Copies of the petition shall be served upon the agency and all parties of record. If a timely petition is filed any party of record not filing or joining in the first petition who wants relief from the decision must join in the petition or serve and file a cross-petition within twenty days after service of the first petition or thirty days after service of the final decision of the agency, whichever period of time is longer. The court, in its discretion, may permit other interested persons to intervene.~~

~~(3) The filing of the petition shall not stay enforcement of the agency decision. Where other statutes provide for stay or supersedeas of an agency decision, it may be stayed by the agency or the reviewing court only as provided therein; otherwise the agency may do so, or the reviewing court may order a stay upon such terms as it deems proper.~~

~~(4) Within thirty days after service of the petition, or within such further time as the court may allow, the agency shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review; but, by stipulation of all parties to the review proceeding, the record may be shortened. Any party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional costs. The court may require or permit subsequent corrections or additions to the record when deemed desirable.~~

~~(5) The review shall be conducted by the court without a jury and shall be confined to the record, except that in cases of alleged irregularities in procedure before the agency, not shown in the record, testimony thereon may be taken in the court. The court shall, upon request, hear oral argument and receive written briefs.~~

~~(6) The court may affirm the decision of the agency or remand the case for further proceedings; or it may reverse the decision if the substantial rights of the petitioners may have been prejudiced because the administrative findings, inferences, conclusions, or decisions are)) Generally, Except to the extent that this chapter or another statute provides otherwise:~~

~~(a) The burden of demonstrating the invalidity of agency action is on the party asserting invalidity;~~

~~(b) The validity of agency action shall be determined in accordance with the standards of review provided in this section, as applied to the agency action at the time it was taken;~~

~~(c) The court shall make a separate and distinct ruling on each material issue on which the court's decision is based; and~~

~~(d) The court shall grant relief only if it determines that a person seeking judicial relief has been substantially prejudiced by the action complained of.~~

~~(2) Review of rules. (a) A rule may be reviewed by petition for declaratory judgment filed pursuant to section 508 of this act or by review of other agency action.~~

~~(b) The validity of any rule may be determined upon petition for a declaratory judgment addressed to the superior court of Thurston county, when it appears that the rule, or its threatened application, interferes with or impairs or immediately threatens to interfere with or impair the legal rights or privileges of the petitioner. The agency shall be made a party to the proceeding. The declaratory judgment order may be entered whether or not the petitioner has first requested the agency to pass upon the validity of the rule in question.~~

~~(c) In a declaratory judgment proceeding, the court shall declare the rule invalid only if it finds that it violates constitutional provisions or exceeds the statutory authority of the agency or was adopted without compliance with statutory rule-making procedures.~~

~~(3) Review of agency orders. The court shall grant relief from an agency order only if it determines that:~~

~~(a) The order, or the statute or rule on which the order is based, is in violation of constitutional provisions on its face or as applied; ((or))~~

~~(b) ((in excess of)) The order is outside the statutory authority or jurisdiction of the agency conferred by any provision of law; ((or))~~

~~(c) ((made upon)) The agency has engaged in unlawful procedure or decision making process, or has failed to follow a prescribed procedure; ((or))~~

~~(d) ((affected by other error of)) The agency has erroneously interpreted or applied the law; ((or))~~

~~(e) ((clearly erroneous in view of the entire record as submitted and the public policy contained in the act of the legislature authorizing the decision or order)) The order, other than a rule, is not supported by evidence that is substantial when viewed in light of the whole record before the court, which includes the agency record for judicial review, supplemented by any additional evidence received by the court under this chapter; ((or))~~

~~(f) The agency has not decided all issues requiring resolution by the agency;~~

~~(g) The persons entering the order were subject to disqualification;~~

~~(h) The order is inconsistent with a rule of the agency unless the agency explains the inconsistency by stating facts and reasons to demonstrate a rational basis for inconsistency; or~~

~~(i) The order is arbitrary or capricious.~~

~~(4) Review of other agency action.~~

~~(a) All agency action not reviewable under subsection (2) or (3) of this section shall be reviewed under this subsection.~~

~~(b) A person whose rights are violated by an agency's failure to perform a duty that is required by law to be performed may file a petition for review pursuant to section 502 of this act, seeking an order pursuant to this subsection requiring performance. Within twenty days after service of the petition for review, the agency shall file and serve an answer to the petition, made in the same manner as an answer to a complaint in a civil action. The court may hear evidence, pursuant to section 514 of this act, on material issues of fact raised by the petition.~~

~~(c) Relief for persons aggrieved by the performance of an agency action, including the exercise of discretion, or an action under (b) of this subsection can be granted only if the court determines that the action is:~~

~~(i) Unconstitutional;~~

~~(ii) Outside the statutory authority of the agency or the authority conferred by a provision of law;~~

~~(iii) Arbitrary or capricious; or~~

~~(iv) Taken by persons who were not properly constituted as agency officials lawfully entitled to take such action.~~

NEW SECTION. Sec. 517. TYPE OF RELIEF. (1) The court may order an agency to take action required by law, order an agency to exercise discretion required by law, affirm or set aside agency action, enjoin or stay the agency action, remand the matter for further proceedings, or enter a declaratory judgment order. In reviewing matters within agency discretion, the court shall limit its function to assuring that the agency has exercised its discretion in accordance with law, and shall not itself undertake to exercise the discretion that the legislature has placed in the agency. The court shall remand to the agency for modification of agency action, unless remand is impracticable or would cause unnecessary delay.

(2) The sole remedy available to a person who is wrongfully denied licensure based upon a failure to pass an examination administered by a state agency, or under its auspices, is the right to retake the examination free of the defect or defects the court may have found in the examination or the examination procedure.

(3) The court may award damages, compensation, or ancillary relief only to the extent expressly authorized by another provision of law.

(4) If the court sets aside or modifies agency action or remands the matter to the agency for further proceedings, the court may make any interlocutory order it finds necessary to preserve the interests of the parties and the public, pending further proceedings or agency action.

NEW SECTION. Sec. 518. PETITION BY AGENCY FOR ENFORCEMENT. (1) In addition to other remedies provided by law, an agency may seek enforcement of its rule or order by filing a petition for civil enforcement in the superior court.

(2) The petition must name as respondent each alleged person against whom the agency seeks to obtain civil enforcement.

(3) Venue is determined as in other civil cases.

(4) A petition for civil enforcement filed by an agency may request, and the court may grant, declaratory relief, temporary or permanent injunctive relief, any other civil remedy provided by law, or any combination of the foregoing.

NEW SECTION. Sec. 519. PETITION BY OTHERS FOR ENFORCEMENT. (1) Any person who would qualify under this chapter as having standing to obtain judicial review of an agency's failure to enforce an order directed to another person may file a petition for civil enforcement of that order, but the action may not be commenced:

(a) Until at least sixty days after the petitioner has given notice of the alleged violation and of the petitioner's intent to seek civil enforcement to the head of the agency concerned, to the attorney general, and to each person against whom the petitioner seeks civil enforcement;

(b) If the agency has filed and is diligently prosecuting a petition for civil enforcement of the same order against the same person; or

(c) If a petition for review of the same order has been filed and a stay is in effect.

(2) The petition shall name, as respondents, the agency whose order is sought to be enforced and each person against whom the petitioner seeks civil enforcement.

(3) The agency whose order is sought to be enforced may move to dismiss the petition on the grounds that it fails to qualify under this section or that the enforcement would be contrary to the policy of the agency. The court shall grant the motion to dismiss the petition unless the petitioner demonstrates that (a) the petition qualifies under this section and (b) the agency's failure to enforce its order is based on an exercise of discretion that is arbitrary or capricious.

(4) Except to the extent expressly authorized by law, a petition for civil enforcement may not request, and the court may not grant, any monetary payment apart from taxable costs.

NEW SECTION. Sec. 520. DEFENSES—LIMITATION ON NEW ISSUES. (1) In a proceeding for civil enforcement a respondent may only assert as a defense:

(a) That the rule or order is invalid under section 516(3) (a) or (b) of this act. The court may only consider issues and receive evidence within the limitations provided by sections 512, 513, and 514 of this act;

(b) That the rule or order does not apply to the party or that the party has not violated the rule or order; and

(c) A defense specifically authorized by statute.

(2) The court, to the extent necessary for the determination of the matter, may consider new issues or take new evidence.

NEW SECTION. Sec. 521. INCORPORATION OF OTHER JUDICIAL REVIEW PROVISIONS. Proceedings for civil enforcement are governed by the following provisions of this chapter on judicial review, as modified where necessary to adapt them to those proceedings:

(1) Section 501(2) of this act (ancillary procedural matters); and

(2) Section 515 of this act (agency record for judicial review).

NEW SECTION. Sec. 522. REVIEW BY HIGHER COURT. Decisions on petitions for civil enforcement are reviewable as in other civil cases.

PART XIV.

LEGISLATIVE REVIEW AND MISCELLANEOUS PROVISIONS

Sec. 601. JOINT ADMINISTRATIVE RULES REVIEW COMMITTEE—MEMBERS—APPOINTMENT—TERMS—VACANCIES. Section 5, chapter 324, Laws of 1981 as amended by section 1, chapter 53, Laws of 1983 and RCW 34.04.210 are each amended to read as follows:

(1) There is hereby created a joint administrative rules review committee which shall be a bipartisan committee consisting of four senators and four representatives from the state legislature. The senate members of the committee shall be appointed by the president of the senate, and the house members of the committee shall be appointed by the speaker of the house. Not more than two members from each house may be from the same political party. All appointments to the committee are subject to approval by the caucuses to which the appointed members belong.

(2) ~~(The initial members of the committee shall be appointed as soon as possible after July 26, 1981, and shall serve until the next regular session of the legislature convenes in an odd-numbered year. Thereafter)~~ Members shall be appointed as soon as possible after the legislature convenes in regular session in an odd-numbered year, and their terms shall extend until their successors are appointed and qualified at the next regular session of the legislature in an odd-numbered year or until such members no longer serve in the legislature, whichever occurs first. Members may be reappointed to a committee.

(3) The president of the senate shall appoint the chairperson in even-numbered years and the vice chairperson in odd-numbered years from among committee membership. The speaker of the house shall appoint the chairperson in odd-numbered years and the vice chairperson in even-numbered years from among committee membership. Such appointments shall be made in January of each year as soon as possible after a legislative session convenes.

(4) A vacancy on the committee shall be filled by appointment of a legislator from the same political party as the original appointment. The appropriate appointing authority shall make the appointment within thirty days of the vacancy occurring.

Sec. 602. REVIEW OF PROPOSED RULES—NOTICE. Section 6, chapter 324, Laws of 1981 as amended by section 1, chapter 451, Laws of 1987 and RCW 34.04.220 are each amended to read as follows:

Whenever a majority of the members of the rules review committee determines that a proposed rule is not within the intent of the legislature as expressed in the statute which the rule implements, the committee shall give the affected agency written notice of its decision. The notice shall be given at least seven days prior to any hearing scheduled for consideration of or adoption of the proposed rule pursuant to ~~((RCW 34.04.025(1)(a)(ii)))~~ section 303 of this act. The notice shall include a statement of the review committee's findings and the reasons therefor. When the agency holds a hearing on the proposed rule, the agency shall consider the review committee's decision.

Sec. 603. REVIEW OF EXISTING RULES—POLICY STATEMENTS, GUIDELINES, ISSUANCES—NOTICE—HEARING. Section 7, chapter 324, Laws of 1981 as amended by section 2, chapter 451, Laws of 1987 and RCW 34.04.230 are each amended to read as follows:

(1) All rules required to be filed pursuant to ~~((RCW 34.04.040))~~ section 315 of this act, and emergency rules adopted pursuant to ~~((RCW 34.04.030))~~ section 309 of this act, are subject to selective review by the legislature.

(2) The rules review committee may review an agency's use of policy statements, guidelines, and issuances that are of general applicability, or their equivalents to determine whether or not an agency has failed to adopt a rule ~~((as defined in RCW 34.04.010(2))~~.

(3) If the rules review committee finds by a majority vote of its members: (a) That an existing rule is not within the intent of the legislature as expressed by the statute which the rule implements, (b) that the rule has not been adopted in accordance with all applicable provisions of law, or (c) that an agency is using a policy statement, guideline, or issuance in place of a rule, the agency affected shall be notified of such finding and the reasons therefor. Within thirty days of the receipt of the rules review committee's notice, the agency shall file notice of a hearing on the rules review committee's finding with the code reviser and mail notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings as provided in ~~((RCW 34.04.025, as now or hereafter amended))~~ section 303 of this act. The agency's notice shall include the rules review committee's findings and reasons therefor, and shall be published in the Washington state register in accordance with the provisions of chapter 34.08 RCW.

(4) The agency shall consider fully all written and oral submissions regarding (a) whether the rule in question is within the intent of the legislature as expressed by the statute which the rule implements, (b) whether the rule was adopted in accordance with all applicable provisions of law, or (c) whether the agency is using a policy statement, guideline, or issuance in place of a rule.

Sec. 604. COMMITTEE OBJECTIONS TO AGENCY ACTION OR FAILURE TO ADOPT RULE—STATEMENT IN REGISTER AND WAC—SUSPENSION OF RULE. Section 8, chapter 324, Laws of 1981 as amended by section 3, chapter 451, Laws of 1987 and RCW 34.04.240 are each amended to read as follows:

(1) Within seven days of an agency hearing held after notification of the agency by the rules review committee pursuant to ~~((RCW 34.04.220 or 34.04.230))~~ section 602 or 603 of this act, the affected agency shall notify the committee of its action on a proposed or existing rule to which the committee objected or on a committee finding of the agency's failure to adopt rules. If the rules review committee determines, by a majority vote of its members, that the agency has failed to provide for the required hearings or notice of its action to the committee, the committee may file notice of its objections, together with a concise statement of the reasons therefor, with the code reviser within thirty days of such determination.

(2) If the rules review committee finds, by a majority vote of its members: (a) That the proposed or existing rule in question has not been modified, amended, withdrawn, or repealed by the agency so as to conform with the intent of the legislature, or (b) that the agency is using a policy statement, guideline, or issuance in place of a rule, the rules review committee may, within thirty days from notification by the agency of its action, file with the code reviser notice of its objections together with a concise statement of the reasons therefor. Such notice and statement shall also be provided to the agency by the rules review committee.

(3) If the rules review committee makes an adverse finding under subsection (2) of this section, the committee may, by a two-thirds vote of its members, recommend suspension of an existing rule. Within seven days of such vote the committee shall transmit to the governor, the code reviser, and the agency written notice of its objection and recommended suspension and the concise reasons therefor. Within thirty days of receipt of the notice, the governor shall transmit to the committee, the code reviser, and the agency written approval or disapproval of the recommended suspension. If the suspension is approved by the governor, it is effective from the date of that approval and continues until ninety days after the expiration of the next regular legislative session.

(4) The code reviser shall publish transmittals from the rules review committee or the governor issued pursuant to subsection (1), (2), or (3) of this section in the Washington state register and shall publish in the next supplement and compilation of the Washington Administrative Code a reference to the committee's objection or recommended suspension and the governor's action on it and to the issue of the Washington state register in which the full text thereof appears.

(5) The reference shall be removed from a rule published in the Washington Administrative Code if a subsequent adjudicatory proceeding determines that the rule is within the intent of the legislature or was adopted in accordance with all applicable laws, whichever was the objection of the rules review committee.

Sec. 605. RECOMMENDATIONS BY COMMITTEE TO LEGISLATURE. Section 9, chapter 324, Laws of 1981 as amended by section 4, chapter 451, Laws of 1987 and RCW 34.04.250 are each amended to read as follows:

The rules review committee may recommend to the legislature that the original enabling legislation serving as authority for the ~~((promulgation))~~ adoption of any rule reviewed by the committee be amended or repealed in such manner as the committee deems advisable.

Sec. 606. REVIEW AND OBJECTION PROCEDURES—NO PRESUMPTION ESTABLISHED. Section 10, chapter 324, Laws of 1981 and RCW 34.04.260 are each amended to read as follows:

It is the express policy of the legislature that establishment of procedures for review of administrative rules by the legislature and the notice of objection required by ~~((RCW~~

~~34.04.230(2) and 34.04.240(2))~~ sections 603(2) and 604(2) of this act in no way serves to establish a presumption as to the legality or constitutionality of a rule in any subsequent judicial proceedings interpreting such rules.

NEW SECTION. Sec. 607. The provisions of RCW 4.84.185 relating to civil actions that are frivolous and advanced without reasonable cause apply to petitions for judicial review under this chapter.

PART XV.

TECHNICAL PROVISIONS

NEW SECTION. Sec. 701. REPEALER. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.010;
- (2) Section 2, chapter 57, Laws of 1971 ex. sess., section 42, chapter 169, Laws of 1977 ex. sess., section 11, chapter 324, Laws of 1981 and RCW 28B.19.020;
- (3) Section 3, chapter 57, Laws of 1971 ex. sess., section 10, chapter 240, Laws of 1977 ex. sess., section 12, chapter 324, Laws of 1981, section 7, chapter 221, Laws of 1982 and RCW 28B.19.030;
- (4) Section 23, chapter 186, Laws of 1980, section 8, chapter 221, Laws of 1982 and RCW 28B.19.033;
- (5) Section 24, chapter 186, Laws of 1980 and RCW 28B.19.037;
- (6) Section 4, chapter 57, Laws of 1971 ex. sess., section 4, chapter 46, Laws of 1973 1st ex. sess., section 11, chapter 240, Laws of 1977 ex. sess., section 13, chapter 324, Laws of 1981 and RCW 28B.19.040;
- (7) Section 5, chapter 57, Laws of 1971 ex. sess., section 9, chapter 87, Laws of 1980, section 12, chapter 505, Laws of 1987 and RCW 28B.19.050;
- (8) Section 6, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.060;
- (9) Section 7, chapter 57, Laws of 1971 ex. sess., section 25, chapter 186, Laws of 1980 and RCW 28B.19.070;
- (10) Section 26, chapter 186, Laws of 1980 and RCW 28B.19.073;
- (11) Section 27, chapter 186, Laws of 1980 and RCW 28B.19.077;
- (12) Section 8, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.080;
- (13) Section 9, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.090;
- (14) Section 10, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.100;
- (15) Section 11, chapter 57, Laws of 1971 ex. sess., section 5, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.19.110;
- (16) Section 12, chapter 57, Laws of 1971 ex. sess., section 6, chapter 46, Laws of 1973 1st ex. sess., section 26, chapter 67, Laws of 1981 and RCW 28B.19.120;
- (17) Section 13, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.130;
- (18) Section 14, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.140;
- (19) Section 15, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.150;
- (20) Section 14, chapter 324, Laws of 1981 and RCW 28B.19.160;
- (21) Section 15, chapter 324, Laws of 1981 and RCW 28B.19.163;
- (22) Section 16, chapter 324, Laws of 1981 and RCW 28B.19.165;
- (23) Section 17, chapter 324, Laws of 1981 and RCW 28B.19.168;
- (24) Section 16, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.200;
- (25) Section 20, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.210;
- (26) Section 19, chapter 57, Laws of 1971 ex. sess. (uncodified);
- (27) Section 22, chapter 57, Laws of 1971 ex. sess. (uncodified);
- (28) Section 12, chapter 237, Laws of 1967, section 14, chapter 67, Laws of 1981 and RCW 34.04.022;
- (29) Section 3, chapter 237, Laws of 1967, section 17, chapter 250, Laws of 1971 ex. sess., section 7, chapter 240, Laws of 1977 ex. sess. section 3, chapter 324, Laws of 1981, section 1, chapter 221, Laws of 1982 and RCW 34.04.025;
- (30) Section 2, chapter 19, Laws of 1977 and RCW 34.04.026;
- (31) Section 13, chapter 186, Laws of 1980 and RCW 34.04.052;
- (32) Section 9, chapter 234, Laws of 1959, section 9, chapter 237, Laws of 1967, section 1, chapter 31, Laws of 1980 and RCW 34.04.090;
- (33) Section 11, chapter 234, Laws of 1959 and RCW 34.04.110;
- (34) Section 12, chapter 234, Laws of 1959, section 1, chapter 12, Laws of 1975 and RCW 34.04.120;
- (35) Section 3, chapter 221, Laws of 1982 and RCW 34.04.270;
- (36) Section 4, chapter 221, Laws of 1982, section 18, chapter 505, Laws of 1987 and RCW 34.04.280;
- (37) Section 5, chapter 221, Laws of 1982 and RCW 34.04.290;
- (38) Section 16, chapter 234, Laws of 1959 and RCW 34.04.900;
- (39) Section 27, chapter 237, Laws of 1967 and RCW 34.04.901;
- (40) Section 17, chapter 234, Laws of 1959, section 25, chapter 237, Laws of 1967 and RCW 34.04.910;
- (41) Section 18, chapter 234, Laws of 1959 and RCW 34.04.920;
- (42) Section 29, chapter 237, Laws of 1967 and RCW 34.04.921; and

(43) Section 26, chapter 237, Laws of 1967 and RCW 34.04.931.

Sec. 702. DOCUMENTS AND INDEXES TO BE MADE PUBLIC. Section 26, chapter 1, Laws of 1973 as last amended by section 3, chapter 403, Laws of 1987 and RCW 42.17.260 are each amended to read as follows:

(1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of subsection (5) of this section, RCW 42.17.310, 42.17.315, or other statute which exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by RCW 42.17.310 and 42.17.315, an agency shall delete identifying details in a manner consistent with RCW 42.17.310 and 42.17.315 when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

(2) Each agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after ~~(January 1, 1973)~~ the effective date of this section:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency under section 203 of this act;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(3) An agency need not maintain such an index for records issued, adopted, or promulgated before the effective date of this section or for records described in (c) through (f) of subsection (2) of this section, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

(4) A public record may be relied on, used, or cited as precedent by an agency against a party other than an agency and it may be invoked by the agency for any other purpose only if—

(a) It has been indexed in an index available to the public; or

(b) Parties affected have timely notice (actual or constructive) of the terms thereof.

(5) (a) Except as provided in (b) of this subsection, this chapter shall not be construed as giving authority to any agency to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies shall not do so unless specifically authorized or directed by law~~(-PROVIDED, HOWEVER, THAT):~~

(b) Lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor~~(-PROVIDED FURTHER, THAT):~~ Such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter ~~(34.04)~~ ... RCW (sections 101 through 607 of this act).

NEW SECTION. Sec. 703. CAPTIONS AND HEADINGS. Section captions and subchapter headings used in this act do not constitute any part of the law.

NEW SECTION. Sec. 704. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 705. EFFECTIVE DATE—APPLICATION. This act shall take effect on July 1, 1989, and shall apply to all rule-making actions and agency proceedings begun on or after that date. Rule-making actions or other agency proceedings begun before July 1, 1989, shall be completed under the applicable provisions of chapter 28B.19 or 34.04 RCW existing immediately before that date in the same manner as if they were not amended by this act or repealed by section 701 of this act.

NEW SECTION. Sec. 706. Parts IX through XIV of this act shall constitute a new chapter in Title 34 RCW, and the sections amended or set forth in this act shall be recodified in the order they appear in this act. The code reviser shall correct all statutory references to these sections and to the repealed chapters 28B.19 and 34.04 RCW to reflect this recodification and repeal."

In line 1 of the title, after "government;" strike the remainder of the title and insert "amending RCW 43.131.215, 43.131.216, 43.131.301, 43.131.302, 43.131.303, 43.131.304, 43.131.323, 43.131.327, 43.131.328, 43.131.329, 43.131.330, 43.131.331, 43.131.332, 43.131.333, 43.131.334, 34.04.010,

34.04.940, 34.04.150, 34.04.930, 34.04.050, 34.04.020, 34.04.080, 34.04.045, 34.04.060, 34.04.048, 34.04.027, 34.04.030, 34.04.040, 34.04.055, 34.04.057, 34.04.058, 34.04.170, 34.04.090, 34.04.105, 34.04.100, 34.04.135, 34.04.070, 34.04.130, 34.04.210, 34.04.220, 34.04.230, 34.04.240, 34.04.250, 34.04.260, and 42.17.260; creating a new chapter in Title 34 RCW; creating new sections; recodifying sections: repealing RCW 43.117.910, 28B.19.010, 28B.19.020, 28B.19.030, 28B.19.033, 28B.19.037, 28B.19.040, 28B.19.050, 28B.19.060, 28B.19.070, 28B.19.073, 28B.19.077, 28B.19.080, 28B.19.090, 28B.19.100, 28B.19.110, 28B.19.120, 28B.19.130, 28B.19.140, 28B.19.150, 28B.19.160, 28B.19.163, 28B.19.165, 28B.19.168, 28B.19.200, 28B.19.210, 34.04.022, 34.04.025, 34.04.026, 34.04.052, 34.04.090, 34.04.110, 34.04.120, 34.04.270, 34.04.280, 34.04.290, 34.04.900, 34.04.901, 34.04.910, 34.04.920, 34.04.921, and 34.04.931; repealing section 19, chapter 57, Laws of 1971 ex. sess. (uncodified); repealing section 22, chapter 57, Laws of 1971 ex. sess. (uncodified); and providing an effective date."

Renumber the parts and sections and correct internal references accordingly.

Signed by Senators Newhouse, Halsan, McCaslin; Representatives H. Sommers, Locke, Hankins.

MOTION

On motion of Ms. H. Sommers, the Report of the Conference Committee on House Bill No. 1515 was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

() March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 6439, studying the consolidation of district and municipal courts, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Adopt the amendment by House Committee on Judiciary (For committee amendment, see Journal, 52nd Day, March 2, 1988.) with the following changes:

On page 2, line 21 of the House amendment, after "consist of" insert "at least"

On page 2, line 23 of the House amendment, strike "of" and insert "appointed by"

On page 2, after line 27 of the House amendment, insert "(b) One superior court judge appointed by the Washington superior court judges association;"

Reletter the remaining paragraphs consecutively.

On page 3, line 13 of the House amendment, strike "September 30" and insert "January 10"

Signed by Senators Pullen, Talmadge; Representatives Armstrong, Appelwick.

MOTION

Mr. Armstrong moved that the House adopt the Report of the Conference Committee on Substitute Senate Bill No. 6439 and grant said committee the powers of Free Conference.

POINT OF ORDER

Mr. Padden: Mr. Speaker, has the twenty four hours passed for the Free Conference Report to be upon the desks of the members of the House?

The Speaker (Mr. O'Brien presiding): We are just granting the powers of Free Conference. The committee report has not been before the members.

Mr. Padden spoke against the motion, and Mr. Armstrong spoke in favor of it.

Mr. Padden again spoke against the motion, and Mr. Armstrong again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Armstrong to adopt the Report of the Conference Committee on Substitute Senate Bill No. 6439 and grant said committee the powers of Free Conference, and the motion was carried by the following vote: Yeas, 63; nays, 33; excused, 2.

Voting yeas: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H. Spanel, Sprengle, Sutherland,

Taylor, Todd, Unsoeld, Vaile, Walk, Wang, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Holland, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Walker, Williams B, Williams J, Winsley - 33.

Excused: Representatives Allen, Vekich - 2.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 1585 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 1585, revising provisions for juvenile dependency proceedings, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Adopt the Senate Committee on Children & Family Services striking amendment and its corresponding title amendment (For committee amendments, see Journal, 58th Day, March 8, 1988.) with the following changes:

On page 3, after line 34 of the Senate amendment, insert the following:

*Sec. 3. Section 3, chapter 291, Laws of 1977 ex. sess. as amended by section 2, chapter 155, Laws of 1979 and RCW 13.04.021 are each amended to read as follows:

(1) The juvenile court shall be a division of the superior court. In judicial districts having more than one judge of the superior court, the judges of such court shall annually assign one or more of their number to the juvenile court division. In any judicial district having a court commissioner, the court commissioner shall have the power, authority, and jurisdiction, concurrent with a juvenile court judge, to hear all cases under this chapter and to enter judgment and make orders with the same power, force, and effect as any judge of the juvenile court, subject to motion or demand by any party within ten days from the entry of the order or judgment by the court commissioner as provided in RCW 2.24.050. In any judicial district having a family law commissioner appointed pursuant to chapter 26.12 RCW, the family law commissioner shall have the power, authority, and jurisdiction, concurrent with a juvenile court judge, to hear cases under chapter 13.34 RCW and to enter judgment and make orders with the same power, force, and effect as any judge of the juvenile court, subject to motion or demand by any party within ten days from the entry of the order or judgment by the court commissioner as provided in RCW 2.24.050.

(2) Cases in the juvenile court shall be tried without a jury.

Sec. 4. Section 6, chapter 50, Laws of 1949 and RCW 26.12.060 are each amended to read as follows:

The family court commissioners shall: (1) Receive all applications and complaints filed in the family court for the purpose of disposing of them pursuant to this chapter; (2) investigate the facts upon which to base warrants, subpoenas, orders or directions in actions or proceedings filed in or transferred to the family court pursuant to this chapter; (3) for the purpose of this chapter, exercise all the powers and perform all the duties of regular court commissioners; (4) hold conciliation conferences with parties to and hearings in proceedings under this chapter and make written reports of all proceedings had which shall become a part of the record of the family court; (5) provide such supervision in connection with the exercise of its jurisdiction as the judge of the family court may order; (6) cause the orders and findings of the family court to be entered in the same manner as orders and findings are entered in cases in the superior court; ~~(and)~~ (7) cause such other reports to be made and records kept as will indicate the value and extent of such conciliation service; and (8) conduct hearings under chapter 13.34 RCW as provided in RCW 13.04.021.

NEW SECTION. Sec. 5. Sections 3 and 4 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 4, line 8 of the Senate amendment to the title, after "13.34.100" strike the remainder of the title and insert ", 13.04.021, and 26.12.060; reenacting and amending RCW 26.44.053; and declaring an emergency."

Signed by Senators Kiskaddon, Stratton, Bailey; Representatives Brekke, Leonard, Winsley.

MOTION

On motion of Ms. Brekke, the Report of the Conference Committee on Engrossed House Bill No. 1585 was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 6157, changing provisions relating to student learning objectives, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Adopt the House Committee on Education amendments on page 1, line 9; on page 1, line 10; and on page 1, line 14 (For committee amendments, see Journal 53rd Day, March 3, 1988.);

Adopt the following amendments:

On page 2, after line 21, insert the following:

"Sec. 2. Section 2, chapter 349, Laws of 1985 and RCW 28A.58.085 are each amended to read as follows:

Each school district board of directors shall develop a schedule and process by which each public school within its jurisdiction shall undertake self-study procedures on a regular basis: PROVIDED, That districts may allow two or more elementary school buildings in the district to undertake jointly the self-study process. Each school may follow the accreditation process developed by the state board of education under RCW 28A.04.120((4)) (6), although no school is required to file for actual accreditation, or the school may follow a self-study process developed locally. Whatever process is used must focus upon the quality and appropriateness of the school's educational program and the results of its operational efforts.

Any self-study process must include the participation of staff, parents, members of the community, and students, where appropriate to their age.

Emphasis throughout the process shall be placed upon:

- (1) Achieving educational excellence and equity;
- (2) Building stronger links with the community; and
- (3) Reaching consensus upon educational expectations through community involvement and corresponding school management.

The initial self-study process within each district shall begin by September 1, 1986, and should be completed for all schools within a district by the end of the 1990-91 school year.

The state board of education shall develop rules and regulations governing procedural criteria. Such rules and regulations should be flexible so as to accommodate local goals and circumstances. Rules and regulations may allow for waiver of the self-study for economic reasons and may also allow for waiver of the initial self-study if a district or its schools have participated successfully in an official accreditation process or in a similar assessment of educational programs within the last three years. The self-study process shall be conducted on a cyclical basis every seven years following the initial 1990-91 period.

The superintendent of public instruction shall provide training to assist districts in their self-studies.

Each district shall ((annually)) report every two years to the superintendent of public instruction on the scheduling and implementation of their self-study activities."

On page 1, line 2 of the title, after "28A.58.090" insert "and 28A.58.085"

Signed by Senators Rinehart, Bailey, Kiskaddon; Representatives Peery, Spanel, Betzoff.

MOTION

On motion of Mr. Peery, the Report of the Conference Committee on Substitute Senate Bill No. 6157 was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 6160, providing baccalaureate and masters degree equivalents for certification of vocational instructors, have had the same under consideration, and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Adopt the House Committee on Education striking amendment (For committee amendments, see Journal, 54th Day, March 4, 1988) with the following changes:

On page 3, after line 11 of the amendment by the House Committee on Education, insert the following:

*Sec. 3. Section 28A.70.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 137, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.160 are each amended to read as follows:

Any certificate to teach authorized under the provisions of this chapter or rules and regulations promulgated thereunder may be revoked or suspended by the authority authorized to grant the same upon complaint of any school district superintendent or educational service district superintendent for immorality, violation of written contract, intemperance, or crime against the law of the state(:); Any such certificate to teach shall be revoked by the authority authorized to grant the certificate upon the conviction of any felony crime involving the physical neglect of children, the physical injury of children (excepting (possible) motor vehicle violations under chapter 46.61 RCW), sexual exploitation of children, child pornography, sexual offenses under chapter 9A.44 RCW where a minor is the victim, promoting prostitution of a minor, or the sexual abuse of children, or ((any unprofessional conduct, after)) violation of similar laws of another jurisdiction. The person whose certificate is in question ((has been)) shall be given an opportunity to be heard. Revocation for felony convictions shall apply to felony convictions which follow issuance of the certificate and to felony convictions occurring after the effective date of this act.

Sec. 4. Section 28A.70.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.180 are each amended to read as follows:

In case any certificate is revoked, the holder shall not be eligible to receive another teacher's certificate for a period of twelve months after the date of revocation. However, if the certificate was revoked because of the conviction of a felony crime involving the physical neglect of children, the physical injury of children (except motor vehicle violations under chapter 46.61 RCW), sexual exploitation of children, child pornography, sexual offenses under chapter 9A.44 RCW where a minor is the victim, promoting prostitution of a minor, or the sexual abuse of children, or violation of similar laws of another jurisdiction, the certificate shall not be reinstated.

NEW SECTION. Sec. 5. A new section is added to Title 28A RCW to read as follows:

(1) The school district board of directors shall immediately terminate the employment of any classified employee who has contact with children during the course of his or her employment upon conviction of any felony crime involving the physical neglect of children, the physical injury of children (except possible motor vehicle violations), sexual exploitation of children, child pornography, sexual offenses under chapter 9A.44 RCW where a minor is the victim, promoting prostitution of a minor, or the sexual abuse of children, or violation of similar laws of another jurisdiction.

(2) The employee shall have a right of appeal under chapter 28A.88 RCW including any right of appeal under a collective bargaining agreement.

NEW SECTION. Sec. 6. A new section is added to Title 28A RCW to read as follows:

The school district board of directors shall include in any contract for services with an entity other than an employee of the school district a provision requiring the contractor to prohibit any employee of the contractor from working at a public school who has contact with children at a public school during the course of his or her employment and who has been convicted of any felony crime involving the physical neglect of children, the physical injury of children (except motor vehicle violations under chapter 46.61 RCW), sexual exploitation of children, child pornography, sexual offenses under chapter 9A.44 RCW where a minor is the victim, promoting prostitution of a minor, or the sexual abuse of children, or violation of similar laws of another jurisdiction. The contract shall also contain a provision that any failure to comply with this section shall be grounds for the school district immediately terminating the contract.

NEW SECTION. Sec. 7. A new section is added to Title 28A RCW to read as follows:

The school district shall immediately terminate the employment of any person whose certificate is subject to revocation under RCW 28A.70.160 upon conviction of any felony crime involving the physical neglect of children, the physical injury of children (except motor vehicle violations under chapter 46.61 RCW), or the sexual abuse of children, sexual exploitation of children, child pornography, sexual offenses under chapter 9A.44 RCW where a minor is the

victim, promoting prostitution of a minor, or the sexual abuse of children, or violation of similar laws of another jurisdiction. Employment shall remain terminated unless the employee successfully prevails on appeal. This section shall only apply to certificated employees who have contact with children during the course of their employment.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 3, line 18 of the title amendment, after "28A.70.040" strike the remainder of the title amendment and insert ", 28A.70.042, 28A.70.160, and 28A.70.180; and adding new sections to Title 28A RCW."

Signed by Senators Bailey, Bender, Craswell; Representatives Spanel, Betzoff, Peery.

MOTION

On motion of Mr. Peery, the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 6160 was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 6124, providing technical and financial assistance to assist in the delivery of rural health care systems, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

Adopt the House Committee on Health Care amendments as amended (For amendments, see Journal, 53rd Day, March 3, 1988.) with the following changes:

On page 9, after line 8 of the striking amendment by the House Committee on Health Care, insert the following:

"NEW SECTION. Sec. 6. The sum of ten thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the general fund to the Washington rural health care commission for the purposes identified in this act. The senate facilities and operations committee may authorize expenditures for necessary expenses directly related to commission activities."

Renumber the remaining section consecutively.

On page 9, line 23 of the title amendment, after "sections:" insert "making an appropriation:"

Signed by Senators Zimmerman, Johnson, Wojahn; Representatives Braddock, Sprengle, Brooks.

MOTION

On motion of Mr. Braddock, the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 6124 was adopted and the committee was granted the powers of Free Conference.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4773, by Representatives Ebersole, Ballard, Grimm, R. King and Wang

WHEREAS, The Washington State Legislature has been enjoying for many years the benefits of equal status with the executive branch of government, while prior to 1973 the executive branch exerted considerable power over the legislature; and

WHEREAS, The legislature has been enjoying for many years the benefits of a professional, nonpartisan committee staff and a continuing legislature, while prior to 1973 the standing committees and committee staffs existed only during legislative sessions, dissolving during each interim, and the legislature relied only on joint committees and a small Legislative Council during the interim; and

WHEREAS, These benefits which now the legislature largely takes for granted were mostly the work of one pragmatic legislator with a vision, Speaker Leonard A. Sawyer, a Representative from the 25th District; and

WHEREAS, Former State Representative Leonard A. Sawyer served in the House for twenty-one years from 1955 to 1976 and served as House Speaker from 1973 to 1976; and

WHEREAS, During his two terms as House Speaker, Speaker Leonard A. Sawyer is credited with ushering Washington's legislature into the 20th Century; and

WHEREAS, Speaker Leonard A. Sawyer had the foresight to establish the Sea-Tac office for the legislature; and

WHEREAS, Speaker Leonard A. Sawyer helped correct the power imbalance between the legislative and executive branches of Washington State government; and

WHEREAS, Speaker Sawyer changed the system whereby the Governor and his budget office, now the Office of Financial Management, wrote the state budget and the legislature simply enacted it, to a more equal system whereby the executive branch now introduces a state budget for the legislature to review, modify and then adopt; and

WHEREAS, Speaker Leonard A. Sawyer led the legislature to a better future by giving it data processing capabilities with which to understand the fiscal effects of proposed legislation; and

WHEREAS, Speaker Sawyer began what is now known as LEAP—the Legislative Evaluation and Accountability Program—which is a sophisticated computer system that assists Legislators in analyzing information and making informed decisions based on information that was previously accessible only from the executive branch; and

WHEREAS, Speaker Leonard A. Sawyer also proposed the state constitutional amendment restricting the Governor's item veto power, bringing the balance of power between the executive and legislative branches even closer; and

WHEREAS, Speaker Leonard A. Sawyer promoted the hiring of top caliber, professional staff members; and

WHEREAS, Before Speaker Sawyer's reforms, Legislators had to rely upon the executive branch for expertise and even upon lobbyists to provide some research services, while now Legislators have independent expertise and research capabilities in their own staffs; and

WHEREAS, For all of these reforms which required extraordinary foresight, members of the legislature and staff who worked with Speaker Leonard A. Sawyer held him in the highest regard;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives remembers Speaker Leonard Sawyer for his significant achievements, honors him for his vision of a legislature in the 20th Century and thanks him for his legacy; and

BE IT FURTHER RESOLVED, That copies of the Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Speaker Leonard A. Sawyer and to each staff member of the House of Representatives and the Senate, all of whom have benefited from the reforms initiated by Speaker Leonard A. Sawyer.

Mr. Ebersole moved adoption of the resolution. Representatives Ebersole, Walk, B. Williams, Prince, H. Sommers, S. Wilson, R. King, Gallagher, Grimm, Barnes, Lux and Winsley spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) welcomed Speaker Leonard Sawyer, who was seated on the rostrum. Speaker Sawyer briefly addressed the members of the House of Representatives.

HOUSE FLOOR RESOLUTION NO. 88-4781, by Representatives Prince and Jacobsen

WHEREAS, Angelo Mario Pellegrini, an Italian immigrant from Casabianca, came to America in 1913 at the age of ten with his family; and

WHEREAS, His father had settled in McCleary, Washington one year earlier when he preceded his family in the journey made by millions of Italians in the early 20th century, a journey from poverty and oppression in Italy to hopes of a better life in America; and

WHEREAS, Angelo Pellegrini worked hard as a youngster at lumbering, rail-roading and stevedoring; and

WHEREAS, Pellegrini overcame many cultural obstacles, becoming very proficient in the English language before he finished grade school; and

WHEREAS, He attended the University of Washington and received his Bachelor of Arts degree and his Doctor of Philosophy; and

WHEREAS, His mastery of English and his dedication to learning led him to be a teacher of speech at the University until after World War II, when he transferred to the English Department as an Associate Professor of English Literature; and

WHEREAS, Viewing America with the perspective of an immigrant became for Pellegrini a source of academic and artistic inspiration and the subject of several books, including Immigrant's Return, 1951; Americans By Choice, 1956; and his latest work, which he considers his best so far, American Dream: An Immigrant's Quest, 1986; and

WHEREAS, Angelo Pellegrini has written many other books and columns for the Seattle Times, the Seattle Post-Intelligencer, the Seattle Weekly and other regional and national publications; and

WHEREAS, The subjects filling most of these articles are his enjoyment of -- and the enjoyment others can derive from -- food, wine and working with one's hands; and

WHEREAS, These joys were also the subjects of his first book entitled, The Unprejudiced Palate, published in 1948; and

WHEREAS, Angelo Pellegrini, who will turn 85 this April, is now retired from his Professorship at the University, but continues to write, tend to his garden, make wine, excel in gourmet cooking and lecture throughout Washington and in other states;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honors Angelo Pellegrini for his long, noted career as a distinguished Professor in his adopted land and for his imaginative mind and dutiful hands that have made him an outstanding citizen of Washington State, appreciates him for his great wit and wisdom, and sincerely wishes him and his wife Virginia, a native of Spokane, continued good health and a long life; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Angelo Pellegrini and to each member of his family.

Mr. Prince moved adoption of the resolution. Representatives Prince, Jacobsen and Sayan spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 88-4778, by Representatives Jacobsen, Ebersole, Prince, Sanders, Allen, Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, Padden, Patrick, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, D. Sommers, H. Sommers, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Outstanding graduate students and recent recipients of graduate degrees frequently have acquired current expertise and knowledge in subjects or issues which are of concern to members of the House of Representatives and could provide invaluable assistance to the members; and

WHEREAS, Graduate students and recent recipients of graduate degrees would benefit from an opportunity to work directly with members and committees of the House of Representatives, particularly when the work involves subjects that were the focus of their graduate school education; and

WHEREAS, Both the House of Representatives and the state's institutions of higher education would benefit by joining in a partnership designed to provide an opportunity for graduate students and recent recipients of graduate degrees to apply their expertise and knowledge in a legislative setting;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the John L. O'Brien Postgraduate Legislative Fellowship Program is established within the House of Representatives; and

BE IT FURTHER RESOLVED, That the purpose of the John L. O'Brien Postgraduate Legislative Fellowship Program is to attract to the service of the House of Representatives outstanding graduate students and recent recipients of graduate degrees from a variety of disciplines who exhibit a clear interest in, and commitment to, a career in the analysis and management of public policies and programs; and

BE IT FURTHER RESOLVED, That individuals eligible for the program shall have pursued a course of study at the graduate level which demonstrates both an exceptional ability and a commitment to a career in the analysis and management of public policies and programs. Such individuals, at the time of application, shall have recently received or shall expect to receive soon an appropriate advanced degree from a college or university within the State of Washington; and

BE IT FURTHER RESOLVED, That the program shall be administered by the Chief Clerk of the House of Representatives. In carrying out his or her program responsibilities the Chief Clerk shall:

(1) Provide specific guidance as to what constitutes an appropriate advanced degree;

(2) Develop appropriate procedures for the recruitment, nomination, screening, placement, and continuing career development of potential and selected fellows; and

(3) Develop guidelines for the compensation of participants; and

BE IT FURTHER RESOLVED, That in developing program procedures, the Chief Clerk shall be guided by the following principles and policies:

(1) The appointed term of a legislative fellow shall not exceed one year;

(2) The number of legislative fellows shall not exceed five in any calendar year;

(3) Universities and colleges participating in the program shall nominate potential fellows. In making nominations, these institutions shall establish competitive selection processes and procedures to ensure that all applicants receive careful and thorough review;

(4) Once a candidate is nominated by a college or university, his or her application will be reviewed by a screening committee which includes, among others, leading educators in graduate programs of public affairs or political science from the University of Washington and Washington State University; and

(5) State goals for providing equal employment opportunities will be observed.

Mr. Jacobsen moved adoption of the resolution. Representatives Jacobsen, Brough, Prince and Todd spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding): I would like to thank Representative Jacobsen, Representative Prince and Representative Brough for your kind words. It is really a great opportunity to be a part of this great institution. I think what makes it most important to me, and very beneficial, is having the great pleasure of serving with some very fine individuals. I think the people in the Legislature make it so nice and achievable. They are also very talented and friendly. You are down here to do the very best you can for your respective constituents. In view of all of this, we still work and do the things we want to do. Maybe we have our differences of opinion, but still we don't hold that against anyone. From that standpoint I think it is a great place. Most important is that the people who serve here are so wonderful. Thank you very much.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SENATE BILL NO. 6297, revising investment policies for funds for the department of labor and industries, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

Adopt the House Committee on Commerce & Labor amendments (For amendments, see Journal, 54th Day, March 4, 1988.) with the following change:

On page 2, beginning on line 4 of the House striking amendment, strike "economic development and labor committee" and insert "financial institutions and insurance committee"

Signed by Senators von Reichbauer, West, Moore; Representatives Wang, Jones, Patrick.

MOTION

On motion of Mr. Wang, the Report of the Conference Committee on Senate Bill No. 6297 was adopted and the committee was granted the powers of Free Conference.

SENATE AMENDMENTS TO HOUSE BILL

March 9, 1988

Mr. Speaker:

The Senate suspended the rules, returned SUBSTITUTE HOUSE BILL NO. 1333 to second reading and passed the bill with the Committee on Law & Justice amendments (Adopted 3/1/88) and the amendment by Senators Pullen and Talmadge (Adopted 3/2/88) with the following additional amendments:

On page 4, line 30, strike "contact" and insert "intercourse"

On page 5, line 3, after "victim" strike "and" and insert ", is"

On page 5, line 4, after "victim" insert ", and abuses a supervisory position within that relationship in order to engage in sexual contact with the victim" and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to Substitute House Bill No. 1333. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1333 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1333 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Substitute House Bill No. 1333 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 8, 1988

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to SUBSTITUTE HOUSE BILL NO. 1368 and once again asks the House to concur, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House insist on its position regarding the Senate amendments to Substitute House Bill No. 1368 and again ask the Senate to recede therefrom. The motion was carried.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1655, insists on its position and once again asks the House to concur therein, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House insist on its position regarding the Senate amendment to Engrossed Substitute House Bill No. 1655 and again ask the Senate to recede therefrom. The motion was carried.

MESSAGE FROM THE SENATE

March 8, 1988

Mr. Speaker:

The President ruled the House amendments to SUBSTITUTE SENATE BILL NO. 6219 beyond the scope and object of the bill. The Senate refuses to concur in said amendments and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Ms. Brekke moved that the House recede from its position regarding the House amendments to Substitute Senate Bill No. 6219 and pass the bill without said amendments. The motion was carried.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6219 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6219 without the House amendments, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Substitute Senate Bill No. 6219 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 7, 1988

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 6668 and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Walk moved that the House recede from its position regarding the House amendment to Senate Bill No. 6668 and pass the bill without said amendment. The motion was carried.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Senate Bill No. 6668 without the House amendment.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6668 without the House amendment, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Senate Bill No. 6668 without the House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 6238, changing provisions relating to the authority of state agencies to administer part C of the federal safe drinking water act, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

Reject the House Committee on Environmental Affairs amendment (For amendment, see Journal, 54th Day, March 4, 1988.);

Adopt the following amendments:

On page 1, line 27, beginning with "No" strike all material down to and including "health," on page 2, line 5

On page 1, after line 26, insert the following:

"The state board of health shall adopt drinking water regulations applicable to public water supply systems which are not covered by the federal Safe Drinking Water Act only if necessary to protect public health."

Signed by Senators Metcalf, Owen, Barr; Representatives Rust, Valle, Walker.

MOTION

On motion of Ms. Rust, the Report of the Conference Committee on Substitute Senate Bill No. 6238 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SECOND SUBSTITUTE HOUSE BILL NO. 1640 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred SECOND SUBSTITUTE HOUSE BILL NO. 1640, establishing the G. Robert Ross public service award program for outstanding public service by faculty, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

On page 1, at the beginning of line 19, strike "washington" and insert "Washington"

On page 2, beginning on line 1, strike the remainder of the bill and insert the following:

"Sec. 3. Section 5, chapter 8, Laws of 1987 and RCW 28B.10.870 are each amended to read as follows:

All state four-year institutions of higher education shall be eligible for matching trust funds. An institution may apply to the higher education coordinating board for two hundred fifty thousand dollars from the fund when the institution can match the state funds with an equal amount of pledged or contributed private donations or with funds received through legislative appropriation specifically for the G. Robert Ross distinguished faculty award and designated as being qualified to be matched from trust fund moneys. These donations shall be made specifically to the professorship program, and shall be donated after July 1, 1985.

Upon an application by an institution, the board may designate two hundred fifty thousand dollars from the trust fund for that institution's pledged professorship. If the pledged two hundred fifty thousand dollars is not received within three years, the board shall make the designated funds available for another pledged professorship.

Once the private donation is received by the institution, the higher education coordinating board shall ask the state treasurer to release the state matching funds to a local endowment fund established by the institution for the professorship.

Sec. 4. Section 12, chapter 8, Laws of 1987 (uncodified) is amended to read as follows:

(1) For the biennium ending June 30, 1989, all appropriations to the Washington distinguished professorship trust fund shall be allocated as provided in this section. The state treasurer shall reserve the following amounts in the trust fund for distribution to four-year higher education institutions at such time as qualifying gifts as defined in section 1 of this act for distinguished professorships have been deposited:

(a) (~~Forty-five percent~~) Two million two hundred fifty thousand dollars of the appropriation for the University of Washington;

(b) (~~Thirty percent~~) One million five hundred thousand dollars of the appropriation for Washington State University;

(c) (~~Twenty-five percent~~) One million dollars of the appropriation divided among Eastern Washington University, Central Washington University, Western Washington University, and The Evergreen State College.

(2) Distribution of funds allocated in subsection (1)(c) of this section shall be made in the following manner: Eastern Washington University, Central Washington University, Western Washington University, and The Evergreen State College are guaranteed one professorship. ~~(The remaining professorship shall be allocated on a first come first served basis to a regional university or The Evergreen State College which has used the professorship guaranteed it; and qualified for an additional professorship under section 5 of this act. If the regional universities and The Evergreen State College have not obligated the unassigned professorship by May 1, 1989, that professorship may be allocated to either the University of Washington or Washington State University in accordance with rules promulgated by the higher education coordinating board.)~~

(3) As of January 1, 1989, if any funds reserved in subsection (1) (a) or (b) of this section have not been designated as matching funds for qualifying gifts, any four-year institution of higher education, which has already fully utilized the professorships allocated to it by this section, and, in the case of the regional universities and The Evergreen State College, has exhausted the allocation in subsection (1)(c) of this section, may be eligible for such funds under rules promulgated by the higher education coordinating board.

NEW SECTION. Sec. 5. The sum of two hundred fifty thousand dollars is appropriated for the biennium ending June 30, 1989, from the state general fund to the Western Washington University for deposit in the G. Robert Ross distinguished faculty endowment fund. The appropriation in this section shall fulfill the matching requirements in RCW 28B.10.870 for an additional two hundred fifty thousand dollars from the distinguished professorship trust fund. This appropriation along with the matching money from the distinguished professorship trust fund will result in a total amount of five hundred thousand dollars to be deposited into the G. Robert Ross distinguished faculty endowment fund.

NEW SECTION. Sec. 6. Section 2 of this act is added to Title 28B RCW.

NEW SECTION. Sec. 7. A new section is added to chapter 28B.102 RCW to read as follows:

The board may waive grade point requirements for an otherwise eligible individual student under special circumstances.

NEW SECTION, Sec. 8. The legislature finds it essential that this and future generations of children be allowed the fullest opportunity to learn and to develop their intellectual and mental capacities and skills at the postsecondary level. The legislature is greatly concerned about the ever-increasing costs of obtaining higher education. The purpose of this chapter is to assist Washington residents in their quest for higher education and to encourage financial planning to meet higher education costs by creating a college savings bond program.

NEW SECTION, Sec. 9. The following definitions shall apply throughout this chapter, unless the context clearly indicates otherwise:

(1) 'College savings bonds' or 'bonds' are Washington state general obligation bonds, issued under the authority of and in accordance with this chapter.

(2) 'Board' means the higher education coordinating board, or any successor thereto.

NEW SECTION, Sec. 10. For the purpose of providing funds for the acquisition, construction, remodeling, furnishing, and equipping of state buildings and facilities for the state institutions of higher education, including facilities for the state community college system, and to provide for the administrative costs of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of credit enhancement agreements, and other expenses incidental to the administration of capital projects, the state finance committee is authorized to issue college savings bonds of the state of Washington in the sum of fifty million dollars, or so much thereof as may be required, to finance these projects and all costs incidental thereto.

Bonds authorized in this section shall be sold in such a manner, at such time or times, in such amounts, and at such price as the state finance committee shall determine. The bonds shall not be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds. The state finance committee may obtain insurance or letters of credit and may authorize the execution and delivery of agreements, promissory notes, and other obligations for the purpose of insuring the payment or enhancing the marketability of college savings bonds authorized in this section. Promissory notes or other obligations issued pursuant to this section shall not constitute a debt or the contracting of indebtedness under any constitutional or statutory indebtedness limitation if their payment is conditioned upon the failure of the state to pay the principal of or interest on the bonds with respect to which the same relate.

If, and to the extent that the state finance committee determines it is economically feasible and in the best interest of the state, the bonds shall be sold at a deep discount from their par value.

College savings bonds authorized under this section shall be sold in accordance with chapter 39.42 RCW.

NEW SECTION, Sec. 11. The proceeds from the sale of the bonds authorized in section 10 of this act shall be deposited in the state building construction account of the general fund in the state treasury, and shall be used exclusively for the purposes specified in section 10 of this act and for the payment of expenses incurred in the issuance and sale of the college savings bonds.

NEW SECTION, Sec. 12. The state higher education bond retirement fund of 1988 is hereby created in the state treasury, and shall be used for the payment of principal and interest on the college savings bonds.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required for principal and interest on such bonds in accordance with the provisions of the bond proceedings. The state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the state higher education bond retirement fund of 1988, such amounts and at such times as are required by the bond proceedings. If directed by the state finance committee by resolution, the state higher education bond retirement fund of 1988, or any portion thereof, may be deposited in trust with any qualified public depository.

The owner and holder of each of the college savings bonds or the trustee for the owner and holder of any of the college savings bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

NEW SECTION, Sec. 13. The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the college savings bonds. Section 12 of this act shall not be deemed to provide an exclusive method for the payment thereof.

NEW SECTION, Sec. 14. The college savings bonds shall be a legal investment for all state funds or funds under state control and for all funds of any other public body.

NEW SECTION, Sec. 15. The board and the state finance committee shall evaluate the effectiveness of the college savings bond program created by this chapter, and shall submit a report about the program, and recommended changes, to the governor and the appropriate standing committees of the senate and house of representatives on or before December 1, 1990. In the report, the board shall consider the advisability of offering incentives to purchase college savings bonds.

NEW SECTION, Sec. 16. The board and the state finance committee shall create and implement marketing strategies and educational programs designed to publicize the college savings bond program to Washington residents.

NEW SECTION. Sec. 17. Any interest earned on the bonds shall not be income for the purposes of any state income tax.

NEW SECTION. Sec. 18. This chapter may be known and cited as the college savings bond act of 1988.

NEW SECTION. Sec. 19. Sections 8 through 18 of this act shall constitute a new chapter in Title 28B RCW.

NEW SECTION. Sec. 20. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28B.10.870; amending section 12, chapter 8, Laws of 1987 (uncodified); adding a new section to chapter 28B.102 RCW; adding a new section to Title 28B RCW; adding a new section to chapter 28B.102 RCW; adding a new chapter to Title 28B RCW; creating new sections; and making an appropriation."

Signed by Senators Saling, Patterson; Representatives Jacobsen, Fox, Miller.

MOTION

On motion of Mr. Jacobsen, the Report of the Conference Committee on Second Substitute House Bill No. 1640 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594, providing for a water use efficiency study, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

Reject the amendments by the Senate Committee on Ways & Means (For committee amendments, see Journal, 57th Day, March 7, 1988.);

Adopt the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 1, Laws of 1977 ex. sess. as last amended by section 1, chapter 343, Laws of 1987 and RCW 43.83B.300 are each amended to read as follows:

The legislature finds that it is necessary to provide the department of ecology with emergency powers to authorize withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, and construction of facilities in relation thereto, in order to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during 1977 and during 1987.

The legislature further finds that there is a continuing agricultural water supply shortage in many areas of the state and that, in relation to the lessening of that unsatisfactory condition, there is an urgent need to both improve water supply facilities and replace other such facilities.

The legislature further finds that in addition to water storage facilities or other augmentation programs, improved efficiency of water use could provide an important new supply of water in many parts of the state with which to meet future water needs and that improved efficiency of water use should receive greater emphasis in the management of the state's water resources.

In order to provide needed capital for the planning, acquisition, construction, and improvement of water supply facilities to withdraw and distribute water to alleviate unsatisfactory water supply conditions arising from droughts occurring from time to time in the state of Washington, and to carry out a comprehensive water use efficiency study for the state of Washington, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of eighteen million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this section and RCW 43.83B.360 through 43.83B.375 shall be offered for sale without prior legislative

appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

NEW SECTION. Sec. 2. A committee shall be charged with the task of carrying out a comprehensive study of water use efficiency in this state. The study, however, shall neither be considered a water conservation study, nor a comprehensive study encompassing the exclusive means of creating a new supply of water which limits or restricts the use of water storage facilities as an option in creating a new supply of water. The committee, in consultation with other interested agencies, organizations, and the public, shall investigate and evaluate opportunities and means for achieving water use efficiency improvements. The evaluation shall include but not be limited to the following:

- (1) Review and analysis of water use efficiency initiatives in other states;
- (2) Review of the water use efficiency recommendations of the western governors association;
- (3) Identification of existing institutional and economic disincentives to efficient water use;
- (4) Identification of existing and potential incentives that could bring about improved efficiency of use;
- (5) Identification of alternatives for improving efficiency of use;
- (6) Estimation of potential water savings and public and private costs from implementing alternatives;
- (7) Identification of a recommended approach for improving water use efficiency in municipal and industrial water supply uses, irrigated agriculture and other major out-of-stream uses, and in-stream uses;
- (8) Evaluation of the terminology and development of definitions and methods relating to the efficient utilization of water in chapters 90.03, 90.14, 90.22, 90.44, and 90.54 RCW, and such other provisions of existing law as it finds appropriate;
- (9) Recommendations for a public education program for efficient use of water; and
- (10) Development of recommendations for any needed changes in laws, rules, policies, procedures, and programs to facilitate improved water use efficiency.

NEW SECTION. Sec. 3. (1) The committee created in section 2 of this act shall consist of the following voting members:

- (a) Four members of the house of representatives, appointed by the speaker, two from each major political party;
- (b) Four members of the senate, appointed by the president of the senate, two from each major political party;
- (c) One individual representing the interests of local government;
- (d) One individual representing producers of irrigated agricultural products;
- (e) One individual representing environmental interests;
- (f) One individual representing the interests of the timber industry;
- (g) One individual representing the interests of industries' use of water;
- (h) One individual representing Indian tribes;
- (i) One individual representing the interests of public water utilities;
- (j) One individual representing owners and operators of cattle farms;
- (k) One individual representing the state-wide water resources association created under chapter 87.76 RCW;

- (l) One individual representing hydro power utilities;
 - (m) One individual representing the recreational or commercial fishing interest; and
 - (n) One individual representing the interests of water-oriented recreationists.
- (2) An individual from each of the following departments shall be appointed by the director of the department as a nonvoting member of the committee: Ecology, agriculture, social and health services, fisheries, wildlife, and natural resources.

(3) An individual representing the office of the governor shall also be a nonvoting member of the committee. This individual shall convene the initial meeting of the committee and act as the presiding officer of the committee until the committee elects a chair as provided in subsection (6) of this section.

(4) The governor shall appoint the members of the committee listed in subsections (1) (c) through (n) of this section. Wherever possible, the various interest groups listed in each of subsections (1) (c) through (n) of this section shall attempt to identify one nominee in common to represent the interest groups listed in that subsection. Any nominations for appointments to fill positions on the committee listed in subsections (1) (c) through (n) of this section shall be submitted to the director of ecology not later than ten business days after the effective date of this section. The director shall forward such nominations to the governor immediately thereafter for the governor's consideration in appointing the members of the committee.

(5) Members of the committee shall serve without compensation. A member representing a state agency or the office of the governor shall be reimbursed, by his or her employing agency or office, for travel expenses in accordance with RCW 43.03.050 and 43.03.060. Members of the committee who are members of the legislature shall be reimbursed as provided in chapter 44.04 RCW. All other members of the committee shall be reimbursed by the department of ecology for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(6) At the initial meeting of the committee, the voting members of the committee shall elect a chair from among themselves. The chair shall preside over the meetings of the committee. The committee shall expire December 31, 1988.

(7) The committee shall consult on a regular and frequent basis with interested organizations and individuals. The committee shall hold public meetings to inform the public about the study, and to receive public comments on a draft report of its study findings and its recommendations.

(8) The committee shall document public comments and the committee's recommendations in a final water use efficiency report. The final report shall also include an estimate of staffing and funding needed to carry out the recommended approach.

NEW SECTION, Sec. 4. It shall be the responsibility of the department of ecology to provide staff support to the committee and to identify water use efficiency options for the tasks identified in section 2 of this act. For the purposes of this section, the department of ecology shall consult with the water research center at Washington State University.

NEW SECTION, Sec. 5. The committee shall report its findings and recommendations to the legislature no later than December 31, 1988. The department shall not implement such recommendations by rule or regulation except upon the enactment of enabling legislation based upon the committee's recommendations.

NEW SECTION, Sec. 6. No aspect of the study authorized by sections 1 through 3 of this act may authorize any interference whatsoever with existing water rights. The study shall in all respects be subject to the provisions of RCW 43.83B.325 to the same extent as any provision of RCW 43.83B.300 through 43.83B.345.

NEW SECTION, Sec. 7. Sections 2 through 6 of this act shall expire June 30, 1989.

NEW SECTION, Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, beginning on line 2 of the title, after "43.83B.300;" strike all material down to and including "(uncodified);" on line 3

On page 1, line 3 of the title, after "sections;" strike "making appropriations;"

Signed by Senators Barr, DeJarnatt, Bailey; Representatives Nealey, Rayburn, H. Sommers.

MOTION

On motion of Ms. Rayburn, the Report of the Conference Committee on Engrossed Substitute House Bill No. 1594 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817, facilitating public and private funding of local transportation improvement, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

Adopt the Senate Committee on Transportation striking amendments (For amendments, see Journal, 57th Day, March 7, 1988.) with the following changes:

On page 3, beginning on line 29 of the striking amendment, strike "highest"

On page 9, line 28, after "land" strike "or" and insert "and/or the cost of constructing"

Signed by Senators Patterson, Bender, Nelson; Representatives Walk, Hine, Schmidt.

MOTION

On motion of Mr. Walk, the Report of the Conference Committee on Engrossed Substitute House Bill No. 1817 was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1835 and has granted said committee the powers of Free Conference. The Report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1835, providing for economic diversification in the Tri-Cities, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

Reject the Senate amendments (For amendments, see Journal, 57th Day, March 7, 1988.):

Adopt the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that:

(1) Cutbacks in federal funds and programs to the Tri-Cities pose a substantial threat to the region and the state with massive lay-offs, loss of personal income, and declines in state revenues;

(2) The Tri-Cities is of critical significance to the state because of its leading role in the nuclear industry and its concentration of excellent scientists and engineers. Because of the presence of this highly trained workforce, this region requires a special state effort to diversify the local economy;

(3) There are key opportunities to broaden the economic base in the Tri-Cities including agriculture, high-technology, tourism, and regional exports;

(4) A coordinated state, local, and private sector effort offers the greatest potential to promote economic diversification and to provide support for new projects within the region; and

(5) Economic diversification efforts in the Tri-Cities area may bring to the area new industries which use hazardous and toxic chemicals. Concerns about the accidental release of such chemicals can inhibit economic development efforts. The legislature finds that local emergency response planning may mitigate environmental impacts of economic development efforts. Congress enacted legislation to coordinate emergency response planning efforts and directed preparation of local emergency response plans. The legislature further finds that nongovernmental persons are reluctant to serve on local emergency planning committees due to fear of civil liability.

It is the intent of the legislature to develop comprehensive programs to provide diversified economic development and promote job creation and employment opportunities for the citizens of the Tri-Cities area.

NEW SECTION. Sec. 2. The department of trade and economic development shall begin implementation of the priority goals established by the Tri-Cities diversification study conducted under chapter 501, Laws of 1987, as follows:

(1) To retain and expand existing businesses and industries within the region;

(2) To attract businesses and industries to the region that will provide new jobs;

(3) To encourage the formation of new businesses and industries in the region; and

(4) To assist in the development of a regional infrastructure favorable to economic diversification.

In evaluating these goals, the department, in consultation with the Tri-Cities diversification board, shall determine which objectives of these priority goals are most likely to lead to economic diversification. Consideration shall be given to potential jobs and income benefits, generation of additional fiscal support, increased private sector participation, and market forces supporting the proposed objectives. The department shall consider such additional studies and governmental agencies which could support the priority goals determined under this section.

For the purposes of sections 1 through 12 of this act, 'department' means the department of trade and economic development.

NEW SECTION. Sec. 3. (1) The sum of one million two hundred forty thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the administrative contingency fund to the employment security department for the purposes of sections 1 through 12 of this act. This appropriation shall be transferred to the department of trade and economic development for the purposes of sections 1 through 12 of this act.

(2) The sum of two hundred twenty-eight thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the general fund to the department of trade and economic development for the purposes of sections 1 through 12 of this act.

NEW SECTION. Sec. 4. (1) The department of trade and economic development shall designate a project manager within the department to facilitate the department's activities within the Tri-Cities region. This position shall be located in the Tri-Cities region. The manager's responsibilities shall include but not be limited to:

(a) Seeking to increase the use of existing state economic development programs in the Tri-Cities region;

(b) Helping to locate additional funds to be used for diversification activities;

(c) Forming committees to oversee activities within the priority areas;

(d) Coordinating evaluation of state diversification in the region;

(e) Seeking to increase the effectiveness of existing efforts to incubate new enterprises in the Tri-Cities region and to increase the resources devoted to the incubation of new enterprises;

(f) Facilitating technology transfer from the research base in the region to local businesses, including efforts to increase: The availability and accessibility of venture capital in the Tri-Cities region, especially for the early stages of enterprise development and for the expansion of existing enterprises, the accessibility of legal expertise, especially in regard to licenses and patents, and the identification of and assistance to entrepreneurs with expertise in managing new product development; and

(g) Increasing the availability and coordination of resources devoted to the expansion, development, and modernization of enterprises in existing promising growth areas of the Tri-Cities regional economy such as the industrial applications of advanced technology and recreational development.

(2) A maximum of seventy-five thousand dollars shall be made available for the purposes of this section.

NEW SECTION. Sec. 5. There is established the Tri-Cities diversification board. The board shall consist of fifteen members appointed by the governor, including but not limited to representatives of local businesses, labor organizations, local governments, visitor and convention bureaus, local educational institutions, local associate development organizations, the agribusiness community, and local ports. In making the appointments, the governor shall endeavor to ensure that the appointees have experience in local diversification efforts. Vacancies shall be filled in the same manner as the original appointment.

The board shall review proposals for the diversification of the Tri-Cities area presented to it by the department.

Members of the board shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 6. (1) In carrying out the purposes of (a) through (l) of this subsection, the department shall consult with the Tri-Cities diversification board. The department shall contract with local organizations, institutions, or agencies to perform one or more of the following:

(a) Develop a regional export program to identify potential products for export from the region and facilitate their export.

(b) Develop waterfront resources to facilitate increased tourism in the area.

(c) Conduct an import substitution program to connect existing industries with local suppliers of goods and services and identify market gaps that can be filled by start-up firms.

(d) Act as team coordinator of the Tri-Cities business and job retention team. The team may ensure the provision of retention services to small businesses and their employees. The team shall have equal representation from local businesses and local labor. The team may also have representatives from local educational institutions, the private industry council, and local governments. The subcontractor shall conduct a survey of local businesses and coordinate the delivery of marketing, technical, managerial, and training assistance appropriate to client businesses and employees. The surveys shall gather information about business needs, expansion plans, relocation decisions, training needs, potential layoffs, financing needs, the availability of financing, and other appropriate information. The subcontractor shall coordinate team efforts with the Washington ambassadors program and select appropriate marketing, management, training, and technical specialists to assist the team on either a volunteer or subcontract basis. The subcontractor shall conduct an initial assessment of firms or workforces indicating a need for assistance to determine viability, problems, skill levels, public and private costs associated with any potential business failure or layoff, the potential for preventing closure or reduction-in-force, and the potential for a change in ownership, including employee and community buy-outs. If the initial assessment indicates the need for a more thorough study of the feasibility of various options for retaining a firm, the subcontractor may contract or subcontract for such a study under the following conditions:

(1) The small business is engaged in light or heavy manufacturing, the processing of agricultural products, or transportation services;

(ii) Only one study may be funded per business; and

(iii) A maximum of twenty-five thousand dollars in funds received from the state shall be made available per study.

(e) Develop and implement a training program in marketing for small firms producing products suitable for export outside the Tri-Cities area. The program may have a variety of training formats to meet the diverse needs of the targeted firms and should include, but need not be limited to: A presentation on the value and the potential of marketing cooperatives, training programs for sales personnel, and training in the development of marketing plans as part of the overall business plan. The subcontractor may work with public and private schools of business administration in developing the curriculum and may use other subcontractors in implementing the program.

(f) Facilitate the development and operation of small business incubators. The department may subcontract with existing small business incubators in the Tri-Cities or with local governments, community organizations, or educational institutions, to:

(i) Conduct small business incubator feasibility studies;

(ii) Provide technical, managerial, financing and marketing assistance to firms inside and outside incubators;

(iii) Facilitate the creation of an equity capital fund for use by incubated firms;

(iv) Market the services offered by small business incubators and encourage local entrepreneurs to use incubator services and facilities; and

(v) Consolidate the efforts of local educational institutions, the private industry council and the local small business development center in one incubator.

(g) Operate an investment opportunities office. The subcontractor should solicit business plans from local entrepreneurs and, when necessary, assist the entrepreneurs in the development of such plans.

(h) Provide for targeted business recruiting and business development. Business development should include specialized technical or managerial assistance in fields that promote the existing strengths of the region in such areas as agricultural services and processing, the industrial applications of advanced technology, and recreation and tourism.

Specific assistance should be given to small businesses in securing federal contracts from agencies participating in the small business innovation research program.

(i) Develop or conduct such other projects or programs as are approved by the department in consultation with the Tri-Cities diversification board.

(2) The department shall establish such criteria as it deems appropriate for delivery of the services supplied under contract as provided in this section. The department shall provide training and technical assistance to the personnel of any program, team, office, or other effort provided for under this section, as appropriate. Such training and technical assistance shall be funded out of moneys provided for under sections 4 and 8 of this act.

No contract may be entered into under this section until the department has consulted with the Tri-Cities diversification board.

(3) A maximum of six hundred fifteen thousand dollars shall be made available for purposes of this section.

NEW SECTION, Sec. 7. The sum of two hundred ninety-two thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund for the biennium ending June 30, 1989, to Washington State University for the following purposes:

(1) Seventy-five thousand dollars shall be used for one faculty member to research and teach at the Tri-Cities university center in the field of business development, new enterprise development, and the transfer of new technologies to commercial applications.

(2) Seventy-five thousand dollars shall be used for one faculty member to research and teach at the Tri-Cities university center in the field of agribusiness and agricultural services development.

(3) One hundred thousand dollars shall be used for faculty and equipment for wine industry research.

(4) Forty-two thousand dollars shall be used for a high-capacity telecommunications link between Washington State University and the Tri-Cities university center. Washington State University may contract with the United States department of energy's Richland laboratory for the purposes of this section.

NEW SECTION, Sec. 8. The department shall also contract with local organizations, institutions, or agencies to:

(1) Establish a Tri-Cities agribusiness development program in cooperation with the IMPACT program, the Tri-Cities industrial development council, and the agricultural extension program of Washington State University. The subcontractor's duties in operating the agribusiness development program shall include but not be limited to:

(a) Seeking to increase the utilization of existing federal, state, and local programs for agricultural development, diversification, marketing, and processing in the Tri-Cities region;

(b) Seeking to increase the coordination and effectiveness of existing federal, state, and local programs for agricultural development, diversification, marketing, and processing in the Tri-Cities region; and

(c) Undertaking efforts to promote and further the existing strengths of the Tri-Cities region in value-added agricultural processing, agricultural services, specialty agriculture, and agricultural diversification.

(2) Evaluate the means for increasing the value of the wine industry to the Tri-Cities and for the region to become a principal center for the wine industry.

No contract may be entered into under this section until the department has consulted with the Tri-Cities diversification board.

A maximum of one hundred eight thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 9. The department shall be responsible for oversight and implementation of all efforts under this act. The department shall be responsible for a social and economic impact assessment; coordination of the multi-agency efforts; and shall act as liaison with local governments, the federal government, financial institutions, and other private entities to address financing and other needs in the Tri-Cities. The assessment shall be submitted as part of the report in section 12 of this act.

A maximum of fifty thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 10. The department shall conduct a study through the Tri-Cities university center on the feasibility of using heat generated by existing nuclear facilities for commercial industrial applications, taking into consideration, and drawing from as appropriate, existing studies on heating and on other warm water uses. Any state appropriations for this study are contingent upon and shall be no more than one-third of the federal funds provided for this study. A maximum of fifty thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 11. (1) Through an interagency agreement with the department, the employment security department shall provide enhanced retraining, support services, and job search assistance, including an out-of-area job search and relocation component, if needed, for dislocated workers in the Tri-Cities region. For the purpose of this section 'dislocated workers' means workers in the Tri-Cities who (a) have been terminated or laid off, or received a notice of termination or lay-off from employment and are eligible for or have exhausted their entitlement to benefits under Title 50 RCW; (b) have been terminated as a result of any permanent plant closure; (c) are long-term unemployed and are unlikely to return to employment in the individual's principal occupation or previous industry because of a diminishing demand for their skills in that occupation or industry; or (d) are farmers or other self-employed individuals who have been displaced due to economic conditions or natural disasters. Training and retraining assistance shall be designed to contribute to the diversification of the economy of the Tri-Cities region or to relieve economic dislocation and distress in the Tri-Cities region resulting from the sudden and severe loss of local sources of employment.

(2) The employment security department shall consult with and may subcontract with local educational institutions, local businesses, local labor organizations, local associate development organizations, local private industry councils, local social service organizations, and local governments in carrying out this program of training and services for dislocated workers in the Tri-Cities region.

(3) Training and retraining assistance provided under sections 1 through 12 of this act should include but need not be limited to the following areas: Entrepreneurial development and training; short-term job creation; training in the incubation of new business enterprises and training at incubator facilities; agriculture, agricultural processing, and agricultural services; the industrial applications of advanced technology; recreational and tourism development; and hazardous materials clean-up.

(4) The employment security department shall subcontract with local organizations, institutions, or agencies to provide expanded services to dislocated workers, older unemployed workers, and the long-term unemployed. Such services shall be either direct or referral services to the unemployed, and should include, but need not be limited to: Credit counseling; social services including marital counseling; psychotherapy or psychological counseling; mortgage foreclosures and utilities problems counseling; drug and alcohol abuse services; and medical services

(5) The employment security department shall coordinate the services provided in this section with all other services provided by the department and with the other diversification efforts undertaken by state and local government agencies on behalf of the Tri-Cities region.

(6) Subcontractors shall conduct outreach efforts to encourage the unemployed to seek assistance.

(7) A maximum of three hundred seventy thousand dollars shall be made available for purposes of this section. These funds shall be used for programs and services in addition to those provided by the employment security department using existing federal and state employment and training services.

(8) The department shall make every effort to procure additional federal and other moneys for the efforts enumerated in this section.

NEW SECTION. Sec. 12. Through an interagency agreement with the department, the department of community development shall enhance its services and programs available in

the Tri-Cities. Such services and programs may include, but need not be limited to: Assisting in developing the food processing industry, agribusiness financing, loans to businesses, and the funding of diversification projects or studies.

A maximum of two hundred thousand dollars shall be made available for purposes of this section.

NEW SECTION. Sec. 13. The department shall report back to the legislature by December 31, 1988, on the success of activities under sections 1 through 11 of this act.

NEW SECTION. Sec. 14. Sections 1 through 12 of this act shall expire July 1, 1990.

NEW SECTION. Sec. 15. A new section is added to chapter 4.24 RCW to read as follows:

Any person who is appointed by the state emergency response commission under the authority of Sec. 301(c) of Title III of the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. Sec. 11001) to serve on the state hazardous materials planning committee or a local emergency planning committee who, in good faith, assists in the development or review of local plans to respond to hazardous materials incidents is not liable for civil damages as a result of any act or omission in the development, review, or implementation of such plans unless the act or omission constitutes gross negligence or willful misconduct.

Sec. 16. Section 2, chapter 232, Laws of 1985 as amended by section 12, chapter 116, Laws of 1986 and RCW 82.60.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Applicant' means a person applying for a tax deferral under this chapter.

(2) 'Department' means the department of revenue.

(3) 'Eligible area' means: (a) A county in which the average level of unemployment for the three years before the year in which an application is filed under this chapter exceeds the average state unemployment for those years by twenty percent; or (b) a metropolitan statistical area, as defined by the office of federal statistical policy and standards, United States department of commerce, in which the average level of unemployment for the calendar year immediately preceding the year in which an application is filed under this chapter exceeds the average state unemployment for such calendar year by twenty percent. Applications under this subsection (3)(b) shall be filed by April 30, 1989.

(4)(a) 'Eligible investment project' means that portion of an investment project which:

(i) is directly utilized to create at least one new full-time qualified employment position for each three hundred thousand dollars of investment on which a deferral is requested; and

(ii) Either initiates a new operation, or expands or diversifies a current operation by expanding or renovating an existing building with costs in excess of twenty-five percent of the true and fair value of the plant complex prior to improvement; or

(iii) Acquires machinery and equipment to be used for either manufacturing or research and development if the machinery and equipment is housed in a new leased structure: PROVIDED, That the lessor/owner of the structure is not eligible for a deferral unless the underlying ownership of the buildings, machinery, and equipment vests exclusively in the same person.

(b) 'Eligible investment project' does not include any portion of an investment project undertaken by a light and power business as defined in RCW 82.16.010(5) or investment projects which have already received deferrals under this chapter.

(5) 'Investment project' means an investment in qualified buildings and qualified machinery and equipment, including labor and services rendered in the planning, installation, and construction of the project.

(6) 'Manufacturing' means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different, or useful substance or article of tangible personal property is produced for sale or commercial or industrial use and shall include the production or fabrication of specially made or custom made articles. 'Manufacturing' also includes computer programming, the production of computer software, and other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories.

(7) 'Person' has the meaning given in RCW 82.04.030.

(8) 'Qualified buildings' means new structures used for manufacturing and research and development activities, including plant offices and warehouses or other facilities for the storage of raw material or finished goods if such facilities are an essential or an integral part of a factory, mill, plant, or laboratory used for manufacturing or research and development. If a building is used partly for manufacturing or research and development and partly for other purposes, the applicable tax deferral shall be determined by apportionment of the costs of construction under rules adopted by the department.

(9) 'Qualified employment position' means a permanent full-time employee employed in the eligible investment project during the entire tax year.

(10) 'Qualified machinery and equipment' means all new industrial and research fixtures, equipment, and support facilities that are an integral and necessary part of a manufacturing

or research and development operation. 'Qualified machinery and equipment' includes: Computers; software; data processing equipment; laboratory equipment; manufacturing components such as belts, pulleys, shafts, and moving parts; molds, tools, and dies; operating structures; and all equipment used to control or operate the machinery.

(1) 'Recipient' means a person receiving a tax deferral under this chapter.

(2) 'Research and development' means the development, refinement, testing, marketing, and commercialization of a product, service, or process before commercial sales have begun. As used in this subsection, 'commercial sales' excludes sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars.

Sec. 17. Section 15, chapter 116, Laws of 1986 and RCW 82.62.010 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Applicant' means a person applying for a tax credit under this chapter.

(2) 'Department' means the department of revenue.

(3) 'Eligible area' means: (a) A county in which the average level of unemployment for the three years before the year in which an application is filed under this chapter exceeds the average state unemployment for those years by twenty percent; or (b) a metropolitan statistical area, as defined by the office of federal statistical policy and standards, United States department of commerce, in which the average level of unemployment for the calendar year immediately preceding the year in which an application is filed under this chapter exceeds the average state unemployment for such calendar year by twenty percent. Applications under this subsection (3)(b) shall be filed by April 30, 1989.

(4)(a) 'Eligible business project' means manufacturing or research and development activities which are conducted by an applicant in an eligible area at a specific facility: PROVIDED, That the applicant's average full-time qualified employment positions at the specific facility will be at least fifteen percent greater in the year for which the credit is being sought than the applicant's average full-time qualified employment positions at the same facility in the immediately preceding year.

(b) 'Eligible business project' does not include any portion of a business project undertaken by a light and power business as defined in RCW 82.16.010(5) or that portion of a business project creating qualified full-time employment positions outside an eligible area or those recipients of a sales tax deferral under chapter 82.61 RCW.

(5) 'Manufacturing' means all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different, or useful substance or article of tangible personal property is produced for sale or commercial or industrial use and shall include the production or fabrication of specially made or custom made articles. 'Manufacturing' also includes computer programming, the production of computer software, and other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories.

(6) 'Person' has the meaning given in RCW 82.04.030.

(7) 'Qualified employment position' means a permanent full-time employee employed in the eligible business project during the entire tax year.

(8) 'Tax year' means the calendar year in which taxes are due.

(9) 'Recipient' means a person receiving tax credits under this chapter.

(10) 'Research and development' means the development, refinement, testing, marketing, and commercialization of a product, service, or process before commercial sales have begun. As used in this subsection, 'commercial sales' excludes sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars.

Sec. 18. Section 2, chapter 164, Laws of 1985 as amended by section 2, chapter 461, Laws of 1987 and RCW 43.168.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Committee' means the Washington state development loan fund committee.

(2) 'Department' means the department of community development.

(3) 'Director' means the director of the department of community development.

(4) 'Distressed area' means: (a) A county which has an unemployment rate which is twenty percent above the state average for the immediately previous three years; (b) a metropolitan statistical area, as defined by the office of federal statistical policy and standards, United States department of commerce, in which the average level of unemployment for the calendar year immediately preceding the year in which an application is filed under this chapter exceeds the average state unemployment for such calendar year by twenty percent. Applications under this subsection (4)(b) shall be filed by April 30, 1989; or ((b)) (c) an area within a county, which area: (i) is composed of contiguous census tracts; (ii) has a minimum population

of five thousand persons; (iii) has at least seventy percent of its families and unrelated individuals with incomes below eighty percent of the county's median income for families and unrelated individuals; and (iv) has an unemployment rate which is at least forty percent higher than the county's unemployment rate. For purposes of this definition, 'families and unrelated individuals' has the same meaning that is ascribed to that term by the federal department of housing and urban development in its regulations authorizing action grants for economic development and neighborhood revitalization projects.

(5) 'Fund' means the Washington state development loan fund.

(6) 'Local development organization' means a nonprofit organization which is organized to operate within an area, demonstrates a commitment to a long-standing effort for an economic development program, and makes a demonstrable effort to assist in the employment of unemployed or underemployed residents in an area.

(7) 'Project' means the establishment of a new or expanded business in an area which when completed will provide employment opportunities. 'Project' also means the retention of an existing business in an area which when completed will provide employment opportunities.

NEW SECTION. Sec. 19. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 20. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "region;" strike the remainder of the title and insert "amending RCW 82.60.020, 82.62.010, and 43.168.020; adding a new section to chapter 4.24 RCW; creating new sections; making appropriations; providing an expiration date; and declaring an emergency."

Signed by Senators Benitz, Williams, Lee; Representatives Ebersole, Grant, Hankins.

MOTION

On motion of Mr. Grant, the Report of the Conference Committee on Engrossed Second Substitute House Bill No. 1835 was adopted and the committee was granted the powers of Free Conference.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1701 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE RAIL DEVELOPMENT COMMISSION

Rail Development Account <u>Appropriation</u>	\$	((300,000)) 663,900
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The appropriation in this section is subject to the following conditions and limitations: ((# House Bill No. 1034 is not enacted by July 1, 1987, the appropriation in this section shall be from the general fund.))

(1) \$55,000 of the appropriation is the state's share for a study to determine the ridership forecast and financial feasibility of a commuter rail demonstration project in the south corridor of the central Puget Sound region. The commission shall select the appropriate public/private agency to conduct the study and shall have oversight responsibility. State moneys shall be matched in an amount at least equal to the state's share by local jurisdictions.

(2) \$25,000 of the appropriation shall be used solely to provide matching funds for Federal Mass Transportation Administration (UMTA) discretionary grant moneys.

Sec. 2. Section 7, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL—FIELD OPERATIONS BUREAU

Motor Vehicle Fund—State Patrol Highway Account Appropria- tion—State	\$	94,005,256
Motor Vehicle Fund—State Patrol Highway Account Appropria- tion—Federal	\$	2,733,175
Motor Vehicle Fund Appropriation	\$	463,045
Total Appropriation	\$	97,201,476

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section include \$~~((675,000))~~ \$25,000 for the sole purpose of providing additional commercial vehicle enforcement officers.

(2) The appropriations in this section include \$498,664 for the sole purpose of providing twelve additional traffic troopers, effective January 1, 1989.

(3) The appropriations in this section include \$150,000 for the sole purpose of creating a license fraud investigation team. If House Bill No. 1860 is not enacted by June 30, 1988, the state patrol highway account appropriation—state in this section shall be reduced by \$150,000.

Sec. 3. Section 10, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—DRIVER SERVICES

General Fund—Public Safety and Education Account Appropriation	\$	3,352,618
Highway Safety Fund Appropriation	\$	((30,866,231))
		<u>30,942,064</u>
Highway Safety Fund—Motorcycle Safety Education Account Appropriation	\$	((265,814))
		<u>610,926</u>
Total Appropriation	\$	((34,463,863))
		<u>34,905,608</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) If House Bill No. 196 is not enacted by July 1, 1987, the highway safety fund appropriation is reduced by \$72,686.

(2) The department shall participate in the establishment of uniform rules for all commercial drivers, including special rules for training and testing of hazardous material drivers in compliance with the federal motor carrier safety act of 1986.

(3) \$286,909 is appropriated from the highway safety fund appropriation to implement section 5 of Engrossed Substitute Senate Bill No. 5850, if enacted.

(4) If House Bill No. 1660 is not enacted by June 30, 1988, the highway safety fund—motorcycle safety education account appropriation shall be reduced by \$39,300.

(5) If Engrossed Substitute Senate Bill No. 6410 is not enacted by June 30, 1988, the Highway Safety Fund Appropriation shall be reduced by \$38,135.

(6) If House Bill No. 1482 is not enacted by June 30, 1988, the Highway Safety Fund Appropriation shall be reduced by \$37,698.

Sec. 4. Section 17, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM B

Motor Vehicle Fund Appropriation—State	\$	57,000,000
Motor Vehicle Fund Appropriation—Federal	\$	((509,000,000))
		<u>497,000,000</u>
Motor Vehicle Fund Appropriation—Local	\$	4,000,000
Total Appropriation	\$	((570,000,000))
		<u>558,000,000</u>

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects on the interstate system designated as category 'B' under RCW 47.05.030. The appropriations in this section are subject to the following conditions and limitations:

(1) The motor vehicle fund—state appropriation of \$57,000,000 includes \$37,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.790, for state matching funds for the construction of SR 90 from SR 5 to SR 405, and \$20,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.801: PROVIDED, That the transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(2) If federal discretionary funds are made available to the state, the motor vehicle fund—state appropriation is increased proportionally to provide matching state funds from the sale of bonds authorized by RCW 47.10.801 and 47.10.790 not to exceed \$10,000,000 and it is understood that the department shall seek unanticipated receipts for the federal portion.

(3) The department shall develop a design plan using federal discretionary funds made available under subsection (2) above to develop a design plan, prior to the completion of the I-90 project, that accommodates access to and from I-90 for those neighborhoods listed in the Washington State Transportation Commission Resolution No. 296; which design is consistent with the existing I-90 design and which can be constructed upon completion of the present I-90 project.

(4) It is further recognized that the department may make use of federal cash flow obligations on interstate construction contracts in order to complete the interstate highway system as expeditiously as possible.

Sec. 5. Section 18, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C

Motor Vehicle Fund Appropriation—State	\$	((106,000,000)) 93,455,000
Motor Vehicle Fund Appropriation—Local	\$	2,000,000
Total Appropriation	\$	((106,000,000)) 95,455,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category 'C' under RCW 47.05.030. If Senate Bill No. 6464 is enacted, the motor vehicle fund—state appropriation shall be increased by \$13,000,000.

(1) The motor vehicle fund—state appropriation will be funded with the proceeds from the sale of bonds authorized in RCW 47.10.801 in the amount of \$((106,000,000)) 93,455,000: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

The transportation commission shall adjust its list of category 'C' projects to include only those projects that can be accomplished within the moneys provided in this appropriation.

It is the intent of the legislature that no moneys shall be expended on projects that are not included on the transportation commission's ~~((funded))~~ priority list for the 1987-89 biennium. It is further the intent of the legislature that the category 'A' and 'H' programs take precedence over category 'C' projects and that the category 'A' and 'H' programs be fully funded in the 1989-91 biennium to the exclusion of category 'C' projects as required under chapter 47.05 RCW.

It is the intent of the legislature that the department's category C preliminary engineering and right of way expenditures for unfunded list 4 projects shall not exceed \$12,000,000.

It is the intent of the legislature that the maximum amount of state motor vehicle funds not required for other purposes be made available for category 'C' program expenditures. If additional moneys become available, deferred funded list 4 category 'C' project contracts shall not be awarded by the department without prior consultation with the legislative transportation committee.

No moneys may be expended on list 5 category 'C' projects in the 1987-89 biennium.

~~((The department shall identify those amounts which may become available for category 'C' expenditures due to underexpenditures of state motor vehicle fund appropriations at the close of the 1985-87 biennium, revenue projections which exceed current estimates, or cost savings due to efficiencies effected in other programs. Amounts so identified shall be included in the department's 1988 supplemental budget request for category 'C' expenditures.))~~

(2) Notwithstanding subsection (1) of this section and to the extent that the motor vehicle fund—state receives additional revenues from the sale of department of transportation parcel number 32704447, \$455,000 of the motor vehicle fund appropriation—state is provided solely for the construction of a loop ramp as described under program item number 351216A in the transportation commission category 'C' program file.

Sec. 6. Section 19, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—CONSTRUCTION MANAGEMENT AND SUPPORT—PROGRAM D

Motor Vehicle Fund Appropriation	\$	((35,166,228)) 34,866,222
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The appropriation in this section is subject to the following conditions and limitations:

(1) \$3,000,000 of the motor vehicle fund—state appropriation, or so much thereof as may be required, is provided to fund the study required by Senate Concurrent Resolution No. 130 adopted by the 1983 legislature and provided for under RCW 46.68.110 and 46.68.120 of city, county, and state highway needs in relation to current statutory distributions of motor vehicle fuel taxes, other state and local highway revenue sources, and alternatives for financing long-term highway needs, and for other studies, including a study of the economic feasibility of constructing a bridge across the Port Orchard Passage and a study of the economic feasibility of constructing a bridge across the Columbia River to Oregon, both studies to be conducted jointly by the legislative transportation committee and the department of transportation.

(2) The legislative transportation committee and the department of transportation shall conduct a review of the capital facilities needs study, which review shall be funded from the maintenance program appropriation. The results shall be presented to the 1988 legislature.

(3) If funds are made available to the state through the sale of the Spokane street maintenance site in the city of Seattle, the motor vehicle fund appropriation—state shall be increased by the amount of such proceeds, not to exceed \$1,500,000, to be used for the construction of a maintenance facility on property owned by the department at Corson street in the city of Seattle.

Sec. 7. Section 20, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F

General Fund—Aeronautics Account Appropriation—State	\$	(2,192,803) 2,377,803
General Fund—Aeronautics Account Appropriation—Federal	\$	(862,725) 902,460
Total Appropriation	\$	(3,055,528) 3,280,263

The appropriations in this section are provided for management and support of the aeronautics division, state fund grants to local airports, development and maintenance of a state-wide airport system plan, maintenance of state-owned emergency airports, federal inspections, and the search and rescue program. The aeronautics account—state appropriation contains \$100,000 for transfer to the motor vehicle fund as the second of four installments in repayment of the \$407,430 advanced to pay the tort settlement in the case of Osibov vs. the state of Washington, Spokane county superior court, Cause No. 239168.

Sec. 8. Section 22, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—ECONOMIC TRAFFIC OPERATION IMPROVEMENTS AND SUPPORT—PROGRAM G		
Economic Development Account Appropriation	\$	(9,000,000) 3,000,000

The appropriation in this section is funded with the proceeds from the sale of bonds authorized by RCW 47.10.801 and is provided for improvements to the state highway system necessitated by planned economic development.

Sec. 9. Section 23, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—BRIDGE REPLACEMENT AND REHABILITATION—PROGRAM H		
Motor Vehicle Fund Appropriation—State	\$	(23,000,000) 22,500,000
Motor Vehicle Fund Appropriation—Federal	\$	(31,000,000) 27,200,000
Motor Vehicle Fund Appropriation—Local	\$	1,000,000
Total Appropriation	\$	(55,000,000) 50,700,000

The appropriations in this section are provided to preserve the structural and operating integrity of existing state highway bridges.

Sec. 10. Section 24, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE AND OPERATIONS—PROGRAM M		
Motor Vehicle Fund Appropriation	\$	(185,239,165) 180,528,914

The appropriation in this section is subject to the following conditions and limitations:

(1) The department may, after consultation with the legislative transportation committee, transfer motor vehicle funds budgeted for snow and ice control in this section to section 25 of this act to the extent that the plan is underrun.

(2) Appropriated in this section is an amount necessary for the legislative transportation committee and the department of transportation to conduct an independent study of the snow and ice control activity within the department.

Sec. 11. Section 25, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND SUPPORT—PROGRAM P		
Motor Vehicle Fund Appropriation	\$	(15,875,977) 16,055,451

The appropriation in this section is subject to the following conditions and limitations:

((+)) The department may, after consultation with the legislative transportation committee, transfer motor vehicle funds budgeted for highway inventories in this section to section 24 of this act to the extent that expenditures for snow and ice control budgeted in section 24 of this act exceeds the plan.

Sec. 12. Section 26, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—COUNTY-CITY PROGRAM—PROGRAM R		
Motor Vehicle Fund Appropriation—State	\$	1,450,000
Motor Vehicle Fund Appropriation—Federal	\$	(152,612,528) 151,612,528
Motor Vehicle Fund Appropriation—Local	\$	(20,065,734) 19,977,219

Total Appropriation \$ ~~((174,128,262))~~
 173,039,747

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations contain \$241,000 of state funds for expenditure in accordance with RCW 47.56.720 (Puget Island-Westport Ferry—Payments for operation and maintenance to Wahkiakum county). If Senate Bill No. 5159 is enacted, the department may request a supplemental appropriation.

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

(3) The appropriations contain \$309,000 of state funds from the proceeds of bonds for Columbia Basin county roads authorized in chapter 121, Laws of 1951; chapter 311, Laws of 1955; and chapter 121, Laws of 1965 for reimbursable expenditures on cooperative projects authorized by state or federal laws.

(4) The appropriations contain \$91,612,528 of federal funds and \$15,227,923 of local funds for reimbursable expenditures for location, design, right-of-way, construction, and maintenance on the north metro operating base interchange, city streets, county roads, and other nonstate highways.

(5) The appropriations contain \$61,000,000 of federal funds and \$1,000,000 of local funds for location, design, right-of-way, and construction on state highways which is fully reimbursable(~~(- PROVIDED, That if the 1987 legislature fails to enact a fuel tax increase, no new contracts may be awarded for department of transportation project No. 42113H prior to approval by the legislative transportation committee)~~).

(6) The appropriations contain \$400,000 of local funds to guarantee bond payments on the Astoria-Megler bridge pursuant to RCW 47.56.646.

(7) The appropriations contain \$3,437,811 of local funds for miscellaneous sales and services.

(8) The appropriations contain \$6,000,000 of federal funds for construction of defense access roads related to the Everett home port.

Sec. 13. Section 27, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT AND MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropriation	\$	9,371
General Fund Appropriation	\$	15,194
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation	\$	217,442
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$	459,076
Motor Vehicle Fund Appropriation	\$	((33,518,175)) 31,611,418
Ferry System Fund Appropriation	\$	1,071,178
Total Appropriation	\$	((35,290,436)) 33,383,679

The appropriations in this section include \$100,000 for the implementation of the joint financial information systems to be utilized by the office of financial management, legislative evaluation and accountability committee, department of transportation, department of information systems, the committees on ways and means of the senate and house of representatives, and the legislative transportation committee.

Sec. 14. Section 28, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PLANNING, RESEARCH, AND PUBLIC TRANSPORTATION—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	((576,698)) 570,284
General Fund Appropriation—Federal	\$	((3,767,602)) 3,758,745
General Fund Appropriation—Local	\$	188,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	((6,280,453)) 6,188,743
Motor Vehicle Fund Appropriation—Federal	\$	((10,802,000)) 10,436,457

Total Public Transportation and Planning Appropriation \$ ~~((21,614,753))~~
 21,142,229

The appropriations in this section are subject to the following conditions and limitations: The department of transportation may transfer up to \$5,000,000 from the motor vehicle fund—federal appropriation to the motor vehicle fund—state appropriation if federal funds are not available to fully fund the motor vehicle fund—federal appropriation in this section. If additional federal funds become available to more than fully fund the motor vehicle fund—federal appropriation in this section, the department may transfer up to \$3,600,000 from the motor vehicle fund—state appropriation to the motor vehicle fund—federal appropriation.

Sec. 15. Section 29, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM W

Motor Vehicle Fund—Puget Sound Capital Construction Account		
Reappropriation—State	\$	3,500,000
Motor Vehicle Fund—Puget Sound Capital Construction Account		
Appropriation—State	\$	((61,750,831))
		<u>67,000,831</u>
Motor Vehicle Fund—Puget Sound Capital Construction Account		
Appropriation—Federal	\$	8,500,000
Total Appropriation	\$	((73,750,831))
		<u>79,000,831</u>

The appropriations in this section are provided for improving the Washington state ferry system, including, but not limited to, vessel acquisition, vessel construction, major and minor vessel improvements, and terminal construction and improvements. The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriation of state funds from the Puget Sound capital construction account contains \$5,000,000 of the proceeds from the sale of bonds authorized by RCW 47.60.560: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the Puget Sound capital construction account in lieu of bond proceeds for any part of the state appropriation.

~~(2) ((It is the intent of the legislature that the Puget Sound capital construction account appropriation is provided to carry out only the projects presented to the house of representatives and senate transportation committees in the department's 1987-1989 biennial budget request dated February 1987. The department shall revise this list of projects to reconcile the 1985-87 actual expenditures within sixty days of the beginning of the biennium.~~

~~(3))~~ Prior to the expenditure of any funds budgeted for additional passenger-only vessels and related terminal modifications, the department of transportation shall obtain approval from the legislative transportation committee: PROVIDED, That the marine division shall make application for reimbursement from the federal urban mass transit administration.

~~((4))~~ (3) Expenditures for propulsion control systems shall be limited to two vessels.

~~((5))~~ (4) The department of transportation shall provide the legislative transportation committee with a monthly report concerning the status of this program.

(5) \$5,000,000 of the Puget Sound capital construction account appropriation is provided for capacity improvements for two M.V. Issaquah class vessels through the addition of second car decks.

(6) \$250,000 of the appropriation is provided for improvements to the Anacortes parking facility.

Sec. 16. Section 30, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Motor Vehicle Fund—Puget Sound Ferry Operations Account		
Appropriation	\$	((45,896,956))
		45,155,127
Ferry System Fund Appropriation	\$	((107,092,897))
		105,361,963
Total Appropriation	\$	((152,989,853))
		<u>150,517,090</u>

The appropriations in this section are provided for management and support of the marine transportation division of the department of transportation and for the operation and maintenance of the state ferry system.

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are based on the budgeted expenditure of \$15,525,251 for vessel operating fuel in the 1987-89 biennium. If the actual cost of fuel is less than this budgeted amount, the excess amount shall not be expended. If the actual cost exceeds this amount, it is the intent of the legislature that the department will request a supplemental appropriation.

(2) Prior to the expenditure of any funds budgeted for additional passenger-only service, the department of transportation shall obtain approval from the legislative transportation committee. If the additional passenger-only service is not approved, the funds appropriated in this section for that purpose shall not be expended for any other purpose.

(3) For the period from July 1, 1987, up to the actual implementation date of the 1987-89 biennial salary increase for employees under the jurisdiction of the state personnel board, ~~((none of the appropriations in this section may be expended to effect an))~~ no increases in the hourly wage rates of ferry employees, as ferry employee is defined in RCW 47.64.011(5), shall be included in the base hourly wage rates used for future salary increase calculations.

(4) The appropriation contained in this section provides for ~~((a))~~ the compensation of ferry employees, including increases. The expenditures for compensation paid to ferry employees during the 1987-89 biennium shall not exceed \$105,210,000 ~~((and:))~~ plus a dollar amount, as prescribed by the office of financial management, which is equal to any insurance benefit increase granted general government employees in excess of \$167 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for fiscal year 1989. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure 'A' and 'L' (7.2.6.2). Of the \$105,210,000 provided for compensation, plus the prescribed insurance benefit increase dollar amount:

(a) A maximum of \$678,000 may be used to increase ((salary)) compensation costs, effective January 1, 1988((-for the 1987-88 fiscal year so that the June 30, 1988, hourly salary rate increase shall not exceed any average hourly salary rate increase granted during the 1987-88 fiscal year; and a maximum of \$2,145,000 may be used to increase salary costs, effective January 1, 1989, for the 1988-89 fiscal year so that));

(b) The prescribed insurance benefit increase dollar amount may be used to increase compensation costs, effective July 1, 1988;

(c) A maximum of \$2,145,000 shall be used to maintain any 1987-88 compensation increase and may be used to increase compensation costs, effective January 1, 1989.

In no event may the June 30, 1988, hourly salary rate increase exceed any average hourly salary rate increase granted during the 1987-88 fiscal year.

In no event may the June 30, 1989, hourly salary rate increase ((shall not)) exceed any ((average hourly)) salary rate increase granted during the 1988-89 fiscal year.

(5) To the extent that ferry employees by bargaining unit have absorbed the required offset of wage increases by the amount that the employer's contribution for employees' and dependents' insurance and health care plans exceeds that of other state general government employees in the 1985-87 biennium, employees will not be required to absorb a further offset except to the extent the differential between employer contributions for those employees and all other state general government employees increases during the 1987-89 biennium. If the differential increases or the 1985-87 offset by bargaining unit is insufficient to meet the required deduction, the amount available for compensation shall be reduced by bargaining unit by the amount of such increase or the 1985-87 shortage in the required offset.

(6) The department of transportation shall provide the legislative transportation committee with a monthly report concerning the status of this program.

Sec. 17. Section 39, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

The motor vehicle fund revenues are received at a relatively even flow throughout the year. Expenditures exceed the revenue during the accelerated summer and fall highway construction season, creating a negative cash balance during the heavy construction season. Negative cash balances also may result from the use of state funds to finance federal advance construction projects prior to conversion to federal funding. The legislature recognizes that the department of transportation may require interfund loans or other short-term financing to meet temporary seasonal cash requirements and additional cash requirements to fund federal advance construction projects.

NEW SECTION. Sec. 18. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

NEW SECTION. Sec. 19. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

With respect to the department of transportation appropriations for highway construction in programs A, B, C, and H, it is recognized that expenditures for transit benefit projects are approximately \$150,000,000 of state and federal funds, of which significant portions pertain to construction on I-90. Transit benefit projects are those which construct or improve high-occupancy vehicle lanes, surveillance control and driver information systems, park-and-ride lots, flyer stops, and park-and-pool lots.

NEW SECTION. Sec. 20. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

FOR THE WASHINGTON STATE PATROL

Dormitory facility at Washington State Patrol Training Academy (90-2-010)

Reappropriation

Appropriation
673,000

Public Safety and Education Acct

Project
Costs
Through
6/30/87

Estimated
Costs
7/1/89 and
Thereafter

Estimated
Total
Costs

673,000

NEW SECTION. Sec. 21. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

FOR THE WASHINGTON STATE PATROL

Emergency vehicle operation course: Phase II (91-3-011)

Reappropriation

Appropriation
1,107,000

Public Safety and Education Acct

Project
Costs
Through
6/30/87

Estimated
Costs
7/1/89 and
Thereafter

Estimated
Total
Costs

1,107,000

NEW SECTION. Sec. 22. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Public Safety and Education Account Appropriation	\$	75,000
General Fund—State Appropriation	\$	15,000
Public Safety and Education Account Transfer: For transfer to the trauma care system trust account	\$	250,000
General Fund—Aeronautics Account Appropriation—State	\$	5,000
Total Appropriation	\$	345,000

The appropriations in this section are subject to the following conditions and limitations:

(1) If House Bill No. 1713 is enacted, \$250,000 shall be transferred from the public safety and education account appropriation to the trauma care system trust account and is appropriated to implement the provisions of that bill. If House Bill No. 1713 is not enacted by June 30, 1988, the total appropriation shall be reduced by \$250,000.

(2) \$15,000 of the general fund—state appropriation and \$5,000 of the aeronautics account appropriation is provided for a joint office of financial management/legislative transportation committee study of transportation vehicle and aircraft replacement programs.

(3) \$75,000 of the public safety and education account appropriation is provided to study the feasibility of and planning for the possible relocation of the criminal justice training center to the Washington State Patrol Academy at Shelton. The office of financial management shall report its findings and recommendations to the house and senate standing committees on transportation and ways and means on or before December 1, 1988.

NEW SECTION. Sec. 23. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

No moneys from the motor vehicle fund or highway safety fund may be expended under chapter 10, Laws of 1987 1st ex. sess. as amended by this 1988 act for major relocation of the Washington state patrol or the department of licensing.

NEW SECTION. Sec. 24. The department of transportation and the county road administration board shall, by December 31, 1988, jointly provide the legislative transportation committee a report describing the current financial status of county-operated ferry systems. The report shall include recommendations regarding the appropriate level of state support for these transportation services and whether there is sufficient justification to consider transferring responsibilities for operating these systems to the Washington state department of transportation.

NEW SECTION. Sec. 25. The legislative transportation committee shall conduct a study of the impact of transportation tax exemptions on revenue.

NEW SECTION. Sec. 26. A joint committee is created to study the state motor vehicle excise tax. The study shall include an historical review of the distribution of the tax revenues, the current distribution of the tax revenues, and an evaluation of the current and historical purposes of the tax revenue distributions. The joint committee shall report its findings, including any recommended changes to the motor vehicle excise tax, to the house and senate standing committees on transportation and ways and means by November 1, 1988.

The chairpersons of the house transportation committee, the senate transportation committee, the senate ways and means committee, and the house ways and means committee shall each appoint three of its members to serve on the joint committee. The directors of the office of financial management and the department of licensing and the secretary of transportation

shall each appoint one employee of their respective departments to serve on the joint committee. The members of the joint committee shall elect a chairperson from the membership of the committee.

NEW SECTION. Sec. 27. Section 55, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 28. Section 56, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 29. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 30. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending section 3, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 7, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 10, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 17, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 18, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 19, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 20, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 22, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 23, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 24, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 25, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 26, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 27, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 28, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 29, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 30, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 39, chapter 10, Laws of 1987 1st ex. sess. (uncodified); adding new sections to chapter 10, Laws of 1987 1st ex. sess. (uncodified); repealing section 55, chapter 10, Laws of 1987 1st ex. sess. (uncodified); repealing section 56, chapter 10, Laws of 1987 1st ex. sess. (uncodified); creating new sections; making appropriations and authorizing expenditures; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1701.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1701 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1701 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Prince, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellsnky, and Mr. Speaker - 93.

Voting nay: Representatives Meyers, Patrick, Pruitt - 3.

Excused: Representatives Allen, Vekich - 2.

Engrossed Substitute House Bill No. 1701 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

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

INTRODUCTION AND FIRST READING

HCR 4452 by Representative Ebersole

Exempting HB 2046 from bill cut-offs.

MOTION

On motion of Mr. Ebersole, the rules were suspended and the resolution was advanced to second reading.

The resolution was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Ebersole spoke in favor of the resolution, and it was adopted.

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

SECOND READING

MOTION

Mr. Ebersole moved that Committee on Rules be relieved of House Bill No. 2046 and that the bill be placed on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2046, by Representative Grimm

Relating to hospital reimbursement. (t.o.)

The bill was read the second time.

Mr. Grimm moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 15, chapter 5, Laws of 1973 1st ex. sess. as last amended by section 14, chapter 288, Laws of 1984 and RCW 70.39.140 are each amended to read as follows:

(1)(a) From and after a date not less than twelve months but not more than twenty-four months after the adoption of the uniform system of accounting and financial reporting required by RCW 70.39.100, as the commission may direct, the commission shall have the power to initiate such reviews or investigations as may be necessary to assure all purchasers of health care services that the total costs of a hospital are reasonably related to the total services offered by that hospital, that costs do not exceed those that are necessary for prudently and reasonably managed hospitals, that the hospital's rates are reasonably related to the hospital's aggregate costs; and that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference. Effective July 1, 1985, this chapter does not preclude any hospital from negotiating with and charging any particular payer or purchaser rates that are less than those approved by the commission. If:

((a)) (i) The rates are cost justified and do not result in any shifting of costs to other payers or purchasers in the current or any subsequent year; and

((e)) (ii) All the terms of such negotiated rates are filed with the commission within ten working days and made available for public inspection.

(b) The commission may retrospectively disapprove such negotiated rates in accordance with procedures established by the commission if such rates are found to contravene any provision of this section.

(c) Any hospital may charge rates as negotiated with or established by the department of social and health services. Rates negotiated or established under this subsection (c) are not subject to (a) or (b) of this subsection. Rates negotiated or established under this subsection (c) are not subject to any review or approval by the commission under this chapter.

(2) In order to properly discharge these obligations, the commission shall have full power to review projected annual revenues and approve the reasonableness of rates proposed to generate that revenue established or requested by any hospital subject to the provisions of this chapter. No hospital shall charge for services at rates exceeding those established in accordance with the procedures established hereunder. After June 30, 1985, rates for inpatient care shall be expressed using an appropriate measure of hospital efficiency, such as that based on diagnosis-related groups, and, if necessary for federal medicare participation in a hospital reimbursement control system, hospitals shall charge for such care at rates prospectively established and expressed in terms of a comparable unit of total payment, such as diagnosis-related groups. In the event any hospital reimbursement control system is implemented, children's hospitals shall be exempted until such time as a pediatric based classification system which reflects the unique resource consumption by patients of a children's hospital is perfected.

For the purposes of this exemption, children's hospitals are defined as hospitals whose patients are predominantly under eighteen years of age.

(3) In the interest of promoting the most efficient and effective use of health care service, and providing greater promise of hospital cost containment, the commission may develop a hospital reimbursement control system in which all payers or purchasers participate, that includes procedures for establishing prospective rates, that deals equitably with the costs of providing charity care, and that shall include the participation of the federal medicare program under the social security amendments of 1983, Public Law 98-21. The commission shall have the authority to require utilization reviews of patient care to ensure that hospital admissions and services provided are medically justified. The commission may seek approval, concurrence, or participation in such a system from any federal agency, such as the department of health and human services, prior to securing legislative approval pursuant to concurrent resolution for implementation of any hospital reimbursement control system developed pursuant to this section. The commission shall involve the legislature in the development of any plan for a hospital reimbursement control system.

(4) The commission shall assure that no hospital or its medical staff either adopts or maintains admission practices or policies which result in:

(a) A significant reduction in the proportion of patients who have no third-party coverage and who are unable to pay for hospital services;

(b) A significant reduction in the proportion of individuals admitted for inpatient hospital services for which payment is or is likely to be less than the anticipated charges for or costs of such services; or

(c) The refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital((-or)).

(5) The commission shall serve as the state agency responsible for coordinating state actions and otherwise responding and relating to the efforts of the federal department of health and human services in planning and implementing federal cost containment programs with respect to hospitals and related health care institutions as authorized by the social security amendments of 1983, as now or hereafter amended, or other federal law, and any rules or regulations promulgated thereto. In carrying out this responsibility, the commission may assume any function or role authorized by appropriate federal regulations implementing the social security amendments of 1983; or assume any combination of such roles or functions as it may determine will most effectively contain the rising costs of the varying kinds of hospitals and related health care institutions in Washington state. In determining its functions or roles in relation to federal efforts, the commission shall seek to ensure coordination, and the reduction of duplicatory cost containment efforts, by the state and federal governments, as well as the diligent fulfillment of the purposes of this chapter and declared public policy and legislative intent herein.

Nothing in this chapter limits the ability of the department of social and health services to establish or negotiate hospital payment rates pursuant to RCW 74.09.120 or in accord with a federally approvable state plan under Title XIX of the federal social security act."

Mr. Grimm moved adoption of the following amendment by Representatives Grimm and Braddock to the amendment:

On page 6 of the amendment, after line 21, insert the following:

"This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Grimm spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Representatives Grimm and Holland spoke in favor of the amendment as amended, and Representatives Hargrove, K. Wilson and Schoon opposed it.

POINT OF INQUIRY

Mr. Grimm yielded to question by Ms. Valle.

Ms. Valle: Thank you, Mr. Speaker. I happen to be a member of the West Seattle Hospital Board. I would like to know if a recently negotiated contract, with Medicaid patients in mind, with the DSHS, if that did not conform to what is in this bill, could that contract be renegotiated?

Mr. Grimm: Thank you, Representative Valle. The answer to your question is that the contract can be renegotiated with notice.

Representatives Day and Zellinsky spoke against the amendment as amended, and Representatives Sprengle, Lux and Ebersole spoke in favor of it.

The Speaker stated the question before the House to be the amendment by Mr. Grimm as amended. The amendment as amended was adopted.

The Clerk read the following amendment to the title:

On page 1, line 1 of the title, after "reimbursement" insert "; and amending RCW 70.39.140"

There being no objection, the following amendment to the title amendment was adopted:

On page 6, line 27, after "70.39.140" insert "and declaring an emergency."

There being no objection, the title amendment as amended was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Baugher spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2046, and the bill passed the House by the following vote: Yeas, 67; nays, 29; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Belcher, Betrozoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Leonard, Lewis, Locke, Lux, Meyers, Moyer, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Scott, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Walk, Walker, Wang, Wineberry, and Mr. Speaker - 67.

Voting nay: Representatives Amondson, Baugher, Beck, Brekke, Butterfield, Day, Doty, Hankins, Hargrove, Haugen, King P, Kremen, May, McLean, Miller, Padden, Patrick, Sanders, Sayan, Schmidt, Schoon, Silver, Valle, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 29.

Excused: Representatives Allen, Vekich - 2.

Engrossed House Bill No. 2046, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Ebersole moved that Engrossed House Bill No. 2046 be immediately transmitted to the Senate. The motion was carried.

MESSAGES FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate receded from its amendments to page 2, following line 6 and the corresponding title amendment to SUBSTITUTE HOUSE BILL NO. 1745, and has passed the bill without said amendments, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 9, 1988

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 6344 and passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

MESSAGE FROM THE GOVERNOR

March 9, 1988

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

I have the honor to advise you that on March 9, 1988, Governor Gardner approved the following House Bills entitled:

HOUSE BILL NO. 280: Relating to suspension of driving privileges;

HOUSE BILL NO. 1300: Relating to charter boats;

SUBSTITUTE HOUSE BILL NO. 1370: Relating to property tax exemptions for the head of a family;

HOUSE BILL NO. 1470: Relating to motor vehicles;

SUBSTITUTE HOUSE BILL NO. 1472: Relating to apiaries;

SUBSTITUTE HOUSE BILL NO. 1473: Relating to food processors;

HOUSE BILL NO. 1514: Relating to fluoridation by water districts;

HOUSE BILL NO. 1760: Relating to industrial loan companies.

Sincerely,

Terry Sebring, Counsel.

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

INTRODUCTIONS AND FIRST READING

HCR 4449 by Representatives Belcher, Locke, Betrozoff and J. Williams

Establishing a Centennial Observance Committee.

HCR 4450 by Representatives Sutherland, Butterfield, Basich, B. Williams, Cooper, Nutley, Peery and Sanders

Attempting to restore Mitchell Act funding to operate certain hatcheries.

HCR 4451 by Representative Ebersole

Exempting EHB 1544 from bill cut-offs.

MOTION

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4449 was advanced to second reading.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4449, by Representatives Belcher, Locke, Betrozoff and J. Williams

Establishing a Centennial Observance Committee.

The resolution was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Belcher and Betrozoff spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4450 was advanced to second reading.

HOUSE CONCURRENT RESOLUTION NO. 4450, by Representatives Sutherland, Butterfield, Basich, B. Williams, Cooper, Nutley, Peery and Sanders

Attempting to restore Mitchell Act funding to operate certain hatcheries.

The resolution was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Sutherland and Basich spoke in favor of the resolution.

The Speaker called on Representative Wang to preside.

Representatives Butterfield and D. Sommers spoke in favor of the resolution, and it was adopted.

The Speaker resumed the Chair.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1988

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2038 with the following amendments:

On page 5, line 26, after "composed of" strike "seven" and insert "six"

On page 5, line 33, after the semicolon insert "and"

On page 5, line 35, after the semicolon strike "and (c) the administrator" and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Grimm moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 2038 and ask the Senate to recede therefrom.

MOTION

Ms. Winsley moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2038.

Representatives Holland and Grimm spoke against the motion, and Representatives Winsley and Day spoke in favor of it.

POINT OF ORDER

Mr. Grimm: Legislators draft bill here and submit them for consideration.

The Speaker: Your point is well taken, Representative Grimm. Representative Day, will you constrain yourself and keep your remarks to the motion before us which is a motion to concur in the Senate amendments to the House Bill? You have yet to discuss the Senate amendments.

Mr. Day continued his remarks in favor of the motion. Representatives Ebersole and Ballard spoke against the motion, and Representatives B. Williams, S. Wilson and Belcher spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion by Ms. Winsley to concur in the Senate amendments to Engrossed Substitute House Bill No. 2038, and the motion was lost by the following vote: Yeas, 33; nays, 63; excused, 2.

Voting yea: Representatives Amondson, Basich, Baugher, Belcher, Butterfield, Chandler, Crane, Day, Dorn, Hargrove, Heavey, Holm, Jesernig, Jones, King P, King R, Kremen, Lewis, Meyers, Padden, Patrick, Pruitt, Rasmussen, Rayburn, Sayan, Schoon, Taylor, Todd, Unsoeld, Williams B, Wilson S, Winsley, Zellinsky - 33.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Beck, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Cantwell, Cole, Cooper, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Haugen, Hine, Holland, Jacobsen, Leonard, Locke, Lux, May, McLean, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Rust, Sanders, Schmidt, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Valle, Walk, Walker, Wang, Williams J, Wilson K, Wineberry, and Mr. Speaker - 63.

Excused: Representatives Allen, Vekich - 2.

The Speaker stated that, by its action, the House had refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 2038 and asks the Senate to recede therefrom.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate receded from the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1857 and passed the bill without the Senate amendment, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

The Speaker called on Representative Appelwick to preside.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate receded from its amendments which were ruled beyond the scope and object of SUBSTITUTE HOUSE BILL NO. 1568 on page 3, line 9 by Senator Rinehart and others, and passed the bill without said amendments, but with the amendments to page 2, line 3 and page 3 line 3 by Senators McMullen and Saling in which the House concurred, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1568 with certain Senate amendments.

Representatives Peery and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1568 with certain Senate amendments, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Substitute House Bill No. 1568 with certain Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 6, 1988

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1418,

HOUSE BILL NO. 1558,

HOUSE BILL NO. 1695,

HOUSE CONCURRENT RESOLUTION NO. 4402,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. Appelwick presiding) announced the Speaker had signed:

SUBSTITUTE HOUSE BILL NO. 752,

SUBSTITUTE HOUSE BILL NO. 791,

SUBSTITUTE HOUSE BILL NO. 1170,

SUBSTITUTE HOUSE BILL NO. 1285,

SUBSTITUTE HOUSE BILL NO. 1297,

HOUSE BILL NO. 1325,

HOUSE BILL NO. 1346,

SUBSTITUTE HOUSE BILL NO. 1382,

SUBSTITUTE HOUSE BILL NO. 1383,

HOUSE BILL NO. 1396,

SUBSTITUTE HOUSE BILL NO. 1404,

SUBSTITUTE HOUSE BILL NO. 1416,

HOUSE BILL NO. 1418,

SUBSTITUTE HOUSE BILL NO. 1429,

SUBSTITUTE HOUSE BILL NO. 1450,
 SUBSTITUTE HOUSE BILL NO. 1460,
 HOUSE BILL NO. 1492,
 HOUSE BILL NO. 1507,
 HOUSE BILL NO. 1558,
 SUBSTITUTE HOUSE BILL NO. 1592,
 HOUSE BILL NO. 1695,
 HOUSE CONCURRENT RESOLUTION NO. 4402.

The Speaker (Mr. Appelwick presiding) called on Representative Dellwo to preside.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate refused to grant the request of the House for a Conference on SUBSTITUTE HOUSE BILL NO. 1915, reconsidered the vote by which the Senate Committee on Ways & Means striking amendment was adopted, returned the bill to second reading and adopted the following amendment:

On page 4, beginning on line 25, strike "February" and insert "March" and passed the bill without the Ways & Means Committee amendment, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Peery moved that the House do concur in the Senate amendment to Substitute House Bill No. 1915. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. Dellwo presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1915 as amended by the Senate.

Representatives Peery and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1915 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Baillard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgamer, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Substitute House Bill No. 1915 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Dellwo presiding) called on Representative Appelwick to preside.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 254,
 SECOND SUBSTITUTE HOUSE BILL NO. 537,
 HOUSE BILL NO. 662,
 HOUSE BILL NO. 668,

SUBSTITUTE HOUSE BILL NO. 932,
 HOUSE BILL NO. 1272,
 HOUSE BILL NO. 1278,
 SUBSTITUTE HOUSE BILL NO. 1279,
 HOUSE BILL NO. 1280,
 HOUSE BILL NO. 1288,
 SUBSTITUTE HOUSE BILL NO. 1320,
 HOUSE BILL NO. 1332,
 SUBSTITUTE HOUSE BILL NO. 1419,
 HOUSE BILL NO. 1471,
 HOUSE BILL NO. 1482,
 SUBSTITUTE HOUSE BILL NO. 1511,
 SUBSTITUTE HOUSE BILL NO. 1525,
 HOUSE BILL NO. 1543,
 HOUSE BILL NO. 1559,
 SUBSTITUTE HOUSE BILL NO. 1562,
 SUBSTITUTE HOUSE BILL NO. 1612,
 HOUSE BILL NO. 1616,
 SUBSTITUTE HOUSE BILL NO. 1617,
 SUBSTITUTE HOUSE BILL NO. 1618,
 HOUSE BILL NO. 1626,
 HOUSE BILL NO. 1629,
 HOUSE BILL NO. 1649,
 SUBSTITUTE HOUSE BILL NO. 1680,
 HOUSE BILL NO. 1686,
 SUBSTITUTE HOUSE BILL NO. 1690,
 SUBSTITUTE HOUSE BILL NO. 1740,
 HOUSE BILL NO. 1833,
 HOUSE BILL NO. 1951,
 SECOND SUBSTITUTE SENATE BILL NO. 5378,
 SUBSTITUTE SENATE BILL NO. 5558,
 SUBSTITUTE SENATE BILL NO. 6115,
 SUBSTITUTE SENATE BILL NO. 6128,
 SUBSTITUTE SENATE BILL NO. 6217,
 SENATE BILL NO. 6291,
 SUBSTITUTE SENATE BILL NO. 6298,
 SUBSTITUTE SENATE BILL NO. 6308,
 SUBSTITUTE SENATE BILL NO. 6316,
 SUBSTITUTE SENATE BILL NO. 6376,
 SENATE BILL NO. 6480,
 SUBSTITUTE SENATE BILL NO. 6603,
 SUBSTITUTE SENATE BILL NO. 6670,
 SENATE BILL NO. 6671,
 SENATE BILL NO. 6675,
 SUBSTITUTE SENATE BILL NO. 6703,
 SENATE BILL NO. 6705,
 SENATE BILL NO. 6720,
 SECOND SUBSTITUTE SENATE BILL NO. 6724,
 SUBSTITUTE SENATE BILL NO. 6741,
 SENATE BILL NO. 6745,
 SENATE JOINT MEMORIAL NO. 8028,
 SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8429,
 SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8430,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 8, 1988

Mr. President:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2038 and asks the House for a conference thereon. The President

has appointed the following members as conferees: Senators McDonald, Vognild and Hayner, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Dellwo moved that the House grant the request of the Senate for a conference on Engrossed Substitute House Bill No. 2038. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. Appelwick presiding) appointed Representatives Grimm, Ebersole and Ballard as conferees on Engrossed Substitute House Bill No. 2038.

MESSAGES FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4452,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 9, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5036,
 SUBSTITUTE SENATE BILL NO. 5333,
 SUBSTITUTE SENATE BILL NO. 6024,
 SENATE BILL NO. 6101,
 SUBSTITUTE SENATE BILL NO. 6118,
 SUBSTITUTE SENATE BILL NO. 6148,
 SUBSTITUTE SENATE BILL NO. 6178,
 SENATE BILL NO. 6182,
 SUBSTITUTE SENATE BILL NO. 6195,
 SUBSTITUTE SENATE BILL NO. 6207,
 SUBSTITUTE SENATE BILL NO. 6212,
 SUBSTITUTE SENATE BILL NO. 6218,
 SUBSTITUTE SENATE BILL NO. 6240,
 SUBSTITUTE SENATE BILL NO. 6255,
 SENATE BILL NO. 6260,
 SUBSTITUTE SENATE BILL NO. 6266,
 SENATE BILL NO. 6271,
 SUBSTITUTE SENATE BILL NO. 6305,
 SUBSTITUTE SENATE BILL NO. 6332,
 SUBSTITUTE SENATE BILL NO. 6342,
 SUBSTITUTE SENATE BILL NO. 6357,
 SENATE BILL NO. 6370,
 SENATE BILL NO. 6372,
 SENATE BILL NO. 6396,
 SENATE BILL NO. 6397,
 SENATE BILL NO. 6408,
 SUBSTITUTE SENATE BILL NO. 6419,
 SUBSTITUTE SENATE BILL NO. 6435,
 SUBSTITUTE SENATE BILL NO. 6437,
 SENATE BILL NO. 6440,
 SUBSTITUTE SENATE BILL NO. 6446,
 SENATE BILL NO. 6447,
 SUBSTITUTE SENATE BILL NO. 6452,
 SUBSTITUTE SENATE BILL NO. 6466,
 SUBSTITUTE SENATE BILL NO. 6470,
 SUBSTITUTE SENATE BILL NO. 6474,
 SUBSTITUTE SENATE BILL NO. 6486,
 SECOND SUBSTITUTE SENATE BILL NO. 6513,
 SENATE BILL NO. 6519,

SENATE BILL NO. 6523,
 SUBSTITUTE SENATE BILL NO. 6530,
 SUBSTITUTE SENATE BILL NO. 6569,
 SENATE BILL NO. 6638,
 SENATE BILL NO. 6641,
 SENATE BILL NO. 6647,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 6297 and has granted said committee the powers of Free Conference.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee, to whom was referred Senate Bill No. 6297, revising investment policies for funds of the department of labor and industries, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Senate Bill No. 6297, read in earlier today.)

Signed by Senators von Reichbauer, West, Moore; Representatives Wang, Jones, Patrick.

MOTION

Mr. Wang moved that the House adopt the report of the Free Conference Committee on Senate Bill No. 6297. The motion was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of Senate Bill No. 6297 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6297 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Senate Bill No. 6297 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6235, creating the water pollution control

account and authorizing financial assistance from it, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

Adopt the House Committee on Ways & Means amendments (For amendments, see Journal, 53rd Day, March 3, 1988.) with the following changes:

On page 9, after line 30 of the Ways & Means Committee striking amendment, insert the following:

NEW SECTION. Sec. 9. (1) There is created the water pollution control loan review committee. The committee shall convene as often as is necessary to review and approve all loans made from the water pollution control revolving fund prior to issuing any loan.

(2) The committee shall consist of the two members of each caucus of the House of Representatives and the Senate. The chair and vice chair of the committee shall be selected by the majority vote of the committee members.

(3) Staff support shall be provided by the department of ecology to assist the committee in reviewing and approving any loan made from the water pollution control revolving fund.

(4) The committee shall take action within sixty days after receiving the proposed project list from the department of ecology. Failure to take action within such time shall be deemed as approval.

NEW SECTION. Sec. 10. In administering the fund, the department shall comply with the distribution schedule specified in RCW 70.146.060, except where compliance with such schedule may result in an inability to receive or fully expend all federal funds to which the state is otherwise entitled. In such event the department shall notify the committee of such departure from the distribution schedule."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 9, line 32 of the amendment, after "through" strike "8" and insert "10"

Signed by Senators Barr, Lee, Kreidler; Representatives Rust, Hine, Schoon.

MOTION

On motion of Ms. Rust, the Report of the Conference Committee on Engrossed Second Substitute Senate Bill No. 6235 was adopted and the committee was granted the powers of Free Conference.

The Speaker (Mr. Appelwick presiding) declared the House to be at ease.
The Speaker called the House to order.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 1729, insists on its position, and once again asks the House to concur therein, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Substitute House Bill No. 1729.

Representatives Wang and Patrick spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1729 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1729 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan,

Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Allen, Vekich - 2.

Substitute House Bill No. 1729 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate refuses to concur in the House Committee on Health Care amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6221, and asks the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Ebersole moved that the rules be suspended and the bill be returned to second reading for the purpose of amendment. The motion was carried.

MOTION FOR RECONSIDERATION

Mr. Ebersole, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the striking amendment by Committee on Health Care as amended passed the House. The motion was carried.

Mr. Braddock moved adoption of the following amendments to the committee amendment:

On page 11, line 24, after "provider" strike "or" and after "person," insert "or other categories of employment determined by the board in rule to be at risk of substantial exposure to HIV."

On page 21, line 7, strike "or" and after "person," insert "or other persons as defined by the board in rule pursuant to Section 703(4) of this act."

Mr. Braddock spoke in favor of adoption of the amendments to the committee amendment, and they were adopted.

Mr. Braddock moved adoption of the following amendment to the committee amendment:

On page 17, line 12 after "materials" strike "as" and insert "may be" and on line 14, strike all the material beginning with "shall" and ending with "69.50.412"

Mr. Braddock spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

The Clerk read the following amendment by Representative Hargrove to the committee amendment:

On page 18, after line 13, strike all material through "immunodeficient."

With consent of the House, Mr. Hargrove withdrew the amendment.

Mr. Braddock moved adoption of the following amendment to the committee amendment:

On page 18, line 16, after "(1)" strike the remainder of the subsection and insert "For the purposes of determining whether an unfair practice under this chapter has occurred, claims of discrimination based on actual or perceived HIV infection shall be evaluated in the same manner as other claims of discrimination based on sensory, mental, or physical handicap."

Representatives Braddock, Brooks, Wineberry and Moyer spoke in favor of adoption of the amendment to the committee amendment, and Representatives Padden and Schoon opposed it.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Brooks.

Mr. Brooks: Representative Braddock, does this provision in any way alter the defenses available to employers or others should they be accused of handicap discrimination on the basis of an HIV infection?

Mr. Braddock: No. All the defenses available in a handicap case would be available to an employer or anyone else accused of discrimination against persons with an HIV infection.

Mr. Brooks: Along the same line, I have one other question. By passing this law, are we giving people with an HIV infection a higher degree of protection against discrimination than anyone else?

Mr. Braddock: No. It is simply our intent to make certain that people with an HIV infection are treated the same as other people with conditions which may constitute a handicap under the state's antidiscrimination laws.

The amendment to the committee amendment was adopted.

Mr. Hargrove moved adoption of the following amendment to the committee amendment:

On page 18, after line 13, strike all material through "immunodeficient." and insert "Human Rights Commission will present a report to the legislature on potential discrimination by December 1, 1988"

Representatives Hargrove, B. Williams, Padden, Schoon, Fuhrman and Ballard spoke in favor of adoption of the amendment to the committee amendment, and Representatives Braddock, Anderson, Sutherland, Moyer and Locke opposed it.

The amendment to the committee amendment was not adopted.

POINT OF PERSONAL PRIVILEGE

Mr. Padden: Thank you, Mr. Speaker. I certainly respect the office of the Speaker, but at that point, Mr. Speaker, before the gavel had fallen, I had called for a division in a loud, clear voice. This has happened numerous times throughout the session. The Speaker is honored to call for a division if it came forward before the gavel had fallen. I think it would only have been fair to have allowed a division and allowed a vote on this very important and sensitive amendment.

The Speaker: My advice to you, Representative Padden, is to call for a division before the vote is taken.

ANNOUNCEMENT BY THE SPEAKER

The Speaker stated that an electric roll call vote on the adoption of the amendment by Mr. Hargrove to the committee amendment to Engrossed Second Substitute Senate Bill No. 6221 would be taken at the request of the Minority Leader.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Hargrove to the committee amendment to Engrossed Second Substitute Senate Bill No. 6221, and the amendment to the committee amendment was not adopted by the following vote: Yeas, 27; nays, 69; excused, 2.

Voting yea: Representatives Amondson, Ballard, Baugher, Beck, Betrozoff, Bristow, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hargrove, Holland, Kremen, Lewis, Nealey, Padden, Patrick, Sanders, Schmidt, Schoon, Smith C, Sommers D, Williams B, Williams J, Zellinsky - 27.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sryan, Scott, Silver, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 69.

Excused: Representatives Allen, Vekich - 2.

Mr. Braddock moved adoption of the following amendment to the committee amendment:

On page 19, beginning on line 10, strike "Human rights commission in consultation with the board of health" and insert "board of health by rule"

Mr. Braddock spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Braddock moved adoption of the following amendment to the committee amendment:

On page 19, after line 13, insert:

"(4) For the purpose of this chapter, any person who is actually infected with HIV, but is not disabled as a result of the infection, shall not be eligible for any benefits under the affirmative action provisions of chapter 49.74 RCW solely on the basis of such infection."

Renumber the remaining subsections consecutively and correct internal references accordingly.

Mr. Braddock spoke in favor of the amendment to the committee amendment, and it was adopted.

The Speaker stated the question before the House to be the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hargrove, Brooks, Wineberry, Moyer, Miller and Braddock spoke in favor of passage of the bill, and Mr. Fuhrman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6221 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R. Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Sommers D. Sommers H. Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wang, Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Fuhrman, Padden, Williams B - 3.

Excused: Representatives Allen, Vekich - 2.

Engrossed Second Substitute Senate Bill No. 6221 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2046,

and the same is herewith transmitted.

Sidney R. Snyder, Deputy Secretary.

MOTION

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

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 5036,
 SUBSTITUTE SENATE BILL NO. 5333,
 SECOND SUBSTITUTE SENATE BILL NO. 5378,
 SUBSTITUTE SENATE BILL NO. 5558,
 SUBSTITUTE SENATE BILL NO. 6024,
 SENATE BILL NO. 6101,
 SUBSTITUTE SENATE BILL NO. 6115,
 SUBSTITUTE SENATE BILL NO. 6118,
 SUBSTITUTE SENATE BILL NO. 6128,

SUBSTITUTE SENATE BILL NO. 6148,
 SUBSTITUTE SENATE BILL NO. 6178,
 SENATE BILL NO. 6182,
 SUBSTITUTE SENATE BILL NO. 6195,
 SUBSTITUTE SENATE BILL NO. 6207,
 SUBSTITUTE SENATE BILL NO. 6212,
 SUBSTITUTE SENATE BILL NO. 6217,
 SUBSTITUTE SENATE BILL NO. 6218,
 SUBSTITUTE SENATE BILL NO. 6240,
 SUBSTITUTE SENATE BILL NO. 6255,
 SENATE BILL NO. 6260,
 SUBSTITUTE SENATE BILL NO. 6266,
 SENATE BILL NO. 6271,
 SENATE BILL NO. 6291,
 SUBSTITUTE SENATE BILL NO. 6298,
 SUBSTITUTE SENATE BILL NO. 6305,
 SUBSTITUTE SENATE BILL NO. 6308,
 SUBSTITUTE SENATE BILL NO. 6316,
 SUBSTITUTE SENATE BILL NO. 6332,
 SUBSTITUTE SENATE BILL NO. 6342,
 SUBSTITUTE SENATE BILL NO. 6357,
 SENATE BILL NO. 6370,
 SENATE BILL NO. 6372,
 SUBSTITUTE SENATE BILL NO. 6376,
 SENATE BILL NO. 6396,
 SENATE BILL NO. 6397,
 SENATE BILL NO. 6408,
 SUBSTITUTE SENATE BILL NO. 6419,
 SUBSTITUTE SENATE BILL NO. 6435,
 SUBSTITUTE SENATE BILL NO. 6437,
 SENATE BILL NO. 6440,
 SUBSTITUTE SENATE BILL NO. 6446,
 SENATE BILL NO. 6447,
 SUBSTITUTE SENATE BILL NO. 6452,
 SUBSTITUTE SENATE BILL NO. 6466,
 SUBSTITUTE SENATE BILL NO. 6470,
 SUBSTITUTE SENATE BILL NO. 6474,
 SENATE BILL NO. 6480,
 SUBSTITUTE SENATE BILL NO. 6486,
 SECOND SUBSTITUTE SENATE BILL NO. 6513,
 SENATE BILL NO. 6519,
 SENATE BILL NO. 6523,
 SUBSTITUTE SENATE BILL NO. 6530,
 SUBSTITUTE SENATE BILL NO. 6569,
 SUBSTITUTE SENATE BILL NO. 6603,
 SENATE BILL NO. 6638,
 SENATE BILL NO. 6641,
 SENATE BILL NO. 6647,
 SUBSTITUTE SENATE BILL NO. 6670,
 SENATE BILL NO. 6671,
 SENATE BILL NO. 6675,
 SUBSTITUTE SENATE BILL NO. 6703,
 SENATE BILL NO. 6705,
 SENATE BILL NO. 6720,
 SECOND SUBSTITUTE SENATE BILL NO. 6724,
 SUBSTITUTE SENATE BILL NO. 6741,
 SENATE BILL NO. 6745,
 SENATE JOINT MEMORIAL NO. 8028,
 SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8429,
 SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8430.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:00 a.m., Thursday, March 10, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

SIXTIETH DAY

MORNING SESSION

House Chamber, Olympia, Thursday, March 10, 1988

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Barnes, Cantwell, Chandler, Gallagher, Grimm, P. King, Locke, Lux, McLean, Meyers, Sanders, Sayan, Schoon, Todd, Walk and Winsley. Representatives Allen, Meyers and Todd excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kari Fillipi and Kristin Carter. Prayer was offered by The Reverend James E. Mead, Minister of the University Place Presbyterian Church of Tacoma.

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

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Allen, Amondson, Barnes, Betrozoff, Cantwell, Chandler, Gallagher, Grimm, P. King, Locke, Lux, McLean, Meyers, Sanders, Sayan, Schoon, Todd, Walk and Winsley.

On motion of Mr. Ebersole, the absent members were excused, and the House proceeded with business under the Call of the House.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 752,
 SUBSTITUTE HOUSE BILL NO. 791,
 SUBSTITUTE HOUSE BILL NO. 1170,
 SUBSTITUTE HOUSE BILL NO. 1285,
 SUBSTITUTE HOUSE BILL NO. 1297,
 HOUSE BILL NO. 1325,
 HOUSE BILL NO. 1346,
 SUBSTITUTE HOUSE BILL NO. 1382,
 SUBSTITUTE HOUSE BILL NO. 1383,
 HOUSE BILL NO. 1396,
 SUBSTITUTE HOUSE BILL NO. 1404,
 SUBSTITUTE HOUSE BILL NO. 1416,
 SUBSTITUTE HOUSE BILL NO. 1429,
 SUBSTITUTE HOUSE BILL NO. 1450,
 SUBSTITUTE HOUSE BILL NO. 1460,
 HOUSE BILL NO. 1492,
 HOUSE BILL NO. 1507,
 SUBSTITUTE HOUSE BILL NO. 1592,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

Representatives Amondson, Barnes, Betrozoff, Cantwell, Chandler, Gallagher, Grimm, Locke, Lux, McLean, Meyers, Sanders, Sayan, Schoon, Todd, Walk and Winsley appeared at the bar of the House.

MESSAGES FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate failed to adopt the Free Conference Report on SUBSTITUTE HOUSE BILL NO. 608, and returned the bill to the Conference Committee.

W. D. Naismith, Assistant Secretary.

March 9, 1988

Mr. Speaker:

The Senate receded from its Ways & Means Committee striking amendment and corresponding title amendment to SUBSTITUTE HOUSE BILL NO. 1754, and has passed said bill without said amendments, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1312 and has granted said committee the powers of Free Conference. The report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Conference Committee to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1312, adopting the supplemental operating budget, have had the same under consideration and we report that we are unable to agree and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Strike everything after the enacting clause and insert the following:

*PART I

GENERAL GOVERNMENT

Sec. 101. Section 104, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ((2,583,000))
2,538,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The committee shall conduct a study of the common school state-wide data reporting system, including information on class size in kindergarten through twelfth grade (~~of the general fund appropriation is provided solely to contract with the Institute of Public Policy and Management of the University of Washington to conduct research associated with the study. The Institute shall work closely with the Superintendent of Public Instruction and the Office of Financial Management to~~) and prepare a report to the legislature by December 1, 1988, regarding its findings and recommendations.

(2) \$35,000 of the general fund appropriation is provided solely for the purpose of creating a temporary legislative committee to review the salary survey methodology and make recommendations for improvements. The committee shall be composed of representatives of the legislative evaluation and accountability program committee, the office of financial management, and the ways and means committees of the senate and house of representatives and shall contract with an independent consultant to conduct the review.

Sec. 102. Section 107, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ((10,678,000))
10,924,000

The appropriation in this section is subject to the following conditions and limitations: (((+))) \$3,337,000 is provided solely for the indigent appeals program.

Sec. 103. Section 109, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ((12,013,000))
12,458,000

Sec. 104. Section 110, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	((21,738,886))
		23,857,000
Public Safety and Education Account Appropriation	\$	((+8,828,886))
		21,178,000
Total Appropriation	\$	((40,566,886))
		45,035,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,162,000 of the general fund appropriation is provided solely for the continuation of the treatment alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties.

(2) \$296,000 of the general fund appropriation is provided solely for allocation to the superior court of Thurston county to relieve the impact of litigation involving the state of Washington.

(3) ~~\$((58,886))~~ 130,000 of the public safety and education account appropriation is provided solely for the administrator for the courts to initiate measures to prevent gender and minority bias in the courts. Such measures shall include but not be limited to:

(a) A study of the status of women and minorities as litigants, attorneys, judges, and court employees;

(b) Recommendations for implementing reform; and

(c) Providing attitude awareness training for judges and legal professionals.

(4) \$260,000 of the general fund appropriation is provided solely for the Snohomish County preprosecution diversion program.

(5) \$150,000 of the general fund appropriation is provided solely for the administrator for the courts to contract for the performance of a two-year demonstration project to determine the effectiveness of alternative dispute resolution using the model center approach adopted by the legislature in chapter 7.75 RCW. The project shall be conducted in King and Snohomish counties by centers established under chapter 7.75 RCW as nonprofit corporations having broadly representative boards of directors and which are organized exclusively, as set forth in their articles of incorporation and bylaws, for the resolution of disputes and whose plans of operation have been approved pursuant to RCW 7.75.020 before the effective date of this section. The project shall be conducted in accordance with chapter 7.75 RCW. The focus of the project shall be to provide an alternative forum for the resolution of disputes for the purposes of reducing social tensions which lead to crime, promoting lasting settlements in which all parties to a dispute can be winners, settling disputes more quickly and less expensively than through the judicial process, and helping to reduce congestion in the court systems as contemplated in the court improvement act of 1984. Seventy-five thousand dollars of the appropriation shall be made available for a project in Snohomish county subject to commitments from Snohomish county and the city of Everett to each match the state appropriation. Seventy-five thousand dollars of the appropriation shall be made available for a project in King county subject to commitments from King county and the city of Seattle to each match the state appropriation. The state administrator for the courts shall submit a report to the judiciary committees of the senate and the house of representatives on the results of the project by December 1, 1989.

(6) \$14,134,000 of the general fund appropriation is provided solely for the superior court judges program.

(7) \$70,000 of the public safety and education account appropriation is provided solely to implement the provisions of Substitute Senate Bill No. 6498. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(8) A maximum of \$2,200,000 of the public safety and education account may be spent on enhancements to the judicial information system including: (a) Development of an information center; (b) implementation of a data administration model; (c) provision of personal computer installations and support services in courts not served by the mainframe system; and (d) planning activities associated with the feasibility of the enhancements listed under (a), (b), and (c) of this subsection as well as planning activities to evaluate the use of local area networks. The funding provided in this subsection is contingent on the administrator for the courts completing by July 1, 1988, a feasibility study in accordance with department of information services procedures and guidelines. It is the intent of the legislature that upon completion of the feasibility study the office of the administrator for the courts will present the study for review by and consultation with the department of information services, the office of financial management, and the legislative evaluation and accountability program committee prior to implementation.

Sec. 105. Section 114, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((6,374,886))
		6,457,000
Archives and Records Management Account Appropriation	\$	2,116,000

Total Appropriation \$ ~~(8,496,000)~~
8,573,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,021,000 of the general fund appropriation is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(2) \$1,661,000 of the general fund appropriation is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(3) \$60,000 of the archives and records management account appropriation is provided solely for a project that will evaluate the need for, and potential archival requirements of, storage of data contained in magnetic media (tapes and disks). Implementation of an archival program for magnetic media shall not begin prior to approval of the findings and recommendations of the project by the office of financial management.

(4) \$83,000 of the general fund appropriation is provided solely for advertising Washington state's March 8, 1988, precinct caucuses.

Sec. 106, Section 120, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation \$ 5,143,000
Legal Services Revolving Fund Appropriation \$ 46,142,000
Total Appropriation \$ 51,285,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$840,000 of the legal services revolving fund appropriation is provided solely to support additional attorneys to defend an increased number of cases expected from an increase in the number of industrial appeals board staff.

(2) \$10,233,000 of the legal services revolving fund appropriation is provided solely for legal services augmentation; of which a maximum of \$3,933,000, including the state-wide salary increase allocation, is for salary increases consistent with the Price Waterhouse recommendation of March 19, 1987, for assistant attorneys general, \$((5,000,000)) 3,295,000 is for additional funding for the defense of tort actions, \$((400,000)) 700,000 is for increased legal services for the department of corrections and the indeterminate sentence review board, \$((200,000)) 675,000 is for increased legal services for the department of ((ecology, \$200,000 is for increased legal services for the department of transportation, and)) social and health services, \$((500,000)) 1,230,000 is for increased legal services for the department of licensing, and \$400,000 is provided solely for implementation of an attorney time accounting and billing system.

(3) Pursuant to chapter 365, Laws of 1985, the attorney general shall transmit to the judiciary committees of the senate and house of representatives and the human rights commission by January 1, 1988, and by January 1 of every year thereafter a progress report which states the agency's progress in meeting its affirmative action goals and timetables. The agency's goals for assistant attorneys general and other exempt employees shall be based on the percentage of each and every minority group's representation in the state labor force population.

(4) No part of the appropriations provided in this section may be used to move any attorney co-located with an agency for which the attorney provides legal services away from the agency without prior approval of the agency and the office of financial management.

(5) The legal services revolving fund program shall be split into an agency legal services program and a torts program beginning July 1, 1989. The agency request budget for the 1989-91 biennium shall be presented using this program structure and expenditure history, consistent with LEAP requirements, no later than July 1, 1988.

Sec. 107, Section 121, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State \$ ~~((10,201,000))~~
18,131,000
General Fund Appropriation—Federal \$ 60,000
Motor Vehicle Fund Appropriation \$ 100,000
Medical Aid Fund Appropriation \$ 98,000
Local Jail Improvement and Construction Fund Appropriation \$ 780,000
Total Appropriation \$ ~~((19,319,000))~~
19,169,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$40,000 of the general fund—state appropriation is provided solely for the services of an actuarial consultant.

~~((4) \$250,000 of the general fund—state appropriation is provided solely for one-time costs of establishing a state-wide inventory of school facilities, using surveys conducted by~~

qualified engineers and architects. The inventory shall be developed jointly and in cooperation with the state board of education and the superintendent of public instruction and shall be designed to yield consistent and easily accessible information intended to facilitate administrative decisions on school construction projects and analysis of long-term facilities needs.

(5)) (2) \$205,000, of which \$145,000 is from the general fund—state appropriation, is provided solely for the purposes of implementing the agency's responsibilities under Substitute House Bill No. 738. If Substitute House Bill No. 738 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

((6)) (3) The office of financial management, in cooperation with the state board for community college education, shall study the cost of community college faculty salary increments, including savings from full time faculty turnover, identify the faculty salary increment policy at each college district, and report the findings and recommendations to the 1989 regular session of the legislature.

(4) \$100,000 of the general fund—state appropriation is provided solely for the operations of the Washington state commission for efficiency and accountability in government.

Sec. 108. Section 124, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

Department of Personnel Service Fund Appropriation	\$	13,618,000
State Employees' Insurance Fund Appropriation	\$	((2,164,000)) 2,204,000
Total Appropriation	\$	((15,782,000)) 15,822,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$150,000 of the state employees' insurance fund appropriation is provided solely for the revision of the automated insurance eligibility system.

(2) All funds appropriated under this section for lease or lease development office space may be used to lease new office space only if the lease is for a period not exceeding three years and does not extend beyond June 30, 1991.

(3) \$40,000 of the state employees' insurance fund appropriation is provided solely for brokerage services.

Sec. 109. Section 131, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((8,312,000)) 8,278,000
General Fund Appropriation—Federal	\$	1,623,000
General Fund Appropriation—Private/Local	\$	93,000
Motor Vehicle Fund Appropriation	\$	179,000
State Patrol Highway Account Appropriation	\$	124,000
Motor Transport Account Appropriation	\$	10,925,000
General Administration Facilities and Services Revolving Fund Appropriation	\$	19,562,000
Total Appropriation	\$	((40,515,000)) 40,784,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The motor vehicle fund appropriation and state patrol highway account appropriation are provided solely for risk management activities related to the motor vehicle fund and the state patrol highway account.

(2) The department is authorized to participate in the Olympia parking and business improvement district.

Sec. 110. Section 136, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense Fund Appropriation	\$	20,666,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) \$554,000 is provided solely for the purposes of Engrossed Substitute Senate Bill No. 5150.

(2) Not more than \$877,000 of this appropriation may be expended for the expenses of the office of the state actuary, including interagency reimbursements for services and statutory reports.

(3) All funds appropriated under this section for lease or lease development office space may be used to lease new office space only if the lease is for a period not exceeding three years and does not extend beyond June 30, 1991.

PART II

HUMAN SERVICES

Sec. 201. Section 201, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation	\$	((59,665,000))
		62,559,000
Public Safety and Education Account Appropriation	\$	100,000
<u>Total Appropriation</u>	\$	62,659,000

The appropriations in this subsection ((1s)) are subject to the following conditions and limitations:

((1s)) (a) \$2,071,000 of the general fund appropriation is provided solely for the support of the office of the director of community services.

((1s)) (b) \$200,000 of the general fund appropriation is provided solely for the notification of victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

((1s)) (c) A maximum of \$285,000 of the general fund appropriation may be spent for the replacement of used equipment within the community services division.

(d) \$100,000 of the public safety and education account appropriation is provided solely for training community corrections officers in the identification and prevention of child abuse by offenders under their supervision.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation	\$	((269,824,000))
		273,329,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$1,725,000 is provided solely for the implementation of the sex offender treatment program within the division of prisons.

(b) \$1,049,000 is provided solely for the operation of the new in-patient floor at the Monroe reformatory hospital.

(c) \$5,369,000 is provided solely for the support of the office of the director of the division of prisons.

(d) A maximum of \$1,898,000 may be spent for the replacement of used equipment within the institutional services division.

(e) \$200,000 is provided solely for alleviation of parking problems experienced by McNeil Island corrections personnel.

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation	\$	((17,961,000))
		17,331,000
Institutional Impact Account Appropriation	\$	317,000
<u>Total Appropriation</u>	\$	((18,278,000))
		17,648,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department shall report to the ways and means committees of the senate and house of representatives on January 1, 1988, and January 1, 1989, regarding its progress toward employing more minorities and women in top-level management positions.

(b) A maximum of \$1,258,000 of the general fund appropriation may be transferred to the tort claims revolving fund for tort claims against the department. The department shall develop a report, including brief descriptions and estimated amounts of all outstanding tort claims. The report is due to the ways and means committees of the senate and house of representatives on January 1, 1988. During the 1987-89 biennium, the department shall report on a quarterly basis the tort claim payments resulting from settlements and court judgments. New claims against the state shall be included in the quarterly updates.

((1s)) (c) A maximum of \$150,000 may be spent for the replacement of used equipment within the administration division.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation	\$	((2,268,000))
		2,218,000

The appropriation in this subsection is subject to the following conditions and limitations: A maximum of \$500,000 may be spent for the replacement of used equipment within the institutional industries division.

Sec. 202. Section 202, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) Appropriations made in this act to the department of social and health services shall be initially allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, nor shall allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that will require expenditure of state general fund moneys except as expressly authorized in this act, unless the services were provided on March 1, 1987. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in

excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act, and an equal amount of appropriated state general fund moneys shall lapse. As used in this subsection, 'unrestricted federal moneys' includes block grants and other funds that federal law does not require to be spent on explicitly defined projects or matched on a formula basis by state funds.

(3) The department of social and health services is authorized to expend federal funds made available by the federal immigration reform and control act, P.L. 99-603, for the purposes contained in that act.

((5)) (4) If Engrossed Senate Bill No. 5097 is enacted by June 30, 1987, the department shall administer the lifeline fund established under the bill and shall recover its administrative costs from the fund. Payments to local exchange companies shall not exceed amounts available in the lifeline fund.

((6)) (5) The department shall implement the plan for performance-based contracts developed under sections 203(6) and 204(1)(c), chapter 6, Laws of 1985 ex. sess., whereby a portion of vendor payments for private group care and other community residential placements shall reflect achievement of client outcome standards. The department shall report on implementation of the plan to the ways and means committees of the senate and house of representatives by December 15, 1987, and December 15, 1988.

((7)) (6) The appropriations in sections 203, 208, 210, 213, 214, and 215 of this act shall be expended as provided in each section, except that the department may expend money, appropriated for other purposes, for the family independence program only after approval by the director of financial management. The director of financial management shall notify the ways and means committees of the senate and house of representatives regarding deviation from the legislative program appropriation levels.

(7) The department of social and health services shall study the cost effectiveness of adopting a hospice benefit for Title XIX recipients. The department shall report by November 1, 1988, to the health care and ways and means committees of both houses of the legislature on the results of the study.

Sec. 203. Section 203, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM

General Fund Appropriation—State	\$	((165,009,000))
		180,288,000
General Fund Appropriation—Federal	\$	((50,552,000))
		59,847,000
Public Safety and Education Account Appropriation	\$	400,000
Total Appropriation	\$	((223,561,000))
		240,535,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988. Department contracts for group home services, therapeutic day care, seasonal day care, and domestic violence shelters shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning September 1, 1987, and \$5.15 per hour beginning September 1, 1988.

(2) \$7,500,000 of the general fund—state appropriation is provided solely for the improvement of services to protect children. \$5,035,000 of the amount provided in this subsection is provided solely for increased child protective services and child welfare casework staff, necessary support and supervisory staff, and assistant attorneys general to provide legal services for child protective services cases. The department shall conduct intensive recruitment and priority hiring of qualified multi-ethnic casework staff. \$40,000 of the amount provided in this subsection is provided solely for training for child protective services and child welfare staff who investigate and serve child abuse and neglect cases. \$2,425,000 of the amount provided in this subsection is provided solely to implement the provisions of Engrossed Second Substitute House Bill No. 586 which establish a pilot project in order to guide the state in developing a comprehensive system of children and family services. If the bill is not enacted by June 30, 1987, this amount shall lapse. The department shall report to the ways and means and human services committees of the senate and house of representatives on implementation of this section by January 15, 1988. The report shall include the following information:

(a) The effectiveness of providing additional casework, support staff, and other services provided in this section in reducing and refocusing the workload of child protective services caseworkers;

(b) The impact on caseloads of hiring child protective services support staff, including clerical support, assistant attorneys general, eligibility determination specialists, and public health nurses; and

(c) The number and classifications of staff and the level and types of additional services for which the moneys in this section are used.

(3) \$1,000,000 of the general fund—state appropriation is provided solely for the expansion of therapeutic day care.

(4) \$2,160,000 of the general fund—state appropriation is provided solely for public health nurses to provide prevention and early intervention services for the protection of children, and to assist in the investigation of low-risk child abuse and neglect referrals.

(5) \$600,000 of the general fund—state appropriation is provided solely to increase private agency fees in connection with foster care placements, effective July 1, 1987.

(6) \$400,000 of the general fund—state appropriation is provided solely for expansion of current contracted community services to prevent the occurrence or recurrence of family conflict, abuse, or out-of-home placements.

(7) \$1,000,000 of the general fund—state appropriation is provided solely for training and support for families providing foster care services.

(8) ~~\$(300,000)~~ 310,000 of the general fund—state appropriation is provided solely to fund counseling, education, and support for victims of sexual abuse. A maximum of \$10,000 of the amount provided in this subsection may be spent for counseling for teenaged parents who are victims of sexual and physical abuse. The department shall contract for the counseling to be provided to participants in school-sponsored teen parent programs.

(9) \$500,000 of the general fund—state appropriation is provided solely to increase contracted Indian child welfare services.

(10) \$1,298,000 of the general fund—state appropriation is provided solely for financial eligibility workers to ensure that every child in foster care who is eligible for federal financial participation under Title IV, Part B, or Title IV, Part E of the federal social security act is identified. Any federal moneys generated by this activity in excess of the amount appropriated in this section shall be expended for foster care services and a like amount of state moneys shall lapse.

(11) \$93,000 of the general fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6013. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(12) A maximum of \$332,000, of which \$275,000 is from the general fund—state appropriation, and 7.8 full time equivalent staff may be transferred from the division of children and family services to the administration and supporting services program to consolidate the social service payment system. If this transfer affects the comparability of historical expenditure information at the program, category, or budget-unit level, the department shall reconstruct historical data for the preceding six years.

(13) \$125,000 is provided solely for the purpose of implementing Engrossed Second Substitute Senate Bill No. 5252. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(14) The department shall maintain the current level of support for the dropout prevention project in the Seattle school district.

(15) \$9,000,000 of the general fund—state appropriation is provided solely for foster care services and services designed to reduce the number of children requiring family or group foster care, and to expedite the process of returning children home from placement. Not more than \$2,450,000 of the amount provided in this subsection may be spent for increased recruitment efforts and services to family foster care providers; additional child welfare caseworkers and support staff to provide intensive case services designed to reunify families and prevent out-of-home placement; managed health care services for children in foster care; and other services meeting the goals of this subsection. Of the amount provided in this subsection, \$550,000 is provided solely to expand the homebuilders program to provide assistance to families. The department shall submit a progress report to the appropriate committees of the legislature by January 1, 1989, describing the efforts taken to implement projects to reduce the number of children requiring foster care and to expedite the return to home process. The report shall include a description of the projects initiated, the cost of each project, and a preliminary assessment of their effectiveness. The department shall also prepare a report which examines the entire foster care rate structure, including provisions for respite or day care services, costs of private agency management of children in care, and the criteria for special and exceptional rates. The department shall coordinate with appropriate legislative fiscal and policy staff in preparing the report and shall submit its findings and recommendations to the legislature by December 1, 1988.

(16) \$2,600,000 from the general fund—state appropriation is provided solely to increase the level of funding for day care services. \$110,000 of the amount provided in this subsection is for the seasonal day care program to serve an additional 50 children. The department is authorized to implement regulations for the employment day care program requiring that waiting lists be established if necessary to ensure that employment day care services are provided within allotted funds. The department is further authorized to implement day care reimbursement rates which vary by area of the state. \$100,000 of the amount provided in this subsection may be spent for pilot day care subsidy programs in one or more areas of the state. The department may provide a monthly subsidy no greater than \$50.00 per child to licensed day care providers caring for children of recipients of aid to families with dependent children—

regular. Subsidies shall not be provided for children whose parents are employed less than full time.

(17) \$1,064,000, of which \$200,000 is from the general fund—state appropriation, is provided solely to increase services in the women, infants, and children program.

(18) \$100,000 of the general fund—state appropriation is provided solely for the department to develop and provide day care providers and foster parents with an educational program on positive discipline, and training in recognizing and reporting child abuse. Implementation of the program shall begin on July 1, 1988.

(19) \$400,000 of the public safety and education account appropriation is provided solely for training programs under chapter 70.125 RCW for criminal justice, medical, and child protective services personnel regarding victims of sexual abuse. Training programs under this subsection shall focus on the following:

(a) Training child protective service workers on recognition of signs of potential sexual abuse and on medical techniques available to confirm abuse or establish legal evidence, and developing policies and procedures for use by such workers in responding to claims or reports of sexual abuse;

(b) Developing regional medical expertise on identification, verification and retention of evidence in cases of child sexual abuse; and

(c) Providing prosecutors, public defenders, judges, and other criminal justice personnel with information on available medical techniques for confirming abuse or establishing legal evidence.

Sec. 204. Section 204, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((27,988,000))
		26,847,000
General Fund Appropriation—Federal	\$	78,000
Total Appropriation	\$	((28,066,000))
		26,925,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988. Privately contracted group home providers shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning September 1, 1987, and \$5.15 per hour beginning September 1, 1988.

(b) The seven state-operated group homes shall collectively average 100 youths in residential status per month. Residential status includes youths in actual residence, those on leave up to 14 days, and those in the process of being transferred or paroled. If the average number of youths in residential status falls below 100 per month, the general fund—state support shall be reduced by an average monthly amount per resident as determined by the office of financial management.

(c) In fiscal year 1989, the department shall not reduce support levels for consolidated juvenile services programs below fiscal year 1988 levels.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((44,385,000))
		44,285,000
General Fund Appropriation—Federal	\$	890,000
Total Appropriation	\$	((45,275,000))
		45,175,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$536,000 of the general fund—state appropriation is provided solely for the implementation of a mentally ill offender unit at Echo Glen children's center.

(b) The department shall develop a ten-year plan to include operating and capital costs of using Green Hill school to house level I and the more serious level II offenders. The plan may include other viable options to handle the increasing numbers of violent offenders entering the juvenile rehabilitation institutions. The plan shall be presented to the ways and means committees of the senate and house of representatives by January 15, 1988.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	2,788,000
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Sec. 205. Section 205, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((118,388,000))
		113,421,000
General Fund Appropriation—Federal	\$	((40,738,000))
		41,442,000

General Fund Appropriation—Local	\$	1,580,000
Total Appropriation	\$	(166,706,000)
		156,443,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988. Community mental health centers and residential services providers shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning September 1, 1987, and \$5.15 per hour beginning September 1, 1988.

(b) \$2,690,000, of which \$2,383,000 is from the general fund—state appropriation is provided solely for the Kitsap mental health services residential treatment alternative project. The state reimbursement rate shall not exceed \$200 per client day and treatment for individual clients shall not exceed 180 days. All eligible involuntary treatment referrals shall be made to the project. No involuntary treatment referrals of Kitsap county residents may be made to Western state hospital, with the exception of persons who meet all the following criteria, as established by a licensed psychiatrist and involving consultation with a state certified geriatric mental health specialist: (i) Diagnosis of organic mental disorder (nontransient); (ii) established behavior abnormalities directly associated with the organic disorder; (iii) admittance to the residential treatment center at least twice during the prior six-month period; (iv) expulsion from two or more residential placements during the prior six-month period resulting from behaviors directly associated with the presence of the established organic mental disorder; and (v) denial of admission by all appropriate residential settings in the Puget Sound area. The maximum reimbursement rate to Kitsap county hospitals shall be \$250 per day per patient. Within the amount provided in this subsection, in an effort to reduce commitments to psychiatric hospitals and evaluation and treatment facilities, \$500,000, of which \$443,000 is from the general fund—state appropriation, is provided solely for a Kitsap mental health services outreach case management team. The services provided shall include participation with the court in formulation of conditions of conditional release and less restrictive alternative placement, participation in development of an individualized treatment plan with the treatment team, assistance with housing, financial management, medication management, nutrition, system advocacy, mental health services and monitoring the person receiving treatment to ensure that the person abides by the requirements of the person's individualized treatment plan. The case managers shall be mental health professionals, or shall be supervised by mental health professionals as defined in RCW 71.05.020(11). Kitsap mental health services shall participate in the state and county client tracking system required by RCW 71.24.035(4)(h) and 71.24.045(6). Kitsap mental health services shall provide quarterly reports to the committees on ways and means of the senate and house of representatives describing the numbers and characteristics of clients served and the resulting diversions from psychiatric hospitals and evaluation and treatment facilities. In addition, the department shall present an annual report to the same legislative committees by January 1, 1988, and January 1, 1989, indicating progress made toward meeting the long-term residential bed needs of Kitsap county.

(c) \$4,375,000, of which \$3,500,000 is from the general fund—state appropriation, is provided solely for a state-wide pilot demonstration project as provided for in Second Substitute Senate Bill No. 5074. These funds include 2 percent for costs of administration for participating counties. The plan for the pilot project shall be developed by the department in cooperation with interested counties, mental health providers, other interested members of the community, and legislative staff and shall be submitted to the legislature by September 1, 1987. The plan shall include specific criteria for inclusion in the project for counties choosing to participate and shall meet the conditions set forth in Second Substitute Senate Bill No. 5074. The plan shall provide for evaluation of the effects of case management on the treatment of involuntarily committed persons. The evaluation shall incorporate an experimental design. Evaluation support of no more than \$125,000 of the general fund—state appropriation is from the emergency and technical assistance funds provided for in RCW 71.24.155. The plan shall assure that case management services are administered in a manner which recognizes client needs within the availability of funds provided in this subsection (c). If Second Substitute Senate Bill No. 5074 is not enacted by June 30, 1987, the amount provided in this subsection shall be provided solely for case management services for persons ordered to a fourteen-day less restrictive treatment setting as provided for in RCW 71.05.240.

(d) \$1,000,000 of the general fund—state appropriation is provided solely for the support of involuntary treatment act administration.

(e) The mental health division, in conjunction with county officials and other affected parties, shall develop a fair and equitable formula for distributing involuntary treatment act administration funding to counties. The formula shall incorporate workload estimates and any other relevant factors required to reflect actual county administration costs. The mental health division shall present the proposed formula to the ways and means committees of the senate and house of representatives by November 15, 1987. Implementation of the formula may take effect immediately after legislative review but no later than January 1, 1988. Of the funding provided in this section for involuntary treatment act administration, \$3,400,000 is placed in reserve status pending legislative review of the new formula. No county allocation of funds for

fiscal year 1988 may be less than its fiscal year 1987 allocation. Counties shall continue to fund current maintenance of effort funding levels during the ensuing biennium.

(f) Grants to counties for community mental health programs shall total not less than \$55,957,000 of the general fund—state appropriation under RCW 71.24.155. Of this amount, \$2,000,000 is provided solely for expanded services to children.

(g) \$480,000 of the general fund—state appropriation is provided solely for continuation of the community psychiatric training program at the University of Washington.

(h) The department shall maintain the current level of support for the dropout prevention project in the Seattle school district.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(150,711,000)
		150,808,000
General Fund Appropriation—Federal	\$	(7,948,000)
		7,851,000
Total Appropriation	\$	158,659,000

The appropriations in this subsection are subject to the following conditions and limitations:

~~((b))~~ (a) \$300,000 of the general fund—state appropriation is provided solely for equipment and operating costs related to two additional PORTAL cottages on the Northern state hospital campus. Of this amount, a maximum of \$44,000 may be used to contract with local community mental health centers to provide services to clients who have exited the PORTAL program and reside locally in the community.

~~((c))~~ (b) The legislative budget committee shall evaluate the PORTAL program as to its treatment outcomes and general effectiveness. The legislative budget committee shall report its findings to the senate and house of representatives ways and means committees by December 1, 1987.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,477,000
General Fund Appropriation—Federal	\$	1,341,000
Total Appropriation	\$	4,818,000

The appropriations in this subsection are subject to the following conditions and limitations: \$78,600 from the general fund—state appropriation is provided solely for allocations to non-profit agencies advocating for the mentally ill. Such funds are for providing technical assistance to state agencies, mental health education programs, outreach and family support, and self-help support groups.

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal	\$	1,059,000
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Sec. 206, Section 206, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(79,041,000)
		80,944,000
General Fund Appropriation—Federal	\$	(61,990,000)
		62,524,000
Total Appropriation	\$	(141,039,000)
		143,468,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$278,000 of the general fund—state appropriation is provided solely for the deaf-blind service center.

(b) \$2,185,000 of the general fund—state appropriation and \$385,000 of the general fund—federal appropriation are provided solely to increase rates paid for county contracted employment services for developmentally disabled adults receiving such services as of July 1, 1987. No county administrative charge shall be deducted from the amount specified in this subparagraph.

(c) The division of developmental disabilities shall fund the DECOD dental program at the University of Washington with \$224,000 of the general fund—state appropriation.

(d) The secretary may transfer funds between the appropriations in subsections (1) and (2) of this section in order to provide program options as authorized in RCW 72.33.125. Any transfer of funds shall not reduce the level of services to existing clients.

(e) \$1,169,000 is appropriated solely for the division of developmental disabilities to contract for an additional twenty-four group home beds and associated services in King county.

(f) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988. Respite care providers shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning September 1, 1987, and \$5.15 per hour beginning September 1, 1988.

(g) \$1,400,000 of the general fund—state appropriation is provided solely to fund additional staff at the Bellevue center, Highline care center, and the united cerebral palsy center;

and to provide additional support for an autism program in Pierce county, a teletype relay system at the Yakima valley center for the deaf, the L'Arche facility in Spokane, the Sunnyhaven facility, and the Sumner lodge.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((166,635,000)) 98,402,000
General Fund Appropriation—Federal	\$	((94,952,000)) 100,885,000
Total Appropriation	\$	((195,587,000)) 199,287,000

(3) SPECIAL PROJECTS

General Fund Appropriation—Federal	\$	1,199,000
Total Appropriation	\$	1,199,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,991,000
General Fund Appropriation—Federal	\$	479,000
Total Appropriation	\$	4,470,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) A maximum of \$46,000, of which \$38,000 is from the general fund—state appropriation, and two biennial full time equivalent staff may be transferred from the division of developmental disabilities to the administration and supporting services program to consolidate the social service payment system. If this transfer affects the comparability of historical expenditure information at the program, category, or budget-unit level, the department shall reconstruct historical data for the preceding six years.

(b) If Engrossed Second Substitute House Bill No. 221 is enacted by June 30, 1987, the department is authorized to expend the proceeds of the telecommunication devices for the deaf excise tax established under the bill for the distribution and maintenance of telecommunication devices, signal devices, and amplifying accessories to hearing-impaired persons as provided in the bill.

Sec. 207. Section 207, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 2nd ex. sess. and by section 1, chapter 2, Laws of 1987 2nd ex. sess. (uncodified) is reenacted and amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—LONG-TERM CARE SERVICES

General Fund Appropriation—State	\$	((336,946,000)) 337,886,000
General Fund Appropriation—Federal	\$	((334,666,000)) 339,370,000
Total Appropriation	\$	((665,632,000)) 677,256,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall provide an integrated system of long-term care services which will allow for the most efficient, equitable, and appropriate use of available resources. The department shall endeavor to provide these services in the least restrictive and most cost-effective manner appropriate for individual clients.

(2) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988, for the adult residential care, contracted chore, adult day health, and senior citizens services act programs.

(3) \$3,000,000 of which \$1,400,000 is from the general fund—state appropriation is provided solely for nonadministrative wages and benefits enhancements above the money necessary to fund the minimum wage.

(4) Department-contracted nursing homes shall provide for and assure payment of compensation for staff of no less than \$4.76 per hour beginning January 1, 1988, and \$5.15 per hour beginning January 1, 1989.

(5) \$3,000,000 of the general fund—state appropriation, and \$1,500,000 of the general fund—federal appropriation, are provided solely to increase the number of persons served in the chore services program and the community options program entry system (COPES). To the extent possible, the department shall maximize use of the community options program entry system for all new clients requiring chore or personal care services.

(6) Nursing home rates shall be adjusted for inflation under RCW 74.46.495 by 3.7 percent on July 1, 1987 and 3.6 percent on July 1, 1988.

(7) \$650,000, of which \$312,000 is from the general fund—state appropriation, is provided solely for laundry services to state clients residing in skilled nursing facilities and intermediate care facilities.

(8) Grant payment standards shall be increased by 2.0 percent on September 1, 1987 and 4.0 percent on September 1, 1989, for adult residential care clients.

(9) \$1,090,000 of the general fund—state appropriation is provided solely for the respite care demonstration project.

(10) At least \$~~((14,766,866))~~ 14,966,000 of the general fund—state appropriation shall be initially allotted for implementation of the senior citizens services act. At least ~~((7 percent of the amount allotted for the senior citizens services act in each fiscal year))~~ \$1,265,000 of the amount provided in this subsection shall be used for programs that utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the chore services program.

(11) The department shall encourage the development of working agreements between county mental health authorities, mental health providers, and the area agencies on aging which provide access to comprehensive treatment for geriatric mentally ill persons.

Sec. 208. Section 208, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((465,361,866))
		454,658,000
General Fund Appropriation—Federal	\$	((442,971,866))
		405,514,000
Total Appropriation	\$	((907,732,866))
		860,172,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

(2) The department shall continue the aid to families with dependent children program for two-parent families through June 30, 1989.

(3) The department shall adopt by rule medical criteria for general assistance eligibility to ensure that eligibility decisions are consistent with statutory requirements and are based on clear, objective medical information.

(a) The process implementing such medical criteria shall involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(b) Recipients of general assistance who remain otherwise eligible shall not have their benefits terminated absent a clear showing of material improvement in their medical or mental condition or specific error in the prior determination that found the recipient eligible by reason of incapacitation.

(4) \$5,316,000, of which \$2,658,000 is from the general fund—state appropriation, is provided solely to increase day care, transportation, and other support services for participants in the opportunities program.

(5) Payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs shall contain an energy allowance to offset the costs of energy and such allowance shall be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$150,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8 or more
Exemption:	\$30	39	46	56	63	72	84	92

(6) Persons who are unemployable due to alcohol or drug addiction who are not otherwise eligible for general assistance shall be referred to the alcoholism and drug addiction treatment and support program established by Substitute House Bill No. 646.

Sec. 209. Section 209, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM

General Fund Appropriation—State	\$	((62,580,866))
		61,180,000
General Fund Appropriation—Federal	\$	16,866,000
General Fund Appropriation—Local	\$	166,000
Total Appropriation	\$	((79,612,866))
		78,212,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

(2) \$195,000 of the general fund—state appropriation is provided solely to increase the annual base level of grants for county alcohol and drug abuse treatment services to \$40,000 per county.

(3) ~~\$(24,565,000)~~ 23,165,000 of the general fund—state appropriation is provided solely for implementation of ~~((Substitute House Bill No. 646, establishing))~~ the alcohol and drug addiction treatment and support act. ~~((If Substitute House Bill No. 646 is not enacted by July 1, 1987, the funds in this subsection shall be transferred to the division of income assistance.~~

~~(5) The department shall report to the appropriate committees of the legislature by January 5, 1988, on implementation of the alcohol and drug addiction treatment and shelter act. The report shall include at least the following information:~~

~~(a) The number of persons receiving client assessment services, including the number receiving assistance in the application process for supplemental security income benefits;~~

~~(b) The number of persons receiving treatment services, including the number receiving inpatient and outpatient treatment, and the number receiving a living allowance while undergoing outpatient treatment;~~

~~(c) The number of persons receiving shelter services and the type of shelter services provided;~~

~~(d) The number of applicants for general assistance payments referred to the program and the number of recipients of general assistance transferred to the program; and~~

~~(e) An assessment of the need to revise projected funding levels of \$2,700,000 for client assessment services, \$11,378,000 for treatment services, and \$10,487,000 for shelter services.))~~

Sec. 210. Section 210, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((520,288,000)) <u>540,548,000</u>
General Fund Appropriation—Federal	\$	((481,926,000)) <u>473,933,000</u>
Total Appropriation	\$	((1,010,214,000)) <u>1,014,481,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$13,864,000 of the general fund—state appropriation and \$16,927,000 of the general fund—federal appropriation are provided solely for an adult dental program for Title XIX categorically eligible and medically needy persons, effective January 1, 1988. If Substitute House Bill No. 1225 is enacted by June 30, 1987, the department shall by January 1, 1989, enroll 20,000 categorically eligible and medically needy persons in prepaid capitated dental programs.

(2) The department of social and health services may increase the medically needy income level under RCW 74.09.700 to the maximum level allowable for federal financial participation under Title XIX of the federal social security act within funds appropriated for this purpose.

(3) \$8,338,000 of the general fund—state appropriation and \$9,823,000 of the general fund—federal appropriation are provided solely for medical assistance for categorically needy pregnant women and children up to two years of age whose household income does not exceed 90 percent of the federal poverty level, whose resources do not exceed reasonable standards established by the department, and whose coverage qualifies for federal financial participation under Title XIX of the federal social security act. Any part of the amounts provided in this subsection which are not needed for the purposes of this subsection may be spent for the purposes outlined in subsection (2) of this section.

(4) Vendor rate increases shall average 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

(5) \$3,000,000 of the general fund—state appropriation is provided solely for matching grants to hospitals under Engrossed Second Substitute House Bill No. 477. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(6) The department may provide payment for chiropractic services under RCW 74.09.035 and 74.09.520.

(7) The department is authorized under 42 U.S.C. Sec. 1396b(a)(1) to pay third party health insurance premiums for categorically needy medical assistance recipients upon a determination that payment of the health insurance premium is cost effective. In determining cost effectiveness, the department shall compare the amount, duration, and scope of coverage offered under the medical assistance program.

(8) The department is authorized to provide community-based long-term care services to persons with AIDS or AIDS-related conditions, on the condition that the department obtain a waiver under section 1915(c) (1) and (2) of the federal social security act.

Sec. 211. Section 211, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM

General Fund Appropriation—State	\$	((58,177,000)) <u>63,001,000</u>
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General Fund Appropriation—Federal	\$	(73,551,000)
		75,132,000
General Fund Appropriation—Local	\$	(8,025,000)
		8,967,000
Public Safety and Education Account Appropriation	\$	200,000
Total Appropriation	\$	(139,753,000)
		147,300,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rates shall be increased by 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

(2) Public and private community health clinics providing dental services under this section shall give priority to populations that lack access to federally supported dental services. The department shall prepare contracts which implement this requirement.

(3) \$1,919,000 of the general fund—state appropriation is provided solely to carry out the department's responsibilities contained in the Puget Sound water quality plan and perform corresponding state-wide activities, including \$50,000 for a review of the alternative on-site sewage program at both the state and local levels. The review shall address, but not be limited to, the process and procedures associated with the review and application of alternative systems. Recommendations shall include, but not be limited to:

(a) Ways to expedite review of applications;

(b) Changes in rules and statutes to address unique alternative on-site system applications;

(c) Staffing and resources required to implement an effective alternative on-site program;

and

(d) Any additional issues that are necessary for an effective and efficient alternative on-site sewage system program.

The department shall report to the legislature no later than January 30, 1988.

(4) \$5,500,000 of the general fund—state appropriation is provided solely to continue prenatal care services for low-income pregnant women who do not qualify for full coverage under the medical assistance program.

(5) A maximum of \$86,842,000, of which \$24,437,000 is from the general fund—state appropriation, and 132 biennial full time equivalent staff may be transferred from the public health program to the division of children and family services to provide parent and child health services, dental health care for children, women, infant and children services, crippled children's services, nutrition services to children, family planning services, and program and category support services. If this transfer affects the comparability of historical expenditure information at the program, category, or budget-unit level, the department shall reconstruct historical data for the preceding six fiscal years.

(6) \$3,100,000 of the general fund—state appropriation is provided solely to continue the kidney disease program.

(7) \$300,000 of the general fund—state appropriation is provided solely to enhance high-risk infant tracking.

(8) \$41,000 of the general fund—state appropriation is provided solely to expand PKU testing.

(9) \$1,500,000, of which \$300,000 is from the general fund—state appropriation, is provided solely for enhancing the women, infants, and children programs.

(10) \$850,000 of the general fund—local appropriation is provided solely for the monitoring and enforcement of emissions of radionuclides to the air, pursuant to chapter 70.94 RCW.

(11) A maximum of \$300,000 from the general fund—state appropriation may be spent for the purposes of establishing a centralized AIDS unit within the division of public health. This unit shall be responsible for pursuing activities to maximize the receipt of federal and private sources of funding, program coordination, and development of the implementation plan.

(12) \$50,000 of the general fund—state appropriation is provided solely for the state board of health to promulgate necessary rules and establish reporting requirements on sexually transmitted diseases, including the clinical syndrome of HIV-related illness.

(13) \$4,250,000 from the general fund—state appropriation and \$200,000 of the public safety and education account appropriation are provided solely to fund the regional AIDS service network.

(a) Seventy-five percent of the amount provided in this subsection shall be allocated per capita based on the number of persons residing within each region, but in no case less than one hundred fifty thousand dollars for each regional AIDS network per fiscal year. This amount shall be expended for testing, counseling, education, case management, notification of sexual partners of infected persons, planning, coordination, and other services.

(b) Twenty-five percent of the amount provided in this subsection shall be allocated for intervention strategies specifically addressing groups that are at a high risk of being infected with the human immunodeficiency virus. The allocation shall be made by the office on AIDS based on documented need as specified in regional AIDS network plans.

(14) \$100,000 of the general fund—state appropriation is provided solely for enhancing health services provided through public and private community health clinics.

(15) \$516,000 of the general fund—state appropriation is provided solely to sustain current radiation monitoring.

Sec. 212. Section 212, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State	\$	((13,583,000))
		12,783,000
General Fund Appropriation—Federal	\$	((32,654,000))
		36,110,000
Total Appropriation	\$	((46,237,000))
		48,893,000

The appropriations in this section are subject to the following condition and limitations: Vendor rates shall be increased by 2.0 percent on September 1, 1987, and 4.0 percent on September 1, 1988.

Sec. 213. Section 213, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State	\$	((46,200,000))
		43,630,000
General Fund Appropriation—Federal	\$	32,045,000
Institutional Impact Account Appropriation	\$	78,000
Total Appropriation	\$	((78,403,000))
		75,753,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$108,000 of the general fund—state appropriation is transferred within the office of constituent relations for an additional 2 biennial FTE staff for the office of the long-term care ombudsman.

(2) \$1,000,000 of the general fund—state appropriation and \$1,000,000 of the general fund—federal appropriation may be transferred from sections referenced in section 202(7) of this act solely for the evaluation of the aid to families with dependent children and the family independence programs as provided in Engrossed Second Substitute House Bill No. 448. The department may contract with objective independent evaluators subject to legislative budget committee approval, as specified in Engrossed Second Substitute House Bill No. 448. The department shall contract with the Washington state institute for public policy to conduct a longitudinal study of public assistance recipients. \$652,000 of the general fund—state moneys and \$652,000 of the general fund—federal moneys provided in this subsection are provided solely for the longitudinal study.

(3) \$50,000 of the general fund—state appropriation is provided solely for the Washington council for the prevention of child abuse and neglect to establish voluntary community-based programs on early parenting skills in at least three geographically balanced areas around the state. The programs shall be designed to serve families with children ranging from infants through three years old and also to serve expectant parents.

(4) The department may transfer up to \$2,700,000 of the general fund—state appropriations for its various programs into the administration and support services program. The department may transfer out of each program only those amounts attributable to reductions in administrative costs.

Sec. 214. Section 214, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((156,570,000))
		156,770,000
General Fund Appropriation—Federal	\$	((174,029,000))
		174,529,000
General Fund Appropriation—Local	\$	705,000
Total Appropriation	\$	((331,304,000))
		332,004,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$283,000 of the general fund—state appropriation and \$270,000 of the general fund—federal appropriation are provided solely for administrative costs associated with the provision of medical assistance to categorically needy pregnant women and children up to two years of age whose household income does not exceed 90 percent of the federal poverty level, whose incomes do not exceed reasonable standards established by the department, and whose coverage qualifies for federal financial participation under Title XIX of the federal social security act.

(2) \$4,922,000, of which \$2,461,000 is from the general fund—state appropriation, is provided solely to increase services for participants in the opportunities program.

(3) \$69,000 of the general fund—state appropriation and \$70,000 of the general fund—federal appropriation are provided solely for discharge planning case management for clients in nursing homes, congregate care facilities, and adult family homes.

(4) \$708,000 of the general fund—state appropriation is provided solely for establishing a supplemental security income referral pilot program as provided for in Engrossed Substitute House Bill No. 665.

(5) A maximum of \$554,000, of which \$460,000 is from the general fund—state appropriation, and 14.2 biennial full time equivalent staff may be transferred from the community services administration program to the administration and supporting services program to consolidate the social service payment system.

(6) If any transfer under this section affects the comparability of historical expenditure information at the program, category or budget-unit level, the department shall reconstruct historical data for the preceding six fiscal years.

(7) The department shall submit a plan to the human services committees of the senate and house of representatives by January 15, 1988, regarding continuation of services provided at its satellite office at 2106 Second Avenue, Seattle. The plan shall identify any proposed changes to the service level in effect on July 1, 1988, and methods of assuring reasonable access to a full array of services for area clients.

(8) \$350,000 of the general fund—state appropriation is provided solely for providing matching grants on a one-to-one state/local basis to regional health councils as established in RCW 70.38.085, or to the successor agencies. Grants shall be distributed equitably on the basis of need in order to preserve regional health planning.

Sec. 215. Section 217, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT

General Fund Appropriation—State	\$	(32,765,000)
		34,357,000
General Fund Appropriation—Federal	\$	(143,999,000)
		143,389,000
Building Code Council Account Appropriation	\$	407,000
Fire Service Training Account Appropriation	\$	500,000
Low Income Weatherization Account Appropriation	\$	(4,000,000)
		6,000,000
Total Appropriation	\$	(181,611,000)
		184,653,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,576,000 of the general fund—state appropriation is provided solely for grants to public and private nonprofit organizations to operate food banks, food distribution centers, and emergency shelters.

(2) \$100,000 of the general fund—state appropriation may be used for increased department administrative staff if the department receives federal grants in excess of \$1,000,000 under U.S. House of Representatives Resolution 558. If the department does not receive grants of at least \$1,000,000, the amount provided in this subsection shall lapse.

(3) \$12,136,000 of the general fund—state appropriation is provided solely for early childhood education and assistance programs under Substitute Senate Bill No. 5476 or Engrossed Second Substitute House Bill No. 456. These moneys shall be used to provide services to at least 2,000 children. If neither bill is enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(4) The department shall conduct a state-wide housing needs study. The study, with preliminary recommendations, shall be submitted to the housing committee of the house of representatives and the commerce and labor committee of the senate no later than December 31, 1987, and a final report shall be submitted by December 31, 1988.

(5) \$325,000 of the general fund—state appropriation is provided solely for pilot demonstrations and development of model vocational programs, including a study of a technology demonstration skills center, in Lewis county.

(6) \$708,000 of the general fund—state appropriation is provided solely for grants to public broadcast stations under section 3 of Engrossed Substitute Senate Bill No. 5285. \$42,000 of the general fund—state appropriation is provided solely for grants to public broadcast stations under section 4 of Engrossed Substitute Senate Bill No. 5285. If the bill is not enacted by June 30, 1987, the amounts provided in this subsection shall lapse.

(7) The department shall review the needs of low-income migrant and seasonal workers. To the extent that funds are available, the legislature encourages the department to give special attention to low-income migrant and seasonal workers.

(8) \$360,000 of the general fund—state appropriation is provided solely for grants to three nonprofit agencies and local government agencies for local reemployment centers. In order to provide a breadth of experience and geographic dispersion, one center shall be

located in King county, one center shall be located in a southwest Washington county in which the unemployment rate was at least 20 percent above the state average during the preceding calendar year, and one center shall be located in an eastern Washington standard metropolitan statistical area in which the unemployment rate was at least 20 percent above the state average during the preceding calendar year. Each center shall provide direct and referral services to the unemployed. These services may include reemployment assistance, medical services, social services including marital counseling, psychotherapy, mortgage foreclosure and utility problem counseling, drug and alcohol abuse counseling, credit counseling, and other services deemed appropriate. These services are designed to supplement and not supplant the on-going efforts of local job centers administered by the employment security department. Each grant recipient must match state dollars on a one-for-one basis with non-state dollars.

(9) \$118,000 of the general fund—state appropriation is provided solely for a study to determine the economic contribution of sport and commercial salmon and sturgeon fishing.

(10) \$100,000 of the general fund—state appropriation is provided solely to implement Substitute House Bill No. 430. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(11) \$173,000 of the general fund—state appropriation is provided solely for a study of the uses, structure, and operation of a state-wide video telecommunications network. The department shall submit a report to the house of representatives and senate by January 1, 1989, recommending a plan for using video telecommunications in state government and assessing the potential of a state-wide public affairs satellite/cable television network broadcasting programs on state government to Washington state citizens. The department shall consult with the telecommunications division of the department of general administration for technical assistance in preparing this report.

(12) \$250,000 of the general fund—state appropriation is provided solely for the border town impact mitigation program.

(13) \$25,000 is provided solely for the purpose of implementing Engrossed Second Substitute Senate Bill No. 5252. If Engrossed Second Substitute Senate Bill No. 5252 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(14) In addition to the fee imposed under RCW 19.27.085, there is imposed through June 30, 1989, a fee of two dollars on each building permit issued by a county or a city. Quarterly, each county and city shall remit moneys collected under this subsection to the state treasury for deposit in the building code council account. However, no remittance is required until at least fifty dollars has accumulated pursuant to this subsection.

(15) ~~\$(107,000)~~ 212,000 of the general fund—state appropriation is provided solely for technical assistance to Okanogan county for the preparation of plans and permits, including enforcement, relating to winter sports facilities development.

(16) \$58,000 of the general fund—state appropriation is provided solely for the state's share of the cost of the acquisition, installation, and maintenance of a Mt. St. Helen's flood warning system in Cowlitz county.

(17) \$125,000 of the general fund—state appropriation is provided solely for grants to the city of Omak and Okanogan county for enhanced surveillance and investigation needed because of school-related arson incidents. The department shall make grants based on demonstration of impact by the city and county.

(18) \$45,000 of the general fund—state appropriation is provided solely for a study assessing the positive and negative economic impacts of state correctional institutions on communities in which they are located. A report on the findings of the study shall be made to the legislature no later than December 31, 1988.

(19) \$250,000 of the general fund—state appropriation is provided solely for continuing Lewis county pilot demonstrations and model vocational programs under subsection (5) of this section, including such projects as career education and assessment, technology partnership on-site programs, centers for teaching the principles of technology, and a business partnership in medical technology program.

(20) \$30,000 of the general fund—state appropriation is provided solely for gathering, developing, and disseminating informational materials on the impacts of seismic occurrences and ways to protect people and property from them, and for other work to increase the public's awareness of the potential for a seismic event, including but not limited to, audio, visual, and written information, meetings, workshops, and seminars.

(21) \$1,000,000 of the general fund appropriation is provided solely for deposit in the housing trust fund under chapter 43.185 RCW for eligible housing activities to benefit the homeless. This may include the funding of shelters and transitional and permanent housing for homeless families and individuals.

(22) The department shall develop an analysis and report on homelessness and self-sufficiency in the manner specified in Substitute House Bill No. 1564 as passed by the house of representatives.

Sec. 216. Section 218, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((17,889,000))
		<u>17,769,000</u>
General Fund Appropriation—Federal	\$	4,690,000
General Fund Appropriation—Local	\$	6,167,000
Total Appropriation	\$	((28,746,000))
		<u>28,626,000</u>

Sec. 217. Section 219, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	((3,199,000))
		<u>3,258,000</u>
General Fund Appropriation—Federal	\$	964,000
Total Appropriation	\$	((4,163,000))
		<u>4,222,000</u>

Sec. 218. Section 223, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation	\$	((8,384,000))
		<u>8,227,000</u>
Public Safety and Education Account Appropriation	\$	10,866,000
Accident Fund Appropriation	\$	((85,037,000))
		<u>85,159,000</u>
Electrical License Fund Appropriation	\$	((9,620,000))
		<u>9,907,000</u>
Farm Labor Revolving Account Appropriation	\$	((292,000))
		<u>58,000</u>
Medical Aid Fund Appropriation	\$	((81,983,000))
		<u>82,105,000</u>
Plumbing Certificate Fund Appropriation	\$	((640,000))
		<u>660,000</u>
Pressure Systems Safety Fund Appropriation	\$	((1,111,000))
		<u>1,148,000</u>
Worker and Community Right to Know Fund Appropriation	\$	2,059,000
Total Appropriation	\$	((199,992,000))
		<u>200,190,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall study the feasibility of establishing an independent ~~((ombuds))~~ ombudsman office to aid employers and employees, including self-insured employees, in dealing with the workers' compensation system. The study shall include an evaluation of the need for the office, the recommended functions of the office, and the mechanisms for oversight and funding. The department shall submit its findings and recommendations to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(2) The department shall evaluate the effectiveness of the workers' compensation vocational rehabilitation program, including the effectiveness of a worker resource center to provide injured worker adjustment services. The study shall be conducted in consultation with the workers' compensation advisory committee and interested groups representing injured workers, labor, and employers. The department shall submit its findings and recommendations to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(3) The department shall study, in cooperation with the employment security department and the department of social and health services, the potential impact in the state of a state minimum wage based on ninety percent of the federal poverty level. The results of the study shall be submitted to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(4) The department shall prepare a report on workers' compensation caseload information including, but not limited to, the average number of claims by type by adjudicator compared to optimal caseloads used in the private sector and any recommendations concerning improvement of caseloads. The report shall be submitted to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(5) All funds appropriated under this section for lease or lease development office space may be used to lease new office space only if the lease is for a period not exceeding three years and does not extend beyond June 30, 1991.

(6) The department shall establish an office of information and assistance to aid workers, employers, health care providers, and other department clients. The department shall report on the activities of the office to the appropriate committees of the legislature by January 1, 1989.

Sec. 219. Section 224, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INDETERMINATE SENTENCE REVIEW BOARD

General Fund Appropriation	\$	((4,042,000))
		<u>3,804,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$166,000 is provided solely for payments to private attorneys representing indigent parolees.
- (2) \$727,000 is provided solely for addressing inmate litigation resulting from the transition from the indeterminate sentencing laws to the determinate sentencing laws and to enable the board to review all remaining cases falling under the indeterminate sentencing laws.
- (3) ~~((Of the amount provided in subsection (2) of this section, \$363,500 shall be placed in reserve status until the legislature authorizes its release.))~~ The board shall report to the legislature on January 1, 1988, regarding its progress toward completing at least one-half of the workload outlined in subsection (2) of this section. It is the intent of the legislature that the indeterminate sentencing review board terminate on June 30, 1989, and any remaining functions transfer to the department of corrections and the judiciary.

Sec. 220. Section 226, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	5,700,000
General Fund Appropriation—Federal	\$	146,257,000
General Fund Appropriation—Local	\$	18,373,000
Administrative Contingency Fund Appropriation—Federal	\$	((6,918,000))
		<u>8,353,000</u>
Unemployment Compensation Administration Fund Appropria- tion—Federal	\$	110,569,000
Employment Service Administration Account Appropriation—Fed- eral	\$	2,334,000
Federal Interest Payment Fund Appropriation	\$	2,080,000
Total Appropriation	\$	((290,151,000))
		<u>293,666,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) The department shall submit a plan to the commerce and labor committees of the senate and house of representatives by January 15, 1988, regarding continuation of services provided at its satellite office at 2106 Second Avenue, Seattle. The plan shall identify any proposed changes to the service level in effect on July 1, 1988, and methods of assuring reasonable access to a full array of services for area clients.
- (2) The department shall produce local area labor market information packages for the state's economically distressed counties.
- (3) \$75,000 of the administrative contingency fund—federal appropriation is provided solely for a computerized database of labor market information that is accessible by telephone to employers, economic development organizations, and employee organizations.
- (4) \$150,000 of the administrative contingency fund—federal appropriation is provided solely to establish Washington service corps internship positions with private corporations for young adults from eighteen to twenty-five years of age, especially members of ethnic minority groups or enrollees in the family independence program. Internship positions shall be part-time during the school year and full-time during the summer.
- (5) The department shall produce an annual state economic report to the legislature and the governor that includes but is not limited to:
 - (a) Identification and analysis of industries in the United States, Washington state, and local labor markets with high levels of seasonal, cyclical, and structural unemployment;
 - (b) The industries and local labor markets with plant closures and mass lay-offs and the number of affected workers;
 - (c) An analysis of the major causes of plant closures and mass lay-offs;
 - (d) The number of dislocated workers and persons who have exhausted their unemployment benefits, classified by industry, occupation, and local labor markets;
 - (e) The experience of the unemployed in their efforts to become reemployed. This should include research conducted on the continuous wage and benefit history;
 - (f) Five-year industry and occupational employment projections; and
 - (g) Annual and hourly average wage rates by industry and occupation.
- ~~((4))~~ (6) The department shall establish a counter-cyclical employment program.
- (a) This program shall provide employment for unemployed forest product workers. 'Forest products industries' means industries within the standard industrial classification code numbers 8, 24, and 26. The program shall operate, on a pilot basis in two locations in Washington state, with preference given to distressed areas in the state.

(b) Eligibility for employment under the counter-cyclical employment program shall occur only upon exhaustion of unemployment insurance benefits received upon termination of employment in the Washington forest products industry and eligibility shall be limited to only those persons who are either currently unemployed, employed part time, or whose employment in the Washington forest products industry was terminated within the previous year. No one shall be employed by the program for longer than six months in a two-year period, except as to administrative and supervisory employees.

(c) The program shall begin after completion of two consecutive quarters of below-average employment in forest products industries in Washington state and shall cease sixty days after the completion of two consecutive quarters of above-average timber products employment in Washington state. If, on the effective date of this act, forest products employment in the state has been below average for two consecutive quarters, the program shall begin immediately. In order to determine average forest products employment, the department shall calculate the trend of forest products employment in Washington state by the number of forest products employees, as reported by the department, during the fifteen years prior to the date the calculation is made. 'Average forest products employment' means the level of employment indicated by this trend line.

(d) Employment under the counter-cyclical employment program shall consist of activities which enhance the value of state, county, and local government lands and waters and associated improvements, with priority given to enhancing state lands and waters. Eligible activities shall include, but are not limited to, thinning, slash removal, reforestation, fire suppression, trail maintenance, maintenance of recreational facilities, dike repair, tourist facilities, stream enhancement, water quality enhancement, irrigation repair, and the building of shellfish beds.

(e) Employees under the counter-cyclical employment program, except administrative employees, shall not be considered state employees for the purposes of existing provisions of law with respect to hours of work, sick leave and civil service. Employees under the program shall receive the same medical and dental benefits and holiday and vacation benefits as state employees. Compensation for employees under the counter-cyclical employment program shall be at least eight dollars per hour of employment, except as to administrative and supervisory personnel. Employment under the program shall not result in the displacement or partial displacement, such as reduction of hours of nonovertime work, wages, or other employment benefits, of currently employed workers, including but not limited to state civil service employees, or of currently or normally contracted services. The services of counter-cyclical employment members are exempt from unemployment compensation coverage under RCW 50.44.040 and the members shall be so advised by the department.

(f) The department shall administer the program in consultation with the state natural resource agencies. The employment security department may enter into contracts and agreements with state agencies and private and public individuals and organizations to carry out the program.

~~((f))~~ (7) \$120,000 of the administrative contingency fund—federal appropriation is provided solely for a reemployment bonus demonstration project, contingent on the availability of federal or private funding of no less than \$500,000. The employment security department shall evaluate the effectiveness of the reemployment bonus in returning unemployed workers to employment and report to the commerce and labor committees of the senate and house of representatives by January 15, 1989. If federal or private moneys do not become available before June 30, 1988, the amount provided in this subsection shall lapse.

(8) \$670,000 of the administrative contingency fund—federal appropriation is provided solely for transfer through interagency agreement as follows:

(a) \$300,000 to the department of trade and economic development for the establishment of a business and job retention program. No more than \$75,000 of the amount provided in this subsection (a) may be used for administrative costs including staff to carry out the responsibilities under this subsection (a). The director of the department of trade and economic development shall appoint six people to an advisory committee by July 1, 1988, including equal representation from business and labor, and may also appoint up to four additional nonvoting members from other interested parties. No more than \$5,000 of the amount provided in this subsection (a) may be used for the advisory committee. The department of trade and economic development shall select, with the approval of the advisory committee, local organizations to undertake local business and job retention activities, including: The identification of local firms at risk of closure, mass layoff, or relocation out-of-state through the administration of local business surveys or other appropriate methods; initial assessments of firms or workforces; and the coordination and provision of technical and training assistance to businesses, unions, employee groups, and workforces. A minimum of \$170,000 of the amount provided in this subsection (a) shall be used for contracts to local development organizations for local business and job retention activities. The department of trade and economic development shall: (1) Provide training programs for local organizations that receive contracts for local business and job retention activities and for other interested parties such as local government, unions, and community-based economic development organizations, including training in the use of local business surveys and other methods of identifying and assessing firms at risk of shutdown, mass

layoff, or relocation out of state; (ii) develop model local business surveys to gather information about business needs, expansion plans, relocation decisions, training needs, potential layoffs, financing needs, and other appropriate information; and (iii) develop and administer grants, in consultation with the advisory committee, to study the feasibility of various options for continuing or renewing the operation of industrial facilities that are threatened with closure or have closed, making funds available to local governments, local associate development organizations, unions, or local nonprofit community organizations. The department of trade and economic development may require that money be matched at least dollar-for-dollar with nonstate money. No more than \$25,000 of the amount provided in this subsection (a) may be made available for any one study or any one business facility. No more than \$50,000 of the amount provided in this subsection (a) may be used for the feasibility grants. The department of trade and economic development shall draw upon its existing resources and existing data from other sources to do nonduplicative analyses of trends in the state's industries and workforces. The director of the department of trade and economic development shall publish an annual report in conjunction with the annual state economic report prepared by the employment security department.

(b) \$110,000 to the department of trade and economic development for the establishment of a Washington marketplace program. The department of trade and economic development shall contract with and provide technical assistance to local nonprofit organizations in two economically distressed areas of the state, as defined in RCW 82.60.020(3), to contact local businesses to identify goods and services currently purchased out of state and determine which of these goods and services could be purchased on competitive terms within the state, inform local businesses about local market opportunities, and undertake other activities necessary to implement the Washington marketplace program at the local level. A maximum of \$30,000 of the amount provided in this subsection (b) may be used for contracts with no more than two nonprofit organizations in nondistressed areas of the state that are currently operating local marketplace programs to provide technical assistance for local marketplace programs in distressed areas.

(c) \$60,000 to the department of trade and economic development to implement Engrossed Second Substitute Senate Bill No. 6220. If the bill is not enacted by June 30, 1988, the amount provided in this subsection (c) shall lapse.

(d) \$200,000 to the department of trade and economic development for contracts with the Washington research foundation for hiring licensing and university liaison staff and for patents and other licensing-related expenses. Any contract with the Washington research foundation shall include, but is not limited to, the following conditions:

(i) Washington research foundation activities shall increase the transfer to Washington businesses of new technologies developed by state university researchers.

(ii) At least fifty percent of licenses issued through the Washington research foundation shall go to firms with headquarters in Washington state.

(iii) Washington research foundation activities shall be coordinated with the business assistance and financing services provided by the departments of community development and trade and economic development.

(iv) The Washington research foundation shall make a report to the legislature by December 31, 1988. This report shall include, but is not limited to, the following information: The number of licenses issued during the preceding year, the number of licenses issued during the preceding year to firms with headquarters in Washington state, nonconfidential information on the financial outcome of technologies in which the foundation has invested, and the financial status of the foundation.

(e) None of the moneys provided in this subsection (b) may be used for administrative expenses of the employment security department.

(9) \$500,000 of the administrative contingency fund—federal appropriation is provided solely for the purpose of addressing state impacts due to the federal immigration reform act. The funds shall be expended to carry out employee work eligibility certification, agricultural worker recruitment, supply and demand projects, and overall agricultural labor market analysis.

(10) \$2,080,000 of the federal interest payment fund appropriation may be expended by the department only if the governor authorizes the expenditure in order to avoid or mitigate across-the-board allotment reductions under RCW 43.88.110. If the governor authorizes the expenditure, \$2,080,000 of the general fund—state appropriation shall lapse. The amount expended by the department from the federal interest payment fund appropriation shall not exceed the amount lapsed from the general fund—state appropriation. Any moneys from the federal interest payment fund appropriation remaining unexpended on June 30, 1989, shall be deposited in the unemployment insurance trust fund.

(11) \$40,000 of the administrative contingency fund—federal appropriation is provided solely to contract with the Washington institute for public policy for a study to investigate the impact of the state's reliance on the defense industry and to investigate methods to promote greater economic diversification of the state's economy. The study shall focus primarily on identifying companies and workers at risk from defense cutbacks over the next five years;

reviewing existing state and federal programs available to provide reemployment and retraining assistance to affected workers; identifying potential government and private sector contracts and clients that could help firms diversify; and examining alternative production technologies and occupations that could easily be converted from defense use such as light rail mass transit, alternative energy, low-cost housing, and new product development. The department shall cooperate and provide whatever assistance is needed in the completion of the study. The institute shall submit a final report to the legislature no later than January 1, 1989. The institute shall contract with Washington State University for the study.

Sec. 221. Section 229, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SENTENCING GUIDELINES COMMISSION

General Fund Appropriation	\$	(525,000)
		513,000

Sec. 222. Section 230, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON BASIC HEALTH PLAN

General Fund Appropriation	\$	(19,169,000)
		14,609,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to develop and operate the basic health plan under Engrossed Second Substitute House Bill No. 477. If the bill is not enacted by June 30, 1987, this appropriation shall lapse.

PART III
NATURAL RESOURCES

Sec. 301. Section 301, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	1,874,000
General Fund Appropriation—Federal	\$	16,528,000
General Fund Appropriation—Private/Local	\$	20,000
Geothermal Account Appropriation—Federal	\$	45,000
Building Code Council Account Appropriation	\$	(632,000)
		682,000
Total Appropriation	\$	(19,099,000)
		19,149,000

The appropriations in this section are subject to the following conditions and limitations: \$40,000 of the general fund—state appropriation is provided solely to contract with the institute for public policy at The Evergreen State College to complete a comprehensive state hydropower study. The study shall: (1) Be developed in consultation with other state agencies (2) be completed by December 1, 1987, and (3) result in recommendations for a state hydropower plan for the balanced protection and development of the state's waterways.

Sec. 302. Section 302, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation—State	\$	(463,000)
		509,000
General Fund Appropriation—Private/Local	\$	468,000
Total Appropriation	\$	(931,000)
		977,000

Sec. 303. Section 303, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	(51,666,000)
		51,886,000
General Fund Appropriation—Federal	\$	(59,846,000)
		40,846,000
General Fund Appropriation—Private/Local	\$	398,000
Hazardous Waste Control and Elimination Account Appropriation	\$	2,616,000
Flood Control Account Appropriation	\$	3,999,000
Wood Stove Public Education Account Appropriation	\$	366,000
Special Grass Seed Burning Research Account Appropriation	\$	40,000
State Toxics Control Account	\$	620,000
Reclamation Revolving Account Appropriation	\$	836,000
Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	(175,000)
		907,000
Litter Control Account Appropriation	\$	6,395,000

State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	761,000
State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	((2,095,000)) 2,575,000
State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	((1,071,000)) 1,111,000
Stream Gaging Basic Data Fund Appropriation	\$	139,000
Tire Recycling Account Appropriation	\$	548,000
Water Quality Account Appropriation	\$	2,398,000
Workers and Community Right to Know Fund Appropriation	\$	229,000
Total Appropriation	\$	((133,578,000)) 116,670,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall implement the Nisqually river task force recommendations. \$150,000 of the general fund—state appropriation is provided solely for this purpose.

((3)) (2) \$985,000 of the general fund—state appropriation is provided solely for allocation to local air pollution control authorities.

((4)) (3) The appropriation from the wood stove public education account is contingent upon the enactment of House Bill No. 16. If the bill is not enacted by June 30, 1987, this appropriation shall lapse.

((5)) (4) \$9,250,000 of the general fund—state appropriation is provided solely to carry out the department's responsibilities contained in the Puget Sound water quality plan and perform corresponding state-wide water quality activities

((6)) (5) \$715,000 of the general fund—state appropriation is provided for the purposes of solid waste management.

((7)) (6) \$553,000 of the general fund—state appropriation is provided solely for implementing the timber, fish, and wildlife agreement. If Senate Bill No. 5845 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

((8) If House Bill No. 434 is enacted by June 30, 1987, the appropriation from the hazardous waste control and elimination account shall lapse.

((9)) (7) \$225,000 of the general fund—state appropriation and \$50,000 of the hazardous waste control and elimination account appropriation are provided solely to: (a) Contract with the University of Washington college of ocean and fisheries sciences to develop a damage assessment methodology for determining damages as a result of oil spills, and (b) contract with the department of community development to design a model oil spill contingency plan.

((10)) (8) Within the general fund appropriation, the department shall prepare penalty regulations for waste disposal permit violations, including minimum penalties, based upon severity and frequency of violation.

((11)) (9) \$302,000 of the general fund—state appropriation is provided solely for operating the Padilla Bay estuarine sanctuary interpretive center.

((12) Within the general fund appropriation, the department shall phase out state hazardous waste remedial action sites currently in progress and meet emergency response actions. This subsection does not apply if House Bill No. 434 is enacted by June 30, 1987.

((13)) (10) \$288,000 of the general fund—state appropriation is provided solely to implement Senate Bill No. 5570. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(11) \$392,000 of the emergency water project revolving account appropriation (emergency water supply) is provided solely for the purpose of planning and administering drought relief activities as required by Second Substitute Senate Bill No. 6513. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(12) \$200,000 of the emergency water project revolving account appropriation (emergency water supply) is provided solely for staff support and contract services as required by Engrossed Second Substitute Senate Bill No. 6724. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(13) \$140,000 of the emergency water project revolving account appropriation (emergency water supply) is provided solely for a comprehensive state water use efficiency study as required by Engrossed Substitute House Bill No. 1594. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(14) \$20,000 of the general fund—state appropriation and \$100,000 of the general fund—federal appropriation are provided solely for a grant to Pend Oreille county for the purpose of controlling milfoil in the Pend Oreille river. In addition to the funds provided in this subsection, the department shall provide up to \$75,000 from other appropriate state fund sources. These

amounts, when combined with local matching funds, shall equal a total project cost of at least \$200,000.

(15) \$200,000 of the general fund—state appropriation is provided solely for the completion of phase two of the site closure and perpetual care report required by RCW 43.200.190.

Sec. 304. Section 305, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((35,258,000))
		35,308,000
General Fund Appropriation—Federal	\$	999,000
General Fund Appropriation—Private/Local	\$	745,000
Trust Land Purchase Account Appropriation	\$	8,784,000
Winter Recreation Parking Account Appropriation	\$	322,000
Snowmobile Account Appropriation	\$	922,000
Public Safety and Education Account Appropriation	\$	10,000
ORV (Off-Road Vehicle) Appropriation	\$	159,000
Motor Vehicle Fund Appropriation	\$	1,000,000
Total Appropriation	\$	((48,199,000))
		48,249,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$416,000 of the general fund—state appropriation is provided solely for carrying out the Puget Sound water quality plan.

(2) \$50,000 of the general fund—state appropriation is provided solely to improve and provide recreational access for Doug's Beach.

Sec. 305. Section 308, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

General Fund Appropriation	\$	602,000
Water Quality Account Appropriation	\$	78,000
Total Appropriation	\$	680,000

The appropriations in this section ~~((15))~~ are subject to the following conditions and limitations:

(1) \$182,000 is provided solely for carrying out the Puget Sound water quality plan.

(2) No more than eight percent of the water quality account moneys administered by the commission may be used by the commission for administration and program activities related to the grant and loan program.

Sec. 306. Section 310, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((47,465,000))
		47,595,000
General Fund Appropriation—Federal	\$	14,057,000
General Fund Appropriation—Private/Local	\$	3,651,000
Aquatic Lands Enhancement Account Appropriation	\$	425,000
Total Appropriation	\$	((65,598,000))
		65,728,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$106,000 of the general fund—state appropriation is provided solely for carrying out the Puget Sound water quality plan.

(2) ~~((46,000 of the general fund—state appropriation is provided solely for the purposes of reintroducing an early coho salmon run to the Tilton river and Winston creek.~~

(3)) \$587,000 of the general fund—state appropriation is provided solely for implementing the timber, fish, and wildlife agreement. If Senate Bill No. 5845 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

~~((4))~~ (3) \$150,000 of the general fund—state appropriation is provided solely for shellfish enforcement on Hood Canal.

~~((5))~~ (4) \$150,000 of the aquatic lands enhancement account appropriation is provided solely for the preparation of an ecological impact statement on the guidelines for the management of salmon net pens in Puget Sound.

~~((6))~~ (5) The department shall present to the natural resource committees of the senate and house of representatives no later than February 1988 a report on the department's watershed plan, with specific identification of the benefits associated with the Queets hatchery and other Indian tribal agreements.

~~((7))~~ (6) \$194,000 of the general fund—state appropriation may be expended for additional feed for the Deschutes hatchery.

~~((8))~~ (7) \$400,000 of the general fund—state appropriation is provided solely for the purpose of a comprehensive biological study conducted by the department in conjunction with

the University of Washington and Grays Harbor community college to determine what is affecting the survival of salmon in the Grays Harbor area.

~~((9))~~ (8) \$150,000 of the general fund—state appropriation is provided solely to maintain and operate the Toutle river fish collection facility.

(9) \$45,000 of the general fund—state appropriation is provided solely for the operation of a twenty-four hour per day hotline for user groups or individuals to obtain up-to-date information on departmental rules and regulations. The department may charge fees to recover the cost of operation of the hotline.

(10) \$125,000 of the general fund—state appropriation is provided solely for the purpose of developing a salmon and steelhead rehabilitation plan for the Stillaguamish river in cooperation with the Tulalip Indian tribe and the department of wildlife.

Sec. 307. Section 311, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ~~((GAME))~~ WILDLIFE

ORV (Off-Road Vehicle) Account Appropriation	\$	256,000
Aquatic Lands Enhancement Account Appropriation	\$	275,000
Public Safety and Education Account Appropriation	\$	((515,000))
		533,000
((Game)) Wildlife Fund Appropriation—State	\$	((36,021,000))
		37,137,000
((Game)) Wildlife Fund Appropriation—Federal	\$	15,142,000
((Game)) Wildlife Fund Appropriation—Private/Local	\$	1,856,000
((Game)) Wildlife Fund—Special Wildlife Account Appropriation	\$	423,000
Total Appropriation	\$	((55,200,000))
		55,622,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall, in carrying out its responsibilities under the timber, fish, and wildlife agreement, accomplish the following:

(a) Perform the necessary data collection, research, and monitoring programs which examine the differences, and make provisions for those differences, between eastern and western Washington; and

(b) Conduct a study on the department's cooperative road closure program and land-owner education program in eastern Washington.

(2) Of the \$8,000,000 general fund—state appropriation in chapter 508, Laws of 1987, \$711,000 is provided solely for implementation of the timber, fish, and wildlife agreement and \$59,000 is provided solely for carrying out the Puget Sound water quality plan.

(3) \$36,000 of the public safety and education account appropriation is provided solely for transfer to the state wildlife conservation reward fund for the purpose of paying rewards. In making payments for rewards, the department shall make payments directly to the recipient.

Sec. 308. Section 312, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((36,170,000))
		42,574,000
General Fund Appropriation—Federal	\$	78,000
General Fund Appropriation—Private/Local	\$	20,000
ORV (Off-Road Vehicle) Account Appropriation—Federal	\$	3,086,000
Geothermal Account Appropriation—Federal	\$	16,000
Forest Development Account Appropriation	\$	((21,136,000))
		21,294,000
Survey and Maps Account Appropriation	\$	((773,000))
		838,000
Aquatic Land Dredged Material Disposal Site Account Appropriation	\$	106,000
Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,636,000
Resource Management Cost Account Appropriation	\$	((52,495,000))
		55,279,000
Total Appropriation	\$	((115,516,000))
		124,927,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$((2,706,000))~~ 8,721,000 of the general fund—state appropriation is provided solely for the emergency fire suppression subprogram.

(2) \$2,649,000 of the general fund—state appropriation is provided solely for implementing the provisions of the timber fish wildlife agreement. This amount is contingent on: (a) The department reorganizing existing staff in the forest practices subprogram so that the majority of the staff positions are dedicated to regulating forest practices and are not responsible for state land management; and (b) the enactment of Senate Bill No. 5845. If the bill is not enacted by June 30, 1987, this amount shall lapse.

(3) \$270,000 of the general fund—state appropriation is provided solely for the department's responsibilities in implementing the recommendations contained in the Puget Sound water quality plan.

(4) From the resource management cost account and general fund—state appropriations in this section, the department shall create an additional one hundred full time equivalent jobs, providing employment opportunities for a total of 200 people, 50 each for a period not to exceed six months, under the provisions of the employment security department's counter-cyclical employment program in section 226 of this act. These jobs shall pay at least eight dollars per hour, excluding benefits. Work performed under this subsection must provide economic benefits to state trust lands.

(5) \$193,000 of the general fund—state and the aquatic land dredged material disposal site account appropriations are provided solely for the purposes of Senate Bill No. 5501. If the bill is not enacted by June 30, 1987, this appropriation shall lapse.

(6) ~~(\$166,666 of the general fund—state appropriation is provided solely for interim relocation of all department staff presently located in the John A. Cherberg building. The department shall vacate the John A. Cherberg building no later than February 29, 1988.)~~ \$439,000 of the general fund—state appropriation is provided solely for spraying to control spruce budworm infestations.

(7) \$75,000 of the resource management cost account appropriation is provided solely for a feasibility study, under the guidance of the office of financial management and the department of information systems, directed at the development of a cost allocation system.

(8) Based on schedules submitted by the director of financial management, the state treasurer shall transfer from the general fund—state or such other funds as the state treasurer deems appropriate to the Clarke McNary fund such amounts as are necessary to meet unbudgeted forest fire fighting expenses. All amounts borrowed under the authority of this section shall be repaid to the appropriate fund, together with interest at a rate determined by the state treasurer to be equivalent to the return on investments of the state treasury during the period the amounts are borrowed.

Sec. 309. Section 313, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	(16,921,666)
		16,073,000
General Fund Appropriation—Federal	\$	601,000
Feed and Fertilizer Account Appropriation	\$	22,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	455,000
Commercial Feed Fund Appropriation	\$	409,000
Seed Fund Appropriation	\$	979,000
Nursery Inspection Fund Appropriation	\$	1,011,000
Livestock Security Interest Account Appropriation	\$	34,000
Total Appropriation	\$	(19,532,666)
		19,584,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$48,000 of the general fund—state appropriation is provided solely for carrying out the water quality plan.

(2) \$53,000 of the general fund—state appropriation is provided solely for the control of starlings as a part of the predatory animal control program.

(3) \$20,000 of the general fund—state appropriation is provided solely to purchase poultry disease diagnostic laboratory equipment through a cooperative agreement with Washington State University.

(4) \$120,000 of the general fund—state appropriation is provided solely for the continuation of the brucellosis vaccination program.

(5) \$200,000 of the general fund—state appropriation is provided solely for enhancement of the noxious weed control program.

~~((7))~~ (6) \$200,000 of the general fund—state appropriation is provided solely to initiate a marketing program for Washington-bred horses.

~~((6)-\$66,666)~~ (7) \$120,000 of the general fund—state appropriation is provided solely for the aquaculture program.

(8) \$12,000 of the general fund—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6240. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

Sec. 310. Section 314, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT

General Fund Appropriation	\$	23,650,000
Motor Vehicle Fund Appropriation	\$	532,000
Total Appropriation	\$	24,182,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$600,000 of the general fund appropriation is provided solely for the business assistance center. The center, in concert with participating state agencies, shall develop a reporting system to document the work and results of state business assistance programs. The center shall forward annual reports to the ways and means committees of the house of representatives and senate, the trade and economic development committee of the house of representatives and the commerce and labor committee of the senate, including but not limited to jobs created, investment generated, and measures of technical assistance provided and other program activities.

(2) \$195,000 of the general fund appropriation is provided solely for contracts with Washington State University small business development center programs. State funds for small business development center programs in Lewis county shall not be reduced from the level provided in the 1985-1987 biennium.

(3) \$625,000 of the general fund appropriation is provided solely for contracts with the small business export finance assistance center of Washington. At least \$100,000 of the amount provided in this subsection shall be used by the department and the small business export finance assistance center for the development of a coordinated outreach program for trade information services and export finance assistance. In developing this program, the department and the small business export finance assistance center shall work with the business assistance center, ports, and other users and suppliers of trade services.

(4) The department shall analyze market trends and investment opportunities in at least eight key sectors of the Washington economy. The department shall publish five-year projections of selected mature and growth industries with current or potentially large impacts on the state economy, including barriers to competitiveness, potential market niches, investment trends, and their relationship to state economic development efforts. The department shall work in concert with the Washington state economic development board, the department of community development, CENTRAFOR, IMPACT, the employment security department, and the private sector to develop these industry studies and to analyze strategies for the retention and development of high-wage jobs.

(5) The following amounts of the general fund appropriation are provided solely for matching funds to equal amounts of private-sector, federal, and in-kind contributions:

- (a) Washington high technology center, \$7,000,000; and
- (b) Center for international trade in forest products, \$297,000.

(6) \$225,000 of the general fund appropriation is provided solely for preparation, if warranted, of a proposal to the federal department of energy that the proposed superconducting supercollider be located in Washington state.

(7) The director shall form an interagency task force charged with gathering information on entrepreneurial development, formulating interagency agreements to promote entrepreneurial activity, and designing programs and policy options. The task force shall be composed of representatives from the department of community development, the employment security department, the department of labor and industries, the department of social and health services, the state board for vocational education, the state board for community college education, the higher education coordinating board, and the superintendent of public instruction.

(8) The department shall establish the Washington investment opportunities office as a clearinghouse for entrepreneurs seeking capital and investments. The office shall keep a list of entrepreneurs in the state looking for capital resources, provide prospective investors with information about these entrepreneurs, and coordinate the delivery of assistance to entrepreneurs developing business plans.

Sec. 311. Section 318, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WINTER RECREATION COMMISSION

General Fund Appropriation \$ 27,000

The appropriation in this section is subject to the following conditions and limitations: \$5,000 of the appropriation is provided solely as partial funding of a study of the effect of the ski industry on the economy of the state.

Sec. 312. Section 12, chapter 8, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

~~\$(9,320,000)~~ 11,956,000 or so much thereof as may be necessary, is appropriated from the state convention and trade center operations account to the state convention and trade center corporation, for the fiscal biennium ending June 30, 1989, for the purposes of operation and promotion of the center. The appropriation in this section is subject to the following conditions and limitations: \$1,540,000 is provided solely for marketing the facilities and services of the convention center, for promoting the locale as a convention and visitor destination, and for related activities. Unless a bill increasing the special excise tax under RCW 67.40.090 to six percent in the city of Seattle and two and four-tenths percent in King county outside the city of Seattle is enacted by June 30, 1988, the amount provided in the previous sentence shall lapse.

Sec. 313. Section 316, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON CENTENNIAL COMMISSION

General Fund Appropriation	\$	7,377,000
State Centennial Commission Account Appropriation	\$	2,540,000
Total Appropriation	\$	9,917,000

The appropriations in this section are subject to the following conditions and limitations:

(1) State agencies, at the request of the centennial commission, may develop programs or activities related to the Washington state centennial. Agencies that develop programs or activities in conjunction with the centennial commission shall not charge the commission for overhead or administrative costs.

(2) The commission may contract with Pacific Celebration '89 for promotion of Washington state's future trade and economic ties with nations in the Pacific rim. Any contract with Pacific Celebration '89 shall include, but is not limited to, the following conditions:

(a) Pacific Celebration '89 activities shall create increased opportunities for marketing Washington state products and services, include a series of leadership conferences on emerging issues of the Pacific economy, promote Washington state as the focus of trade activity within the Pacific basin, recognize the contributions to the development of Washington state by people of Pacific heritage, and increase knowledge and understanding of Pacific cultures by Washington citizens. Activities shall be staged in communities throughout the state during the centennial year.

(b) Each \$1.00 in state funds provided to Pacific Celebration shall be matched over the course of the biennium by at least \$1.60 in private contributions and event sponsorships. If, at any point during the biennium, the centennial commission determines that private contributions and event sponsorships will, by the end of the biennium, amount to less than \$1.60 for each \$1.00 of state money provided, it shall reduce disbursements proportionally.

(c) Any state money used for contracts with Pacific Celebration shall be repaid, to the greatest extent possible, from net revenue of Pacific Celebration activities. Net revenues from these activities shall be maximized and returned to the general fund according to a financial plan approved by the commission.

(3) The general fund appropriation is intended to be the final state contribution to the funding of centennial commission projects.

(4) If the commission terminates the contracts authorized under subsection (2) of this section prior to the effective date of this 1988 section, the commission shall use all money that had been committed to but will not be expended for these contracts on the following activities: (a) Efforts to increase opportunities for marketing Washington state products and services; (b) a series of leadership conferences on emerging issues of the Pacific economy; (c) promotion of Washington state as the focus of trade activity within the Pacific basin; (d) recognition of the contributions to the development of Washington state by people of Pacific heritage; and (e) efforts to increase knowledge and understanding of Pacific cultures by Washington citizens.

(5) \$50,000 of the general fund appropriation is provided solely for staff and administrative services by the department of community development for a 20:20 commission. The 20:20 commission shall develop a plan to prepare the state to respond positively to the economic, social, and environmental changes which will face its citizens as they enter the next century.

PART IV TRANSPORTATION

Sec. 401, Section 401, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

Death Investigations Account Appropriation	\$	24,000
General Fund Appropriation—State	\$	((16,938,866))
		19,306,000
General Fund Appropriation—Federal	\$	2,974,000
General Fund Appropriation—Private/Local	\$	((1,769,866))
		146,000
Total Appropriation	\$	((21,765,866))
		22,450,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ((At least \$471,000 of the general fund—state appropriation shall be spent on crime labs \$1,424,000 of the general fund—federal appropriation is provided solely for crime labs if federal narcotics enforcement moneys are granted to the state. If these moneys are not granted to the state, an additional \$471,000 of the general fund—state appropriation shall be spent on crime labs. If the additional \$471,000 is spent on crime labs, the expenditure for the narcotics section shall not exceed the expenditures for that purpose during the 1985-1987 biennium.)) \$721,000 of the general fund—state appropriation shall be spent on crime labs. \$1,000,000 of the general fund—federal appropriation is provided solely for crime labs to the extent federal narcotics moneys are provided to the state.

(2) \$431,000 of the general fund—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5063. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse. Fees resulting from implementation of the bill shall be placed in the state general fund.

(3) Notwithstanding subsection (1) of this section, an additional \$500,000 of the general fund—state appropriation shall be spent on crime labs. \$275,000 of this amount shall be used for additional personnel and related costs. The remainder shall be used for salary adjustments as approved by the department of personnel.

(4) \$300,000 of the general fund—state appropriation is provided solely to support existing narcotics task forces state-wide that are experiencing decreasing federal revenues.

(5) \$300,000 of the general fund—state appropriation is provided solely to establish a separate unit to provide expertise in the investigation of major crimes and to provide assistance to law enforcement entities throughout the state at their request. The state patrol shall develop a computer database and record system to store crime scene information to assist in major crimes investigations and to make such data readily available to all law enforcement agencies.

Sec. 402. Section 402, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((15,500,000))
		15,704,000
Architects' License Account Appropriation	\$	765,000
Health Professions Account Appropriation	\$	((9,601,000))
		9,709,000
Medical Disciplinary Account Appropriation	\$	1,195,000
Professional Engineers' Account Appropriation	\$	1,207,000
Real Estate Commission Account Appropriation	\$	4,936,000
Total Appropriation	\$	((33,212,000))
		33,516,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$426,000 from the health professions account appropriation may be used to contract with the board of pharmacy for drug-related investigations regarding licensed health care professionals.

(2) \$750,000 of the general fund appropriation is provided solely for expansion of the master license system. ~~(This funding is contingent on interagency transfers totaling \$548,000 in value. The office of financial management shall determine: (a) which agencies shall make transfers to the department of licensing; (b) how much each agency shall transfer; and (c) whether the transfers shall be money or in-kind.~~

~~(4))~~ (3) \$420,000 of the general fund appropriation is provided solely for implementation of Engrossed House Bill No. 713. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.

(4) \$64,000 of the general fund appropriation is provided solely for enhanced regulation and scrutiny of debenture companies under the provisions of Substitute House Bill No. 1525. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(5) \$28,000 of the general fund appropriation is provided solely for recording federal liens under Engrossed Senate Bill No. 6563. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse. The amount spent under this subsection shall not exceed the amount of additional fee revenue generated under the bill.

(6) \$83,000 of the health professions account appropriation is provided solely for certifying and registering nursing assistants under Engrossed Substitute House Bill No. 1530. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(7) \$25,000 of the health professions account appropriation is provided solely for adopting rules governing the use of sedation and anesthesia for dental practice under Engrossed House Bill No. 668. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

(8) \$104,000 of the general fund appropriation is provided solely for regulation of camping clubs under Substitute House Bill No. 791. If the bill is not enacted by June 30, 1988, the amount provided in this subsection shall lapse.

PART V
EDUCATION

Sec. 501. Section 501, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE ADMINISTRATION

General Fund Appropriation—State	\$	((17,701,000))
		17,601,000
General Fund Appropriation—Federal	\$	10,683,000
Public Safety and Education Account Appropriation	\$	456,000
Total Appropriation	\$	((28,840,000))
		28,740,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The public safety and education account appropriation is provided solely for administration of the traffic safety education program, including in-service training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) \$364,000 of the general fund—state appropriation is provided solely for the continuation of the international education and teacher exchange programs. \$50,000 of this amount shall be used to contract for services to expand the program to include Latin America.

(3) \$18,000 of the general fund—state appropriation is provided solely for the continuation of the environmental education program.

(4) \$50,000 of the general fund—state appropriation is provided solely for pilot programs for Hispanic dropout prevention and retrieval.

(5) \$43,000 of the general fund—state appropriation is provided solely for the purchase of multi-cultural/multi-ethnic instructional materials to be distributed to all elementary and secondary school buildings in the state.

(6) The superintendent of public instruction shall, jointly with the state board for community college education, develop an integrated state plan for all state and federally funded vocational education services. The superintendent of public instruction and the state board for community college education shall also jointly develop a consistent and reliable data base on public vocational education, including enrollments, costs, program activities, and job placement. Such data shall be made available to the office of the governor and the legislature.

(7) \$35,000 of the general fund—state appropriation is provided solely for the development of a horticulture greenhouse project within the Sequim school district.

Sec. 502, Section 503, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 3rd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT (BASIC EDUCATION)

General Fund Appropriation	\$	((3,814,863,666))
		3,834,946,000
Revenue Accrual Account Appropriation	\$	55,100,000
Total Appropriation	\$	((3,869,963,666))
		3,890,046,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$~~((367,786,666))~~ 367,323,000 is provided solely for the remaining months of the 1986-87 school year.

(2) Allocations for certificated staff salaries for the 1987-88 and 1988-89 school years shall be determined by multiplying each district's average basic education certificated instructional and administrative salaries as determined under section 504, chapter 7, Laws of 1987 1st ex. sess., as amended, by the districts' formula-generated staff units as follows:

(a) On the basis of average annual full time equivalent enrollments, excluding handicapped full time equivalent enrollment as recognized for funding purposes under section 507, chapter 7, Laws of 1987 1st ex. sess., and excluding full time equivalent enrollment otherwise recognized for certificated staff unit allocations under (d) through (i) of this subsection:

(i) Forty-six certificated instructional staff units for each one thousand full time equivalent kindergarten through twelfth grade students.

(ii) Four certificated administrative staff units for each one thousand full time equivalent kindergarten through twelfth grade students.

(b)(i) For the 1987-88 school year, an additional two certificated instructional staff units for each one thousand average annual full time equivalent students in kindergarten through third grade.

(ii) For the 1988-89 school year, an additional three certificated instructional staff units for each one thousand average annual full time equivalent students in kindergarten through third grade.

(c)(i) For school districts with a minimum enrollment of 250 full time equivalent students, whose full time equivalent student enrollment count in a given month exceeds the first of the month full time equivalent enrollment count by 5 percent, an additional state allocation of 110 percent of the share that such increased enrollment would have generated had such additional full time equivalent students been included in the normal enrollment count for that particular month.

(ii) For school districts that are located in a special economic distress impact area as defined in this subsection, and that experienced a decline in average annual full time equivalent enrollment between the 1987-88 and 1988-89 school years of at least two hundred full time equivalent students or four percent, whichever is less, additional staff unit allocations for the 1988-89 school year equivalent to the number of staff units generated under (a) of this subsection by half of the enrollment difference between the two school years. 'Special economic distress impact area' shall mean a county that had an average unemployment rate for fiscal year 1988 which exceeded the average state unemployment rate for the same period by fifteen percent, and which is located in whole or in part within a fifty mile radius of a nuclear reactor scheduled to be placed in inoperative standby status.

(d) 0.92 certificated instructional staff units and 0.08 certificated administrative staff units for each seventeen and one-half full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction. However, for skill center programs, the ratio shall be 0.92 certificated instructional staff units and 0.08 certificated administrative staff units for each annual average 16.67 full time equivalent students enrolled in an approved vocational education program.

(e) For districts enrolling not more than twenty-five average annual full time equivalent students in kindergarten through grade eight, and for small school plants within any school district which enroll not more than twenty-five average annual full time equivalent kindergarten through eighth grade students and have been judged to be remote and necessary by the state board of education:

(i) For those enrolling no students in grades seven or eight, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in either grades seven or eight, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled.

(f) For districts enrolling more than twenty-five but not more than one hundred average annual full time equivalent students in kindergarten through grade eight, and for small school plants within any school district which enroll more than twenty-five average annual full time equivalent kindergarten through eighth grade students and have been judged to be remote and necessary by the state board of education, in the following cases:

(i) For districts and small school plants with enrollments of up to sixty annual average full time equivalent students in kindergarten through grade six, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units;

(ii) For districts and small school plants with enrollments of up to twenty annual average full time equivalent students in grades seven and eight, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units.

(g) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit.

(h) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit.

(i) For districts that operate no more than two high schools with enrollments of not more than three hundred average annual full time equivalent students, for enrollments in each such high school, excluding handicapped and vocational full time equivalent enrollments for the 1987-88 school year only:

(i) Nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty annual average full time equivalent students; ~~((and))~~

(ii) Additional certificated staff units based upon a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per forty-three and one-half average annual full time equivalent students; and

(iii) For the 1988-89 school year, excluding certificated staff units at the rate of 46 certificated instructional staff units and 4 certificated administrative staff units per 1,000 vocational and handicapped full time equivalent students.

(3) Allocations for classified salaries for the 1987-88 and 1988-89 school years shall be calculated by multiplying each district's average basic education classified salary allocation as determined under section 504(2), chapter 7, Laws of 1987 1st ex. sess., as amended, by the district's formula-generated classified staff units determined as follows:

(a) For enrollments generating certificated staff unit allocations under subsections (2) (e) through (i) of this section, one classified staff unit per each three certificated staff units allocated under such subsections.

(b) For all other enrollment in grades kindergarten through twelve, including vocational but excluding handicapped full time equivalent enrollments, one classified staff unit for each sixty average annual full time equivalent students.

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit.

(4) Fringe benefit allocations shall be calculated at a rate of 19.41 percent in the 1987-88 school year and 19.53 percent in the ~~((1987-88))~~ 1988-89 school year of certificated salary allocations provided under subsection (2) of this section, and a rate of 17.00 percent in the 1987-88 school year and 17.12 percent in the 1988-89 school year of classified salary allocations provided under subsection (3) of this section.

(5) Insurance benefit allocations for the 1987-88 and 1988-89 school years shall be calculated at a rate of \$167 per month for the number of certificated staff units determined in subsection (2) of this section and for the number of classified staff units determined in subsection (3) of this section multiplied by 1.152.

(6)(a) For nonemployee related costs with each certificated staff unit allocated under subsections (2) (a), (b), (c), and (e) through (i) of this section, there shall be provided a maximum of \$5,973 per certificated staff unit in the 1987-88 school year and a maximum of \$6,188 per certificated staff unit in the 1988-89 school year.

(b) For nonemployee related costs with each certificated staff unit allocated under subsection (2)(d) of this section, there shall be provided a maximum of \$11,382 per certificated staff unit in the 1987-88 school year and a maximum of \$11,792 per certificated staff unit in the 1988-89 school year.

(7) Allocations for costs of substitutes for classroom teachers shall be distributed at a maximum rate of \$275 per full time equivalent basic education classroom teacher during the 1987-88 and 1988-89 school years.

(8) The superintendent may distribute a maximum of \$3,209,000 outside the basic education formula during fiscal years 1988 and 1989 as follows:

(a) For fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW, a maximum of \$342,000 may be expended in fiscal year 1988 and a maximum of \$342,000 in fiscal year 1989.

(b) For summer vocational programs at skills centers, a maximum of \$1,099,000 may be expended in fiscal year 1988 and a maximum of \$1,135,000 may be expended in fiscal year 1989.

(c) A maximum of ~~\$(272,660)~~ 472,000 may be expended for school district emergencies.

(9) Formula enhancements are provided under this section which are not attributable to enrollment or workload changes, compensation increases, or inflationary adjustments. For the purposes of ~~((section 101, chapter 2, Laws of 1987 1st ex. sess.))~~ RCW 84.52.0531, the following allocations ~~((for the 1987-88 school year))~~ shall be recognized as levy reduction funds:

(a) For the 1987-88 school year, for certificated instructional staff units generated under subsection (2)(b)(i) of this section, all allocations for nonemployee-related costs and one-half of all allocations for certificated salaries and benefits.

(b) For the 1988-89 school year, for certificated instructional staff units generated under subsection (2)(b)(ii) of this section, one-third of all allocations including nonemployee-related costs and certificated staff salaries and benefits.

(10) For the purposes of section 101, chapter 2, Laws of 1987 1st ex. sess., the increase per full time equivalent student in the state basic education appropriation provided under this section and section 514 of this 1988 act is 2.75 percent between the 1986-87 and 1987-88 school years, and ~~((3.52))~~ 4.93 percent between the 1987-88 and 1988-89 school years.

(11) The revenue accrual account appropriation is provided solely for allocations for employer contributions to the teachers' retirement system included under subsection (4) of this section.

(12) A maximum of \$372,000 may be distributed to enhance funding provided in subsections (1) through (8) of this section for remote and necessary school plants on islands without scheduled public transportation which are the sole school plants serving students in elementary grades on these islands. ~~((Any school district receiving an allocation under this subsection must certify that funding distributed for its remote and necessary school plants under this subsection and subsection (2)(e) of this section is used solely for programs for students enrolled in these school plants.))~~ To be eligible in any school year for an allocation under this subsection, a school district must demonstrate that, either on an aggregate or per pupil basis, the percentage growth from the prior year in the district's expenditures for programs for students enrolled in the remote school plant is not less than the percentage growth from the prior school year in the district's operating expenditures district-wide. The superintendent of public instruction shall ensure compliance with this subsection, including appropriate distribution of school district overhead costs. The superintendent shall study and, in a report submitted to the legislature prior to December 1, 1988, make recommendations on adequate but not excessive funding formulas for remote and necessary school plants serving less than twenty-five students.

(13) The appropriations in this section include \$119,343,000 allocated for compensation increases for basic education staff, as provided pursuant to section 504, chapter 7, Laws of 1987 1st ex. sess., as amended.

Sec. 503. Section 504, chapter 7, Laws of 1987 1st ex. sess. as amended by section 2, chapter 1, Laws of 1987 3rd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION

For the purposes of section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, and this section, the following conditions and limitations apply:

(1) (a) Districts shall certify to the superintendent of public instruction such information as may be necessary regarding the years of service and educational experience of basic education certificated instructional employees for the purposes of calculating certificated instructional staff salary allocations pursuant to this section. Any change in information previously certified, on the basis of additional years of experience or educational credits, shall be reported and certified to the superintendent of public instruction at the time such change takes place.

(b) For the purposes of ~~((subsection (2) of))~~ this section, 'basic education certificated instructional staff' is defined as provided in ~~((section 203, chapter 2, Laws of 1987 1st ex. sess))~~ RCW 28A.41.110.

(c) 'LEAP Document 1' means the computerized tabulation establishing staff mix factors for basic education certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on August 18, 1987, at 13:26 hours.

(d) 'LEAP Document 10' means the computerized tabulation of 1986-87 average salary allocations for basic education certificated administrative staff and basic education classified staff, as developed by the legislative evaluation and accountability program committee on May 11, 1987, at 11:06 hours.

(e) 'LEAP Document 11' means the computerized tabulation of 1986-87 derived base salaries for basic education certificated instructional staff, as developed by the legislative evaluation and accountability program committee on August 19, 1987, at 10:29 hours.

(f) 'Derived base salary' means a school district's average salary for basic education certificated instructional staff, divided by the district's average staff mix factor for such staff computed using LEAP Document 1.

(2)(a)(i) For the 1987-88 school year, average salary allocations for basic education certificated administrative staff under section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the district's 1986-87 certificated administrative average salary shown on LEAP Document 10, increased by 2.1 percent of the 1986-87 LEAP Document 10 state-wide average salary for certificated administrative staff.

(ii) For the 1988-89 school year, average salary allocations for basic education certificated administrative staff under section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the district's certificated administrative average salary allocation for the 1987-88 school year provided under this section, further increased by 2.14 percent of the 1986-87 LEAP Document 10 state-wide average salary.

(b)(i) For the 1987-88 school year, average salary allocations for basic education classified staff under section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the district's 1986-87 classified average salary shown on LEAP Document 10, increased by 2.7 percent of the 1986-87 LEAP Document 10 state-wide average salary for classified staff.

(ii) For the 1988-89 school year, average salary allocations for basic education classified staff under section 503, chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the district's classified average salary allocation for the 1987-88 school year provided under this section, further increased by 2.77 percent of the 1986-87 LEAP Document 10 state-wide average classified salary.

(c) Allocations for certificated instructional salaries in the 1987-88 school year under section 503(2), chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the greater of:

(i) The district's average salary as determined by placing the district's actual full time equivalent basic education certificated instructional staff for that school year on the 1987-88 state-wide salary allocation schedule established in subsection (3)(a) of this section; or

(ii) The district's actual average annual basic education certificated instructional staff salary for the 1986-87 school year, as reported to the superintendent of public instruction prior to June 1, 1987, improved by 2.1 percent; or

(iii) The district's 1986-87 derived base salary for basic education certificated instructional staff as shown on LEAP Document 11, multiplied by the district's average staff mix factor determined using LEAP Document 1 for 1987-88 basic education certificated instructional staff, and further increased by 2.1 percent.

(d) Allocations for certificated instructional salaries in the 1988-89 school year under section 503(2), chapter 7, Laws of 1987 1st ex. sess., as amended, shall be the greater of:

(i) The district's average salary as determined by placing the district's actual full time equivalent basic education certificated instructional staff for that school year on the 1988-89 state-wide salary allocation schedule established in subsection (3)(b) of this section; or

(ii) For districts which received salary allocations for the 1987-88 school year under subsection (2)(c)(ii) or (iii) of this section, the district's actual 1987-88 derived base salary for basic education certificated instructional staff computed by the superintendent of public instruction using LEAP Document 1, multiplied by the district's average staff mix factor determined using LEAP Document 1 for 1988-89 basic education certificated instructional staff, and further increased by 2.1 percent. In no case shall the actual 1987-88 derived base salary recognized in this subsection exceed the average salary used for state allocations in the 1987-88 school year for basic education certificated instructional staff under section 502 of this 1988 act.

including the increases provided under this section and section 504(4) of this 1988 act, divided by the district's average staff mix factor for 1987-88 basic education certificated instructional staff.

(3) Pursuant to (~~section 204, chapter 2, Laws of 1987 1st ex. sess.~~) RCW 28A.41.112, the following state-wide salary allocation schedules for certificated instructional staff, for allocation purposes only, are established:

(a) 1987-88 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA	BA+15	BA+30	BA+45
0	17,050	17,510	17,988	18,465
1	17,681	18,158	18,653	19,164
2	18,329	18,823	19,335	19,897
3	19,011	19,522	20,051	20,648
4	19,710	20,255	20,801	21,432
5	20,443	21,006	21,568	22,250
6	21,210	21,773	22,370	23,103
7	21,995	22,574	23,188	23,972
8	22,796	23,410	24,041	24,893
9		24,279	24,944	25,831
10			25,865	26,820
11				27,843
12				
13				
14 or more				

1987-88 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	20,000	20,989	20,000	21,210	22,250
1	20,750	21,756	20,750	21,995	23,069
2	21,517	22,557	21,517	22,813	23,921
3	22,301	23,393	22,301	23,648	24,808
4	23,137	24,262	23,137	24,518	25,728
5	23,989	25,166	23,989	25,439	26,666
6	24,876	26,087	24,876	26,376	27,655
7	25,797	27,058	25,797	27,348	28,678
8	26,751	28,064	26,751	28,354	29,752
9	27,740	29,104	27,740	29,411	30,843
10	28,763	30,179	28,763	30,502	31,986
11	29,838	31,287	29,838	31,628	33,162
12	30,946	32,446	30,946	32,804	34,390
13	32,088	33,640	32,088	34,015	35,669
14 or more		34,884	33,265	35,276	36,981

(b) 1988-89 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA	BA+15	BA+30	BA+45
0	17,600	18,075	18,568	19,061
1	18,251	18,744	19,254	19,782
2	18,920	19,430	19,958	20,539
3	19,624	20,152	20,698	21,314
4	20,346	20,909	21,472	22,123
5	21,102	21,683	22,264	22,968
6	21,894	22,475	23,091	23,848
7	22,704	23,302	23,936	24,746
8	23,531	24,165	24,816	25,696
9		25,062	25,749	26,664
10			26,699	27,685
11				28,741
12				

(b) 1988-89 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA	BA+15	BA+30	BA+45
13 14 or more				

1988-89 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	20,645	21,666	20,645	21,894	22,968
1	21,419	22,458	21,419	22,704	23,813
2	22,211	23,285	22,211	23,549	24,693
3	23,021	24,147	23,021	24,411	25,608
4	23,883	25,045	23,883	25,309	26,558
5	24,763	25,978	24,763	26,259	27,526
6	25,678	26,928	25,678	27,227	28,547
7	26,629	27,931	26,629	28,230	29,603
8	27,614	28,970	27,614	29,269	30,712
9	28,635	30,043	28,635	30,360	31,838
10	29,691	31,152	29,691	31,486	33,018
11	30,800	32,296	30,800	32,648	34,232
12	31,944	33,493	31,944	33,862	35,499
13	33,123	34,725	33,123	35,112	36,819
14 or more		36,010	34,338	36,414	38,174

(c) As used in this subsection:

(i) 'BA' means a baccalaureate degree;

(ii) 'MA' means a masters degree;

(iii) 'PHD' means a doctorate degree;

(iv) '+' (N) means the number of college quarter hour credits and inservice credits earned since the highest degree. Inservice hours shall be converted to equivalent college quarter hour credits in accordance with RCW 28A.71.110.

(4) (a) Prior to August 31st of each school year, each school district shall report to the superintendent of public instruction the following information for each certificated instructional employee employed by the district as of October 1st of that school year:

(i) The full time equivalency of the employee by duty code and program assignment;

(ii) The number of days in the employee's base contract;

(iii) The finalized salary amount provided for the employee's base contract;

(iv) The amount contributed by the school district for the employee's fringe benefits as defined in RCW 28A.58.0951(3)(b); and

(v) The finalized amount paid to the employee for any supplemental contracts under RCW 28A.58.0951(4).

Districts shall also confirm this data and submit any necessary revisions prior to December 1st of the subsequent school year.

(b) Prior to August 31st of each school year, each school district shall submit to the superintendent of public instruction copies of the district's finalized salary schedules used for compensation of certificated instructional employees.

(c) The superintendent of public instruction shall make available to school districts, the legislature, and the governor the information submitted by the school districts under this subsection (4), including calculation of average amounts provided by each school district for base salary contracts, supplemental contracts, and fringe benefits of basic education certificated instructional staff and of other certificated instructional staff.

Sec. 504. Section 505, chapter 7, Laws of 1987 1st ex. sess. as amended by section 3, chapter 1, Laws of 1987 3rd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MINIMUM SALARIES AND CATEGORICAL PROGRAM SALARY INCREASES

General Fund Appropriation \$ (22,549,000)
23,264,000

The appropriation in this section is subject to the following conditions and limitations:

(1) 'Incremental fringe benefits' means 18.77 percent in the 1987-88 school year and 18.89 percent in the 1988-89 school year for certificated staff, and 13.47 percent in the 1987-88 school year and 13.59 percent in the 1988-89 school year for classified staff, which percentages shall be the fringe benefit rates applied to the respective salary adjustments provided in subsections (3) and (4) of this section.

(2) A maximum of ~~\$(8,431,666)~~ 8,185,000 is provided to implement salary increases for each school year for state-supported school employees in the following categorical programs: Transitional bilingual instruction, learning assistance, education of highly capable students, vocational technical institutes, and pupil transportation. Moneys provided by this subsection include costs of incremental fringe benefits and shall be distributed by increasing allocation rates for each school year by the amounts specified:

(a) Transitional bilingual instruction: The rates specified in section 509, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$10.51 per pupil for the 1987-88 school year and by ~~\$(21,66)~~ 21.68 per pupil for the 1988-89 school year.

(b) Learning assistance: The rates specified in section 510, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$9.15 per pupil for the 1987-88 school year and by ~~\$(18,66)~~ 16.72 per pupil for the 1988-89 school year.

(c) Education of highly capable students: The rates specified in section 511, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$6.23 per pupil for the 1987-88 school year and by \$12.84 per pupil for the 1988-89 school year.

(d) Vocational technical institutes: The rates for vocational programs specified in section 513, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$57.15 per full time equivalent student for the 1987-88 school year, and by ~~\$(117,45)~~ 114.91 per full time equivalent student for the 1988-89 school year.

(e) Pupil transportation: The rates provided under section 516, chapter 7, Laws of 1987 1st ex. sess. shall be increased by \$0.47 per weighted pupil-mile for the 1987-88 school year, and by ~~\$(8,95)~~ 0.86 per weighted pupil-mile for the 1988-89 school year.

(3) A maximum of ~~\$(13,118,666)~~ 14,979,000 is provided for salary increases and incremental fringe benefits for state-supported staff unit allocations in the handicapped program, section 507, and for state-supported staff in institutional education programs, section 508, and in educational service districts, section 502. The superintendent of public instruction shall distribute salary increases for these programs not to exceed the percentage salary increases provided for basic education staff under section 504, chapter 7, Laws of 1987 1st ex. sess.

(4) A maximum of ~~\$(1,000,000)~~ 100,000 is provided solely to implement minimum salaries, distributed as follows:

(a) For any certificated instructional employee in the 1987-88 school year, the superintendent of public instruction may allocate additional salary moneys equal to:

(i) The minimum salary required for the employee under RCW 28A.58.0951(2); minus

(ii) The salary that the school district would have paid to such an employee in the 1986-87 school year at the employee's 1987-88 level of experience and education, increased by the average percentage increase provided in the district's derived base salary for basic education certificated instructional staff under section 2 of this 1987 act between the 1986-87 and 1987-88 school years. For the purposes of this section, no salary which an employee would have been paid in the 1986-87 school year shall be considered to be less than \$16,500 on a full time equivalent basis if the district had received funds under section 502(3)(f) of chapter 7, Laws of 1987, to establish a minimum certificated salary of \$16,500.

(b) For any certificated instructional employee in the 1988-89 school year, the superintendent of public instruction may allocate additional salary moneys equal to:

(i) The minimum salary required for the employee under RCW 28A.58.0951(2); minus

(ii) The salary that the school district would have paid to such an employee during the 1987-88 school year at the employee's 1988-89 level of experience and education, increased by the average percentage increase provided in the district's derived base salary for basic education certificated instructional staff under section 2 of this 1987 act between the 1987-88 and 1988-89 school years.

(c) The superintendent of public instruction shall allocate incremental fringe benefits as defined in subsection (1) of this section for additional salary moneys allocated under (a) and (b) of this subsection.

Sec. 505. Section 506, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—LOCAL EDUCATION PROGRAM ENHANCEMENT FUNDS

General Fund Appropriation \$ ~~((49,500,000))~~
45,042,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The purpose of this section is to provide a grant, in addition to the district's basic education allocation, to each school district based on full time equivalent student enrollment to meet the educational needs of each district.

(2) School districts shall be eligible to receive a grant in addition to their basic education allocation. This additional grant shall be distributed to local school districts from the superintendent of public instruction on the basis of full time equivalent students. For districts enrolling not more than one hundred average annual full time equivalent students, except as otherwise specified, and for small school plants within any school district, which small plants have been

judged to be remote and necessary by the state board of education, the grant shall be distributed as follows:

(a) For grades K-6, for districts enrolling not more than sixty average full time equivalent students, the grant shall be based on sixty full time equivalent students;

(b) For grades 7 and 8, for districts enrolling not more than twenty average full time equivalent students, the grant shall be based on twenty full time equivalent students; and

(c) For districts that have high schools with sixty or fewer full time equivalent students, the grant shall be based on sixty full time equivalent students.

(3) For each school year beginning in the 1987-89 biennium, each school district shall receive, in addition to the basic education allocation, a grant ~~((of no less than \$67.50))~~ per full time equivalent student of a maximum of \$33.75. Grants shall be distributed on a school year basis. A maximum of ~~\$(24,756,666))~~ 24,900,000 may be allocated for the 1987-88 school year.

(4) For the purposes of this section, each school board shall:

(a) Assess the needs of the schools within the district;

(b) Assign priority to addressing the identified needs; and

~~((d))~~ (c) Develop an evaluation methodology to assess specifically how the expenditure of the grants demonstrate a direct educational benefit to the pupils within the district.

(5) New or existing programs enhanced by the funds provided to districts by a grant under this chapter shall not become a part of the state's basic education obligation as set forth by the Constitution.

~~((e))~~ (6) Local district grants may be used to fund any or all of the following activities:

(a) Innovative programs to increase the adult-pupil ratio without increasing the number of certificated staff, including but not limited to:

(i) Providing stipends to competent retired teachers to return them to the classroom as 'team teachers' or classroom assistants;

(ii) Providing stipends to teachers' aides;

(iii) Providing incentives to administrators who spend a portion of their work day in the classroom team teaching or providing classroom assistance;

(iv) Providing recognition to citizen volunteers who assist in the classroom;

(v) Providing training programs for classroom assistants, including volunteers; and

(vi) Purchasing equipment that directly relates to classroom instruction or assists the teacher in minimizing time away from teaching.

(b) Dropout prevention and retrieval programs, including, but not limited to:

(i) Curriculum development;

(ii) Public and private sector partnerships in expanding offerings in programs such as 'Choices' and the 'Registry' program;

(iii) Alternative learning program development;

(iv) Enhancement of vocational, career, college, and pupil advisory programs;

(v) Elementary school advisory programs;

(vi) Mentor pupil programs such as 'Natural Helpers'; and

(vii) Curriculum materials and equipment purchases.

(c) Drug and alcohol abuse programs, including, but not limited to:

(i) In-service staff training programs for the identification of students at-risk; and

(ii) Community services networking to direct students who are substance abusers to appropriate treatment facilities.

(d) Early childhood programs, including but not limited to:

(i) A parents as first teachers program that provides for resource materials on home learning activities, private and group educational guidance, individual and group learning experiences for the parent and child, and other appropriate activities to enable parents to improve learning in the home, understand the relationship between developmental stages and behavior, and monitor their children's growth and development relating to understanding and use of language; perception through sight and hearing; motor development and hand-eye coordination; and health, physical development, and emotional, social, and mental development;

(ii) Nutritional programs;

(iii) Parental participation programs; and

(iv) Child day-care programs.

(e) In-service training programs for staff development including, but not limited to:

(i) Funding speakers or group leaders to deliver in-service training to staff;

(ii) Program materials and equipment;

(iii) Tuition, registration fees, and associated fees for attendance at seminars, workshops, or courses that directly relate to enhancing adult training for classroom duties; and

(iv) Travel reimbursement directly related to in-service training.

(f) Programs that develop and promote logical reasoning and improved analytical skills, including programs for highly capable students.

~~((f))~~ (7) Small or rural districts may enter into cooperative agreements to provide educational enhancements through the sharing of grant funds.

((+)) (8) The superintendent of public instruction shall make a comprehensive report to the legislature on the use of the local district grants and the educational benefits derived therefrom by January 31, 1989.

Sec. 506. Section 507, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED EDUCATION PROGRAMS

General Fund Appropriation—State	\$	((407-476-000)) 423,035,000
General Fund Appropriation—Federal	\$	45,318,000
Total Appropriation	\$	((452-794-000)) 468,353,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$(41-565-000))~~ 41,570,000 of the general fund—state appropriation is provided solely for the remaining months of the 1986-87 school year.

(2) The superintendent of public instruction shall distribute state funds for the 1987-88 and 1988-89 school years in accordance with districts' actual handicapped enrollments and the allocation model established in LEAP Document 9 as developed by the legislative evaluation and accountability program committee on April 27, 1987, at 14:43 hours.

(3) A maximum of \$411,000 may be expended from the general fund—state appropriation to fund 4.66 full time equivalent teachers and one aide at Children's Orthopedic Hospital and Medical Center. This amount is in lieu of money provided through the home and hospital allocation and the handicapped program.

(4) From state or federal funds appropriated under this section, the superintendent of public instruction shall allocate a total of \$130,000 for the early childhood home instruction program for hearing impaired infants and their families.

Sec. 507. Section 508, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	((20-121-000)) 21,445,000
General Fund Appropriation—Federal	\$	7,034,000
Total Appropriation	\$	((27-155-000)) 28,479,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$(9-577-000))~~ 3,462,000 of the general fund—state appropriation is provided solely for the remaining months of the 1986-87 school year.

(2) ~~\$(10-094-000))~~ 10,908,000 of the general fund—state appropriation is provided solely for the 1987-88 school year, distributed as follows:

(a) \$4,128,000 is provided solely for programs in state institutions for the handicapped or emotionally disturbed. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of \$10,294 per full time equivalent student.

(b) ~~\$(2-978-000))~~ 3,368,000 is provided solely for programs in state institutions for delinquent youth. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(5-465))~~ 6,112 per full time equivalent student.

(c) ~~\$(370-000))~~ 390,000 is provided solely for programs in state group homes for delinquent youth. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(3-492))~~ 3,678 per full time equivalent student.

(d) ~~\$(504-000))~~ 733,000 is provided solely for juvenile parole learning center programs. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(1-395))~~ 1,815 per full time equivalent student, and are in addition to moneys allocated for these students through the basic education formula established in section 503 of this act.

(e) ~~\$(2-054-000))~~ 2,289,000 is provided solely for programs in county detention centers. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(4-012))~~ 4,471 per full time equivalent student.

(3) Distribution of state funding for the 1988-89 school year shall be based upon the following overall limitations for that school year including expenditures anticipated for July and August of 1989:

(a) State funding for programs in state institutions for the handicapped or emotionally disturbed may be distributed at a maximum rate averaged over all of these programs of \$10,296 per full time equivalent student and a total allocation of no more than \$3,735,000 for that school year.

(b) State funding for programs in state institutions for delinquent youth may be distributed at a maximum rate averaged over all of these programs of ~~\$(5-410))~~ 6,116 per full time equivalent student and a total allocation of no more than ~~\$(2-094-000))~~ 3,272,000 for that school year.

(c) State funding for programs in state group homes for delinquent youth may be distributed in that school year at a maximum rate averaged over all of these programs of $\$(\underline{3,592})$ 3,688 per full time equivalent student and a total allocation of no more than $\$(\underline{371,000})$ 391,000 for that school year.

(d) State funding for juvenile parole learning center programs may be distributed at a maximum rate averaged over all of these programs of $\$(\underline{1,387})$ 1,808 per full time equivalent student and a total allocation of no more than $\$(\underline{569,000})$ 730,000 for that school year, excluding funds provided through the basic education formula established in section 503 of this act.

(e) State funding for programs in county detention centers may be distributed at a maximum rate averaged over all of these programs of $\$(\underline{4,022})$ 4,482 per full time equivalent student and a total allocation of no more than $\$(\underline{2,657,000})$ 2,295,000 for that school year.

(4) The superintendent of public instruction may distribute a maximum of $\$(\underline{153,000})$ 33,000 from the general fund—state appropriation to supplement moneys provided under subsections (1) through (3) of this section, for the purpose of addressing enrollment variations or other program needs, including increases in summer school programs.

(5) \$100,000 of the general fund—state appropriation is provided solely for grants for the establishment of job search skills, preemployment training, and job placement programs at state institutions for delinquent youth. Grants provided under this subsection shall not exceed twenty-five thousand dollars for any individual institution.

(6) \$120,000 of the general fund—state appropriation is provided solely to increase the teacher/student ratio for programs at mentally ill offender units within the state institutions for delinquent youth.

(7) Notwithstanding any other provision of this section, the superintendent of public instruction may transfer funds between the categories of institutions identified in subsections (2) and (3) of this section, so long as the maximum expenditures per full time equivalent student for each category of institution are not thereby exceeded.

Sec. 508. Section 509, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund Appropriation \$ ((11,294,000))
12,175,000

The appropriation in this section is subject to the following conditions and limitations:

(1) $\$(\underline{1,174,000})$ 1,111,000 is provided solely for the remaining months of the 1986-87 school year.

(2) The superintendent shall distribute funds for the 1987-88 and 1988-89 school years at a rate for each year of \$420 per eligible student.

Sec. 509. Section 510, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM

General Fund Appropriation \$ ((48,011,000))
48,886,000

The appropriation in this section is subject to the following conditions and limitations:

(1) $\$(\underline{3,982,000})$ 3,929,000 is provided solely for the remaining months of the 1986-87 school year.

(2) Funding for school district learning assistance programs serving kindergarten through grade nine shall be distributed during the 1987-88 and 1988-89 school years at a maximum rate of \$356 per unit as calculated pursuant to this subsection. The number of units for each school district in each school year shall be the sum of: (a) The number of full time equivalent students enrolled in kindergarten through grade six in the district multiplied by the percentage of the district's students taking the fourth grade basic skills test who scored in the lowest quartile as compared to national norms, and then reduced by the number of students ages eleven and below in the district who are identified as specific learning disabled and are served through programs established pursuant to chapter 28A.13 RCW; and (b) the number of full time equivalent students enrolled in grades seven through nine in the district multiplied by the percentage of the district's students taking the eighth grade basic skills test who scored in the lowest quartile as compared to national norms, and then reduced by the number of students ages twelve through fourteen in the district who are identified as specific learning disabled and are served through programs established pursuant to chapter 28A.13 RCW. For the purposes of allocating funds for the 1987-88 school year, the superintendent shall use the most recent prior five-year average scores on the fourth grade test and the most recent prior three-year average scores on the eighth grade test. For the purposes of allocating funds for the 1988-89 school year, the superintendent shall use the most recent prior five-year average scores on the fourth grade test and the most recent prior four-year average scores on the eighth grade test.

Sec. 510. Section 511, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund Appropriation \$ ~~(5,272,000)~~
5,275,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) ~~S(482,000)~~ 458,000 is provided solely for distribution to school districts for the remaining months of the 1986-87 school year.
- (2) ~~S(2,483,000)~~ 2,458,000 is provided solely for allocations for school district programs for highly capable students during the 1987-88 school year, distributed at a maximum rate of \$338 per student for up to one percent of each district's 1987-88 full time equivalent enrollment.
- (3) Allocations for school district programs for highly capable students in the 1988-89 school year are to be calculated at a maximum rate for that school year of \$341 per student for up to one percent of each district's 1988-89 full time equivalent enrollment.
- (4) A maximum of \$340,000 is provided to contract for gifted programs to be conducted at Fort Worden state park.

Sec. 511. Section 513, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation \$ ~~(75,138,000)~~
75,023,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) Funding for vocational programs during the 1987-88 school year shall be distributed at a rate of \$2,888 per student for a maximum of 12,050 full time equivalent students.
- (2) Funding for vocational programs during the 1988-89 school year shall be distributed at a rate of \$2,930 per student for a maximum of 12,050 full time equivalent students.
- (3) Funding for adult basic education programs during the 1987-88 school year shall be distributed at a rate of \$1.40 per hour of student service for a maximum of 288,690 hours.
- (4) Funding for adult basic education programs during the 1988-89 school year shall be distributed at a rate of \$1.41 per hour of student service for a maximum of 288,690 hours.
- (5) \$2,000,000 is provided solely for purchase and replacement of equipment to be used in vocational courses.
- (6) ~~S(3,000,000)~~ 2,700,000 is provided solely for the establishment and operation of the Washington institute of applied technology within the Seattle area. This program shall be administered under a cooperative agreement between the Seattle school district, Seattle community college district No. 6, and the Seattle private business community. If Engrossed Senate Bill No. 5996 is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.
- (7) \$185,000 is provided solely to increase the funding rate for vocational programs, effective May 1, 1989, by \$147 per full time equivalent student. The increase is provided to assist vocational-technical institutes in replacing out-of-date or worn-out equipment used for vocational training.

Sec. 512. Section 514, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL AND PILOT PROGRAMS

General Fund Appropriation—State \$ ~~(13,434,000)~~
13,808,000
General Fund Appropriation—Federal \$ 4,000,000
Total Appropriation \$ ~~(17,434,000)~~
17,808,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$855,000 of the general fund—state appropriation is provided solely for a contract with the Pacific Science Center for travelling van programs and other educational services for public schools. The Pacific Science Center shall work towards an equitable distribution of program activities state-wide. The center shall also determine the extent to which the state-wide need for science enrichment for K-12 students and teachers is being met by the outreach programs partially funded by this appropriation. The Pacific Science Center shall examine the geographical and demographic distribution of the populations served by these activities and recommend methods for efficiently reaching underserved student and teacher populations. These findings and recommendations shall be reported to the legislature by July 1, 1988.
- (2) \$84,000 of the general fund—state appropriation is provided solely for a contract with the Cispus learning center for environmental education programs.
- (3) \$4,000,000 of the general fund—federal appropriation is provided solely for the implementation of the substance abuse prevention programs.
- (4) \$5,500,000 of the general fund—state appropriation is provided for solely for the implementation of the drop-out prevention and retrieval provisions of ~~(Engrossed Second Substitute House Bill No. 456. If the bill is not enacted by June 30, 1987, this amount shall lapse)~~ RCW 28A.120.060 through 28A.120.072.

(5) \$2,020,000 of the general fund—state appropriation is provided solely for the implementation of the schools for the twenty-first century pilot programs established by (~~Engrossed Substitute Senate Bill No. 5479. If the bill is not enacted by June 30, 1987, this amount shall lapse.~~) RCW 28A.100.030 through 28A.100.068.

(6) \$2,900,000 of the general fund—state appropriation is provided solely for the beginning teachers assistance program established under (~~Substitute Senate Bill No. 5622. If the bill is not enacted by June 30, 1987, this amount shall lapse.~~) RCW 28A.67.240. For fiscal year 1989, moneys shall be distributed under this subsection at a maximum rate of \$1,700 per mentor/beginning teacher team.

(7) \$225,000 of the general fund—state appropriation is provided solely for child abuse education provisions of (~~Engrossed Substitute Senate Bill No. 5252. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.~~) RCW 28A.03.512 through 28A.03.514.

(8) \$1,600,000 of the general fund—state appropriation is provided solely for grants to public or private nonprofit organizations for scholarships or support services, including but not limited to child care or transportation, for parents of children in headstart or early childhood education and assistance programs who are enrolled in adult literacy classes or tutoring programs under (~~Engrossed Second Substitute House Bill No. 456. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.~~) RCW 28A.130.010 through 28A.130.020.

(9) \$250,000 of the general fund—state appropriation is provided solely for the implementation of the student teaching pilot project established by (~~Engrossed Substitute Senate Bill No. 5479. If the bill is not enacted by June 30, 1987, the amount provided in this subsection shall lapse.~~) RCW 28A.100.030 through 28A.100.068.

(10) \$314,000 of the general fund—state appropriation is provided solely for in-service training and other costs associated with the development of a comprehensive K-12 health education curriculum, including an integral component relating to acquired immunodeficiency syndrome.

(11) \$60,000 of the general fund—state appropriation is provided solely to establish and operate a toll free telephone number at the Lifeline Institute to assist school districts in youth suicide prevention.

Sec. 513. Section 516, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION
General Fund Appropriation \$ ~~(216,956,666)~~
221,840,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) ~~\$(20,678,666)~~ 20,422,000 is provided solely for distribution to school districts for the remaining months of the 1986-87 school year.
- (2) A maximum of ~~\$(95,546,666)~~ 97,507,000 may be distributed for pupil transportation operating costs in the 1987-88 school year.
- (3) A maximum of \$800,000 may be expended for regional transportation coordinators.
- (4) A maximum of \$60,000 may be expended for bus driver training.
- (5) A maximum of \$152,000 may be expended for the state school for the deaf and the state school for the blind to contract for transportation of day students enrolled in those schools. Transportation services funded under this subsection are not eligible for additional state reimbursement provided through the allocation formulas for school district or educational service district pupil transportation programs, but shall, to the maximum extent feasible, be reimbursed on the same basis.

NEW SECTION. Sec. 514. A new section is added to chapter 7, Laws of 1987 1st ex. sess. to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE INSURANCE BENEFIT INCREASES
General Fund Appropriation \$ 31,878,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) Effective October 1, 1988, allocations for insurance benefits for school district and education service district employees are increased to a rate of \$224.75 per month for each full time equivalent certificated employee, and \$224.75 per month for each full time equivalent classified employee as calculated pursuant to this subsection. For the purposes of allocations of insurance benefits, full time equivalent classified employees shall be calculated on the basis of 1440 hours of work per year, with no individual employee counted as more than one full time equivalent.
- (2) The appropriation in this section is provided solely to increase insurance benefit allocations for state-funded certificated and classified staff units in the 1988-89 school year, distributed as follows:
 - (a) A maximum of \$25,717,000 may be expended to increase insurance benefit allocations for basic education staff units under section 502(5) of this act by \$57.75 per month.

(b) A maximum of \$3,303,000 may be expended to increase insurance benefit allocations for handicapped program staff units as calculated under section 506 of this act by \$57.75 per month.

(c) A maximum of \$174,000 may be expended to increase insurance benefit allocations for state-funded staff in educational service districts and institutional education programs by \$57.75 per month.

(d) A maximum of \$2,684,000 may be expended to fund insurance benefit increases in the following categorical programs by increasing state funding rates for the 1988-89 school year as follows:

- (i) For pupil transportation, an increase of \$0.48 per weighted pupil mile;
- (ii) For learning assistance, an increase of \$13.23 per pupil;
- (iii) For education of highly capable students, an increase of \$4.54 per pupil;
- (iv) For transitional bilingual education, an increase of \$8.59 per pupil;
- (v) For vocational-technical institutes, an increase of \$35.22 per full time equivalent pupil.

PART VI
HIGHER EDUCATION

Sec. 601. Section 601, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

The appropriations in sections 602 through 608 of this act are subject to the following conditions and limitations:

(1) For the purposes of this section and sections 602 through 608 of this act, 'institutions of higher education' means the institutions receiving appropriations pursuant to sections 602 through 608 of this act.

(2) Student Quality Standard: During the 1987-89 fiscal biennium, each institution of higher education shall not expend less than the average biennial amount listed in this subsection per full time equivalent student. The amounts include total appropriated operating expenses for the institution, less expenditures for plant maintenance and operations, with the exception of Washington State University, where cooperative extension and agriculture research are also excluded from the per student expenditures. This expenditure per student requirement may vary by two percent if the director of financial management certifies that the failure to meet the minimum expenditures per student is attributable to circumstances beyond the control of the institution.

University of Washington	\$	7,763
Washington State University	\$	6,549
Central Washington University, Eastern Washington University, The Evergreen State College, and Western Washington University:		

The first 3000 FTE Students	\$	5,974
Each Student over 3000 FTE	\$	3,895
State Board for Community College Education	\$	2,793

(3) Each institution of higher education and the state board for community college education shall report to the 1989 regular session of the legislature the following information:

(a) The number of minority students attending the institution or the community college system and the measures taken by such institution or system during the 1987-89 fiscal biennium to increase the number of minority students and reduce the drop-out rates for minority and other students;

(b) The number of women employed by the institution or system and the actions taken by the institution or system to increase the number of women in managerial and senior-level positions;

(c) Actions taken by the institution or community college system to improve the quality of undergraduate and graduate education programs;

(d) Actions taken by the institution or system to expand or improve educational services off the campus and the process for evaluating the need for educational services in locations away from the campus;

(e) The process for evaluating and accepting students for admission into the institution or the system;

(f) Any process developed by the institution or the system for evaluating student performance;

(g) Actions taken by the institution or system to operate programs jointly with another public or private institution;

(h) How the faculty and exempt salary increase funds were distributed among the faculty and staff at each institution and the results of the increased salary levels on faculty and staff recruitment and retention;

(i) The annual faculty turnover rates experienced by the institution or the system; and

(j) The amount spent on instructional equipment, the type of equipment purchased, and the instructional enhancements that resulted from the additional equipment.

The state board for community college education shall collect and report the information required of the community college system under this subsection.

(4) The state board for community college education shall, jointly with the superintendent of public instruction, develop an integrated state plan for all state and federally funded vocational education services. The superintendent of public instruction and the state board for community college education shall also jointly develop a consistent and reliable data base on public vocational education, including enrollments, costs, program activities, and job placement. Such data shall be made available to the office of the governor and the legislature.

((6)) (5) Central Washington University, Eastern Washington University, and Western Washington University shall each collect summer term tuition fees at the same rates established for the regular academic quarter and shall transfer the fees to the state treasury in accordance with RCW 28B.15.031.

((7)) (6) The appropriations in sections 602 through 608 of this act provide the following amounts to identify and recruit minority students from junior high and high schools in the state, to foster minority student interest in a college education, to provide support services such as counseling and tutorial assistance, and to improve the retention of such students in higher education through and beyond the baccalaureate level. At least \$147,000 of the amount appropriated to the University of Washington shall go to increase the efforts of the math, engineering, and science achievement program.

University of Washington	\$	522,000
Washington State University	\$	225,000
Central Washington University	\$	113,000
Eastern Washington University	\$	150,000
The Evergreen State College	\$	75,000
Western Washington University	\$	150,000

((8)) (7) The following are the maximum amounts that may be expended at each institution of higher education from the appropriations in sections 602 through 608 of this act for continuing the salary increases authorized by section 604, chapter 7, Laws of 1987 (ESSB 5351) from July 1, 1987, through February 29, 1988:

University of Washington	\$	3,893,000
Washington State University	\$	2,083,000
Central Washington University	\$	405,000
Eastern Washington University	\$	489,000
The Evergreen State College	\$	212,000
Western Washington University	\$	575,000
State Board for Community College Education	\$	(4,636,000) 3,196,000

Expenditures under this subsection shall be consistent with all terms and conditions contained in section 604, chapter 7, Laws of 1987 (ESSB 5351), which are hereby incorporated by reference.

((9)) (8) The following are maximum amounts which each institution may spend from the appropriations in sections 602 through 608 of this act for faculty and exempt staff salary increases and are subject to all the limitations contained in this section. For the purpose of allocating these funds, 'faculty' includes all instructional and research faculty, academic deans, department chairpersons, and community college librarians and counselors who are not part of the state classified service system. 'Exempt staff' includes presidents, chancellors, vice-presidents, administrative deans and professional personnel, and four-year institution librarians and counselors who are exempt from the classified service system.

University of Washington	\$	(19,266,000) 19,058,000
Washington State University	\$	(9,493,000) 9,330,000
Central Washington University	\$	(2,159,000) 2,152,000
Eastern Washington University	\$	(2,469,000) 2,441,000
The Evergreen State College	\$	(1,069,000) 1,060,000
Western Washington University	\$	(2,893,000) 2,851,000
State Board for Community College Education	\$	(14,283,000) 14,667,000
Higher Education Coordinating Board	\$	55,000

These amounts are intended to provide full time faculty and teaching and research assistants, and medical residents at each four-year institution and the community college system as a whole the average percentage increase, including increments, enumerated below on the effective dates indicated:

	March 1, 1988	January 1, 1989
University of Washington	8.5%	8.4%
Washington State University	8.2%	8.1%

Central Washington University	7.6%	7.6%
Eastern Washington University	7.6%	7.6%
The Evergreen State College	7.6%	7.6%
Western Washington University	7.6%	7.6%
State Board for Community College Education	6.3%	6.0%

Exempt staff and part time faculty at each four-year institution, the community college system as a whole, and the higher education coordinating board are entitled to receive the average salary increases enumerated below on the effective dates indicated:

	March 1, 1988	January 1, 1989
University of Washington	5%	3%
Washington State University	5%	3%
Central Washington University	4.5%	3%
Eastern Washington University	4.5%	3%
The Evergreen State College	4.5%	3%
Western Washington University	4.5%	3%
State Board for Community College Education	4.0%	3%
Higher Education Coordinating Board	3%	3%

However, exempt librarians and counselors may be given the same percentage salary increase as the faculty at their institution if the total amount paid out for faculty and exempt salary increases is within the amounts provided in this subsection.

The salary increase authorized under this subsection may be granted to state employees at Washington State University who are supported in full or in part by federal land grant formula funds.

((+)) (9) In addition to the 6.3 and 6.0 percent salary increases provided to community college faculty in subsection ((9)) (8) of this section, \$1,129,000 is provided solely to reduce the disparity in full time faculty salaries among community colleges. No funds in this subsection may be expended on administrative staff salaries. The state board for community college education shall allocate one third of these funds in fiscal year 1988 and two thirds in fiscal year 1989 as follows:

Lower Columbia College	\$	124,000
Shoreline Community College	\$	242,000
Community College of Spokane	\$	533,000
Skagit Valley College	\$	115,000
Whatcom Community College	\$	18,000
Community College District 12	\$	52,000
Walla Walla Community College	\$	18,000
Highline Community College	\$	27,000

((+)) (10) From the appropriations in sections 602 through 609 of this act, the following amounts for each institution are provided solely for higher education personnel board classified employees to provide a 2.65 percent or \$50 per month, whichever is greater, salary increase effective January 1, 1988, and an additional 3.0 percent salary increase effective January 1, 1989. These increases shall be implemented in compliance and conformity with all requirements of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

University of Washington	\$	3,501,000
Washington State University	\$	2,365,000
Central Washington University	\$	478,000
Eastern Washington University	\$	583,000
The Evergreen State College	\$	337,000
Western Washington University	\$	652,000
State Board for Community College Education	\$	((3,166,860))
		<u>3,350,000</u>
Higher Education Coordinating Board	\$	23,000

No salary increase may be paid under this subsection to any person whose salary has been Y-rated pursuant to rules adopted by the higher education personnel board.

((+)) (11) Any institution that grants an average salary increase in excess of the amounts authorized in subsection ((9)) (8) of this section is ineligible to receive any funds appropriated for salary increases in sections 603 through 608 of this act. Any community college district that grants an average salary increase in excess of the amounts authorized in subsections ((9) and (+)) (8) and (9) of this section is ineligible to receive any funds appropriated for salary increases in section 602 of this act. The office of financial management shall adjust an institution's allotment as necessary to enforce the restrictions imposed by this section.

Sec. 602. Section 602, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation \$ ~~((531,174,000))~~
530,902,000

The appropriation in this section is subject to the following conditions and limitations:

(1) At least \$170,000 shall be spent solely for necessary expenditures attributable to the fire of February 16, 1987, at Everett Community College.

(2) At least \$480,000 shall be spent by the state board for community college education for the literacy tutor coordination project.

Sec. 603. Section 603, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation \$ ~~((516,799,000))~~
516,089,000

Medical Aid Fund Appropriation \$ 2,553,000

Accident Fund Appropriation \$ 2,553,000

Death Investigations Account Appropriation \$ 594,000

Total Appropriation \$ ~~((522,499,000))~~
521,789,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,500,000 of the general fund appropriation is provided solely for equipment.

(2) A maximum of \$75,000 may be spent to identify suitable spaces in the vicinity of the University of Washington for use as child day care centers for the children of university civil service employees and for start-up costs of the day care centers.

(3) \$400,000 is provided solely to conduct a study of the potential environmental and economic impacts of oil and mineral exploration off the coast of Washington.

(4) At least \$75,000 of the appropriations in this section shall be spent for research on the health and safety hazards of video display terminals in the workplace.

(5) \$200,000 of the general fund appropriation is provided solely for rental costs on a building to house clinical and laboratory space for the treatment of patients with AIDS and the training of health care professionals in such treatment.

(6) The University of Washington shall take whatever actions are necessary to maximize refunds from the social security administration during the 1987-89 biennium and shall transfer to the general fund the refund received from the social security administration for graduate teaching and research assistants paid from the state general fund from January 1, 1980, through June 30, 1987.

(7) At least \$10,000 shall be spent for a study on the predation of sockeye smolt in Lake Washington.

(8) \$300,000 of the general fund—state appropriation is provided solely to conduct an assessment, in consultation with local community organizations in the Puget Sound area, of higher education needs and programs to be offered at branch campuses in accordance with the higher education coordinating board master plan.

Sec. 604. Section 604, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation \$ ~~((287,150,000))~~
287,152,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$4,717,000 is provided solely for equipment.

(2) Funds are provided to Washington State University to continue the Yakima nursing training program.

(3) \$500,000 of the appropriation is provided solely to initiate upper division programs and expand graduate programs at the Southwest Washington joint center for education.

(4) \$165,000 of the appropriation is provided solely for additional training of education professionals at the Southwest Washington joint center for education.

(5) \$427,000 is provided solely for start-up and operation of the health research and education center in Spokane.

~~((5))~~ (6) \$750,000 is provided solely to enhance and operate the Washington higher education telecommunications system (WHETS) for the purpose of allowing the delivery of university courses directly to Spokane, Vancouver, Seattle, and the Tri-Cities.

Sec. 605. Section 605, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation \$ ~~((81,688,000))~~
81,559,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$1,157,000 is provided solely for equipment.

(2) \$150,000 is provided solely for start-up and operation of the health research and education center in Spokane.

Sec. 606. Section 606, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation \$ ~~((68,969,000))~~
68,962,000

The appropriation in this section is subject to the following conditions and limitations: ~~((+))~~
\$1,015,000 is provided solely for equipment.

Sec. 607. Section 607, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation \$ ~~((40,269,000))~~
40,260,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$945,000 is provided solely for equipment.

(2) \$400,000 of the general fund appropriation is provided solely for the Washington state center for the improvement of the quality of undergraduate education.

(3) \$300,000 of the general fund appropriation is provided solely for summer seminars in coordination with the national faculty of humanities, arts and sciences to improve the quality of teaching in high schools and community colleges.

(4) At least \$200,000 shall be spent for a labor center. The college shall endeavor to obtain additional funds for the labor center from nonstate sources.

Sec. 608. Section 608, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation \$ ~~((87,675,000))~~
87,231,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$2,421,000 is provided solely for equipment.

(2) \$96,000 of the general fund appropriation is provided solely for development of a value-added testing program to measure educational attainment of students while enrolled at the university.

Sec. 609. Section 609, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION COORDINATING BOARD

General Fund Appropriation—State \$ ~~((52,344,000))~~
52,324,000

General Fund Appropriation—Federal \$ 3,471,000

State Educational Grant Appropriation \$ 40,000

Total Appropriation \$ ~~((55,855,000))~~
55,835,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$43,392,000 of the general fund—state appropriation is provided solely for student financial aid, including administrative costs. Of that amount, a minimum of \$18,100,000 shall be expended for work study grants and \$50,000 shall be expended for implementation of Senate Bill No. 6638, the nursing student scholarship program. The state need grant program shall emphasize, to the extent possible, the provision of aid to low-income single parents with dependents.

(2) ~~\$(5,600,000)~~ 4,750,000 of the general fund—state appropriation is provided solely for the distinguished professorship trust fund.

(3) \$300,000 of the general fund appropriation is provided solely for the implementation of House Bill No. 857, the teachers conditional scholarship program.

(4) \$900,000 of the general fund—state appropriation is provided solely for the displaced homemaker program.

(5) Prior to January 1, 1989, \$50,000 of the general fund—state appropriation is provided solely to support the special joint study group created by Senate Concurrent Resolution No. 8429. The money shall be transferred to the office of financial management via interagency reimbursement and shall be used for contracted services and other support activities of the study group. After January 1, 1989, these funds may be used for any expenses of the higher education coordinating board or its staff.

(6) \$200,000 of the general fund—state appropriation is provided solely for grants for Washington scholars authorized by Senate Bill No. 5558. If the bill is not enacted by July 1, 1988, the amount provided in this subsection shall lapse.

(7) A maximum of \$30,000 of the general fund—state appropriation may be used to provide one staff person to coordinate the minority recruitment efforts of the state institutions of higher education. The amount provided in this subsection is contingent on the board matching the \$30,000 with an equal amount of money from nonstate sources other than student financial aid funds.

PART VII
SPECIAL APPROPRIATIONS

Sec. 701. Section 701, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—COMPENSATION—SALARY AND INSURANCE BENEFITS

General Fund Appropriation—State	\$	(45,845,000) 70,853,000
General Fund Appropriation—Federal	\$	(9,645,000) 13,973,000
Special Fund Salary and Insurance Contribution		
Increase Revolving Fund Appropriation	\$	(36,835,000) 46,935,000
Total Appropriation	\$	(92,325,000) 131,761,000

The appropriations in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated in this section and are subject to the conditions and limitations specified in this section.

(1) \$30,722,000 of the general fund—state appropriation, \$9,644,000 of the general fund—federal appropriation, and \$25,397,000 of the special fund salary and insurance contribution increase revolving fund appropriation are provided for a 2.65 percent or \$50 per month, whichever is greater, salary increase effective January 1, 1988, and an additional 3.0 percent salary increase effective January 1, 1989, for all state personnel board classified and exempt employees. These increases shall be implemented in compliance and conformity with all requirements of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

(2) \$1,000 of the general fund—federal appropriation and \$82,000 of the special fund salary and insurance revolving fund appropriation are provided for a 2.65 percent or \$50 per month, whichever is greater, salary increase effective January 1, 1988, and an additional 3.0 percent salary increase effective January 1, 1989, for higher education personnel board classified and exempt employees (~~employed by the higher education coordinating board and the higher education personnel board~~). These increases shall be implemented in compliance and conformity with all requirements of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

(3) \$123,000 of the general fund—state appropriation and \$2,056,000 of the special fund salary and insurance contribution increase revolving fund appropriation are provided for a three percent salary increase effective January 1, 1988, followed by an additional three percent salary increase effective January 1, 1989, for commissioned officers of the Washington state patrol.

(4) The governor shall allocate to state agencies from the general fund—state appropriation \$5,000,000 for fiscal year 1988 and \$10,000,000 for fiscal year 1989, and from the special fund salary and insurance contribution increase revolving fund appropriation \$3,100,000 for fiscal year 1988 and \$6,200,000 for fiscal year 1989 to fulfill the 1987–89 obligations of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

(5) \$246,000 of the special fund salary and insurance contribution increase revolving fund appropriation is provided solely for salary increases, equal to the percentage increases identified in section 601 of this 1988 act, for faculty and exempt employees employed by the University of Washington.

~~(6)~~(a) The monthly contributions for insurance benefits shall not exceed ~~(\$167.00)~~ \$224.75 per eligible employee.

(b) Any returns of funds to the state employees' insurance board resulting from favorable claims experienced during the 1987–89 biennium shall be held in reserve within the state employees insurance fund until appropriated by the legislature.

(c) Funds provided under this section, including funds resulting from dividends or refunds, shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this act. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date on which coverage is extended.

~~((6))~~ (7) To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer is directed to transfer sufficient moneys from each dedicated fund or account to the special fund salary and insurance contribution increase revolving fund in accordance with schedules provided by the office of financial management.

~~((7))~~ (8) In calculating individual agency allocations for this section, the office of financial management shall calculate the allocation of each subsection separately. The separate allocations for each agency may be combined under a single appropriation code for improved efficiency. The office of financial management shall transmit a list of agency allocations by subsection to the committees on ways and means of the senate and house of representatives.

~~((6))~~ (7) No salary increase may be paid under this section to any person whose salary has been Y-rated pursuant to rules adopted by the state personnel board or the higher education personnel board.

(10) The appropriation for ferry workers in this section shall be available for salary and benefit increases in accordance with section 30(4), chapter 10, Laws of 1987 1st ex. sess., as amended by the 1988 legislature.

Sec. 702. Section 702, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

The appropriations in this section are subject to the following conditions and limitations: The appropriations shall be made on a quarterly basis.

(1) There is appropriated for state contributions to the law enforcement officers' and fire fighters' retirement system.

	FY 1988	FY 1989
Revenue Accrual Account Appropriation \$	57,134,000	((52,666,666))
Total Appropriation	\$((110,000,000))	52,526,000
	109,660,000	

(2) There is appropriated for contributions to the judicial retirement system an amount sufficient to meet the cash flow requirements of all benefit payments made during the 1987-89 biennium.

	FY 1988	FY 1989
General Fund Appropriation \$	1,350,000	1,350,000
Total Appropriation	\$2,700,000	

(3) There is appropriated for contributions to the judges retirement system an amount sufficient to meet the cash flow requirements of all benefit payments made during the 1987-89 biennium.

	FY 1988	FY 1989
General Fund Appropriation \$	800,000	800,000
Total Appropriation	\$1,600,000	

(4) The initial employer trust fund contribution rate for all employers of members of the retirement system governed by chapter 41.32 RCW (the teachers' retirement system) shall be set at 11.22% of earnable compensation for the 1987-89 biennium.

(5) The initial employer trust fund contribution rate for all employers of members of the retirement system governed by chapter 41.40 RCW (the public employees' retirement system) shall be set at 5.92% of compensation earnable for the 1987-89 biennium.

(6) The employer rate for all employers of members of the retirement system governed by chapter 43.43 RCW (the state patrol retirement system) shall be set at 19.88% of compensation, the level recommended by the state actuary.

Sec. 703. Section 703, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONTRIBUTIONS TO RETIREMENT SYSTEMS

	FY 1988	FY 1989
General Fund Appropriation \$	((1,300,000))	((1,300,000))
	1,767,000	1,767,000
Total Appropriation	\$((2,600,000))	
	3,534,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$600,000 of the general fund—state appropriation shall be distributed to state agencies for the purpose of additional contributions required for the public employees' retirement system as a result of ~~((Senate Bill No. 5150))~~ chapter 192, Laws of 1987.

(2) ~~\$((2,000,000))~~ 2,559,000 of the general fund—state appropriation shall be distributed to the superintendent of public instruction for the purpose of additional contributions required for the teachers' retirement system as a result of ~~((Senate Bill No. 5150))~~ chapter 192, Laws of 1987 and chapter 455, Laws of 1987.

(3) ~~((If Senate Bill No. 5150 is not enacted by June 30, 1987, the appropriations in this section shall lapse))~~ \$375,000 of the general fund—state appropriation shall be distributed to the superintendent of public instruction for the purpose of additional contributions required for the public employees' retirement system as a result of chapter 136, Laws of 1987, chapter 192, Laws of 1987, and chapter 455, Laws of 1987.

Sec. 704. Section 705, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—INDIAN CLAIMS

General Fund Appropriation \$	4,000,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) Before June 30, ~~((1988))~~ 1989, the governor, through the department of community development, in consultation with the attorney general, may use all or any portion of the amount appropriated for the purpose of settling the claims of the Puyallup Indian tribe to lands formerly lying beneath the Puyallup river.

(2) On and after July 1, ~~((1988))~~ 1989, the governor through the department of general administration may provide for purchasing, for current or future public purposes, any land for which the tribal claim remains unsettled, subject to all of the following:

(a) Before March 31, ~~((1989))~~ 1990, the owner of the land must offer in writing to sell the land at a price not exceeding what its market value would be without the tribal claim.

(b) If a parcel lies partially on lands formerly beneath the Puyallup river and partially outside such lands, the department also may elect to purchase all or part of the portion lying outside such lands if the purchase is reasonably necessary to make the purchased land suitable for a public purpose.

(c) The sale to the state of each parcel shall include an assignment of any rights the landowner has against others for defects in title to the land.

(d) In order to facilitate the use of the land for a public purpose, the department may purchase parcels conditioned on access being provided by the seller or other landowners. The department may also use any other lawful means to gain access to the purchased land.

Sec. 705. Section 712, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the Institutional Impact Account	\$	316,600
<u>General Fund Appropriation: For transfer to the Landowner Contingency Forest Fire Suppression Account</u>	<u>\$</u>	<u>285,000</u>
General Government Special Revenue Fund—State Treasurer's Service Account Appropriation: For transfer to the general fund on or before July 20, 1989, an amount up to \$5,000,000 in excess of the cash requirements in the State Treasurer's Service Account for fiscal year 1990, for credit to the fiscal year in which earned	\$	5,000,000
Charitable, Educational, Penal and Reformatory Institutions Account Appropriations: For transfer to the Resource Management Cost Account to the extent that funds are available as determined by the department of natural resources. The department shall provide the state treasurer with a schedule of such transfers	\$	3,000,000
General Fund Appropriation: For transfer to the Natural Resources Fund—Water Quality Account	\$	7,913,300
General Fund Appropriation: For transfer to the Miscellaneous Fund—Tort Claims Revolving Fund	\$	((2,566,666)) 5,978,000
<u>Liquor Revolving Fund Appropriation: For Transfer to the Miscellaneous Fund—Tort Claims Revolving Fund</u>	<u>\$</u>	<u>573,000</u>
Employment Security Fund—Deferred Compensation Revolving Fund: For transfer to the Motor Vehicle Fund	\$	861,000
Ferry System Fund: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation, Washington state ferry system during the period July 1, 1987, through June 30, 1989	\$	884,100
Puget Sound Ferry Operations Account: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation, Washington state ferry system during the period July 1, 1987, through June 30, 1989	\$	378,900
Motor Vehicle Fund: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation <u>and the state patrol</u> during the period July 1, 1987 through June 30, 1989	\$	14,200,000
<u>State Employees Insurance Principal Account: For transfer to the General Fund</u>	<u>\$</u>	<u>2,700,000</u>

Sec. 706. Section 715, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$	((6,187,666)) 6,225,000
General Fund Appropriation for public utility district excise tax distribution	\$	((24,031,666)) 21,138,000
General Fund Appropriation for prosecuting attorneys' salaries	\$	1,950,000

General Fund Appropriation for motor vehicle excise tax distribution	\$	(58,636,000) 59,751,000
General Fund Appropriation for local mass transit assistance	\$	(177,500,000) 185,535,000
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	(2,203,000) 2,152,000
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution	\$	60,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	(17,807,000) 18,233,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	(272,649,000) 268,082,000
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	(39,100,000) 42,740,000
Timber Tax Distribution Account Appropriation for distribution to 'Timber' counties	\$	(39,044,000) 44,291,000
Municipal Sales and Use Tax Equalization Account Appropriation	\$	(31,570,000) 32,174,000
County Sales and Use Tax Equalization Account Appropriation	\$	(10,900,000) 11,062,000
Death Investigations Account Appropriation for distribution to counties for public funded autopsies	\$	(592,000) 688,000
Total Appropriation	\$	(602,303,000) 694,081,000

The appropriations in this section are subject to the following conditions and limitations: \$96,000 is provided from the death investigations account appropriation for the purpose of reimbursing counties up to the maximum level authorized by RCW 68.08.104 for expenses incurred in the 1985-87 biennium.

Sec. 707. Section 717, chapter 7, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, INCLUDING ONGOING BOND REGISTRATION AND TRANSFER CHARGES		
Fisheries Bond Redemption Fund 1977 Appropriation	\$	1,280,467
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$	5,479,684
Higher Education Refunding Bond Redemption Fund 1977 Appropriation	\$	8,773,875
Fire Service Training Center Bond Retirement Fund 1977 Appropriation	\$	1,619,731
Highway Bond Retirement Fund Appropriation	\$	171,910,324
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation	\$	233,575
Higher Education Bond Redemption Fund 1977 Appropriation	\$	19,528,417
Ferry Bond Retirement Fund 1977 Appropriation	\$	25,627,988
Emergency Water Projects Bond Retirement Fund 1977 Appropriation	\$	2,604,490
Public School Building Bond Redemption Fund 1965 Appropriation	\$	1,238,790
(Spokane River Toll Bridge Account Appropriation	\$	889,080)
Higher Education Bond Retirement Fund 1979 Appropriation	\$	10,736,990
State General Obligation Bond Retirement Fund 1979 Appropriation	\$	(327,069,045) 307,961,175
Fisheries Bond Redemption Fund 1976 Appropriation	\$	764,034
State Building Bond Redemption Fund 1967 Appropriation	\$	656,800
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation	\$	11,423,031
Common School Building Bond Redemption Fund 1967 Appropriation	\$	6,890,745
Outdoor Recreation Bond Redemption Fund 1967 Appropriation	\$	6,292,542
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation	\$	4,067,765
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation	\$	10,349,392
State Building and Parking Bond Redemption Fund 1969 Appropriation	\$	2,448,830
Waste Disposal Facilities Bond Redemption Fund Appropriation	\$	57,944,960
Water Supply Facilities Bond Redemption Fund Appropriation	\$	11,952,815

Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation	\$	3,705,605
Recreation Improvements Bond Redemption Fund Appropriation	\$	5,986,813
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation	\$	7,499,389
State Building Authority Bond Redemption Fund Appropriation	\$	9,452,680
Office-Laboratory Facilities Bond Redemption Fund Appropriation	\$	270,900
University of Washington Hospital Bond Retirement Fund 1975 Appropriation	\$	1,163,924
Washington State University Bond Redemption Fund 1977 Appropriation	\$	559,915
Higher Education Bond Redemption Fund 1975 Appropriation	\$	2,165,785
State Building Bond Redemption Fund 1973 Appropriation	\$	3,794,144
State Building Bond Retirement Fund 1975 Appropriation	\$	424,780
State Higher Education Bond Redemption Fund 1973 Appropriation	\$	4,367,163
Social and Health Services Bond Redemption Fund 1976 Appropriation	\$	9,475,867
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation	\$	372,820
Community College Refunding Bond Retirement Fund 1974 Appropriation	\$	9,436,996
State Higher Education Bond Redemption Fund 1974 Appropriation	\$	1,190,700
Total Appropriation	\$	<u>((749,650,859))</u> <u>729,653,901</u>

NEW SECTION. Sec. 708. A new section is added to chapter 7, Laws of 1987 1st ex. sess. to read as follows:

BOND RETIREMENT—STATE TRADE AND CONVENTION CENTER

The following is appropriated from the state trade and convention center account for reimbursement to the general fund for the transfer to the state general obligation bond retirement fund for disbursement of bond retirement and interest, including ongoing bond registration and transfer charges:

State Convention and Trade Center Account Appropriation \$ 19,746,278

NEW SECTION. Sec. 709. A new section is added to chapter 7, Laws of 1987 1st ex. sess. to read as follows:

BOND RETIREMENT—SPOKANE RIVER TOLL BRIDGE

The following is appropriated from the Spokane River toll bridge revolving account to the Spokane River toll bridge account for disbursement of bond retirement and interest, including ongoing bond registration and transfer charges:

Spokane River Toll Bridge Revolving Account Appropriation \$ 889,088

Sec. 710. Section 7, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.16.070 are each amended to read as follows:

The federal interest payment fund shall consist of contributions payable by each employer (except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, employers who are required to make payments in lieu of contributions, and employers paying contributions under RCW 50.44.035) for any calendar quarter which begins on or after January 1, 1984, and for which the commissioner determines that the department will have an outstanding balance of accruing federal interest at the end of the calendar quarter. The amount of wages subject to tax shall be determined according to RCW 50.24.010. The tax rate applicable to wages paid during the calendar quarter shall be determined by the commissioner and shall not exceed fifteen one-hundredths of one percent. In determining whether to require contributions as authorized by this section, the commissioner shall consider the current balance in the federal interest payment fund and the projected amount of interest which will be due and payable as of the following September 30. Except as appropriated for the fiscal biennium ending June 30, 1989, any excess moneys in the federal interest payment fund shall be retained in the fund for future interest payments.

Contributions under this section shall become due and be paid by each employer in accordance with such rules as the commissioner may prescribe and shall not be deducted, in whole or in part, from the remuneration of individuals in the employ of the employer. Any deduction in violation of this section is unlawful.

In the payment of any contributions under this section, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

Sec. 711. Section 3, chapter 272, Laws of 1987 (uncodified) is amended to read as follows:

EVERETT HOME PORT

(1) There is hereby appropriated to the office of financial management for the biennium beginning July 1, 1987, and ending June 30, 1989:

(a) ~~((Ten million, four hundred seventy))~~ two million, two hundred sixty-six thousand dollars from the general fund—state;

(b) One million, one hundred sixty-nine thousand dollars from the general fund—federal:

(c) Three hundred ninety-two thousand dollars from the state electrical license fund:

(d) Five hundred thirty-three thousand dollars from the state accident fund; and

(e) Five hundred thirty-three thousand dollars from the state medical aid fund.

(2) The appropriations in this section are provided solely for the purposes of this act and are subject to the following conditions and limitations:

(a) The appropriations in this section are provided solely for the increased demands for public services as a result of the development or construction of the Everett home port. No funds, except those related to the educational impacts associated with the arrival of the U.S.S. Nimitz, may be spent, except as may be necessary for planning and monitoring to meet the requirements of federal legislation authorizing the construction of the Everett home port, until the following conditions are met: (i) Actual construction or site preparation is started, and (ii) the federal government releases to be obligated, or expended, the \$43.5 million appropriated in federal fiscal year 1987 in section 2208 of the national defense authorization act for construction of the home port, and (iii) all required local, state, and federal permits for site construction, preparation, and dredging are obtained.

(b) The governor shall allocate funds to the superintendent of public instruction, the department of social and health services, the department of community development, the department of fisheries, the department of ecology, and the department of labor and industries. The governor shall allocate these appropriations to specific agencies based on increased agency ((operating)) expenditures and workload directly associated with the Everett home port. The governor may release to the specific agencies only the amount necessary to offset the directly incurred increased costs which have been documented by the agency.

(c) Any appropriation adjustments and actions that the governor has taken related to the Everett home port and pursuant to this appropriation shall be reported to the legislature on January 1, 1988, and January 1, 1989.

PART VIII MISCELLANEOUS

Sec. 801. Section 4, chapter 7, Laws of 1982 2nd ex. sess. as last amended by section 2, chapter 511, Laws of 1987 and RCW 67.70.040 are each amended to read as follows:

The commission shall have the power, and it shall be its duty:

(1) To promulgate such rules governing the establishment and operation of a state lottery as it deems necessary and desirable in order that such a lottery be initiated at the earliest feasible and practicable time, and in order that such lottery produce the maximum amount of net revenues for the state consonant with the dignity of the state and the general welfare of the people. Such rules shall include, but shall not be limited to, the following:

(a) The type of lottery to be conducted which may include the selling of tickets or shares, or the use of electronic or mechanical devices or video terminals which do not require a printed ticket: PROVIDED, That approval of the legislature shall be required before entering any agreement with other state lotteries to conduct shared games;

(b) The price, or prices, of tickets or shares in the lottery;

(c) The numbers and sizes of the prizes on the winning tickets or shares;

(d) The manner of selecting the winning tickets or shares;

(e) The manner and time of payment of prizes to the holder of winning tickets or shares which, at the director's option, may be paid in lump sum amounts or installments over a period of years;

(f) The frequency of the drawings or selections of winning tickets or shares, without limitation;

(g) Without limit as to number, the type or types of locations at which tickets or shares may be sold;

(h) The method to be used in selling tickets or shares, which may include the use of electronic or mechanical devices and video terminals;

(i) The licensing of agents to sell or distribute tickets or shares, except that a person under the age of eighteen shall not be licensed as an agent;

(j) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among: (i) The payment of prizes to the holders of winning tickets or shares, which shall not be less than forty-five percent of the gross annual revenue from such lottery, less amounts of unclaimed prizes deposited in the general fund under RCW 67.70.190 during the fiscal year ending June 30, 1989, (ii) transfers to the lottery administrative account created by RCW 67.70.260, and (iii) transfer to the state's general fund. Transfers to the state general fund shall be made in compliance with RCW 43.01.050;

(l) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

(2) To ensure that in each place authorized to sell lottery tickets or shares, on the back of the ticket or share, and in any advertising or promotion there shall be conspicuously displayed an estimate of the probability of purchasing a winning ticket.

(3) To amend, repeal, or supplement any such rules from time to time as it deems necessary or desirable.

(4) To advise and make recommendations to the director for the operation and administration of the lottery.

Sec. 802. Section 19, chapter 7, Laws of 1982 2nd ex. sess. as amended by section 8, chapter 511, Laws of 1987 and RCW 67.70.190 are each amended to read as follows:

(1) Unclaimed prizes shall be retained in the state lottery account for the person entitled thereto for one hundred eighty days after the drawing in which the prize is won, or after the official end of the game for instant prizes. If no claim is made for the prize within this time, the prize shall be retained in the state lottery fund for further use as prizes, except as provided in subsection (2) of this section, and all rights to the prize shall be extinguished.

(2) During the fiscal year ending June 30, 1989, moneys from unclaimed prizes shall be used as follows:

(a) Fifty percent of the moneys, not exceeding one million dollars, shall be deposited quarterly in the general fund.

(b) The remainder of the moneys shall be retained in the state lottery account for further use as prizes.

NEW SECTION. Sec. 803. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 804. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect immediately."

On page 1, beginning on line 1 of the title, after "fiscal matters," strike the remainder of the title and insert "amending RCW 50.16.070, 67.70.040, and 67.70.190; amending section 104, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 107, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 109, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 110, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 114, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 120, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 121, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 124, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 131, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 201, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 202, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 203, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 204, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 205, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 206, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 208, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 209, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 210, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 211, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 212, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 213, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 214, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 217, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 218, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 219, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 223, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 224, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 226, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 229, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 230, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 301, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 302, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 303, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 305, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 308, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 310, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 311, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 312, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 313, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 314, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 316, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 318, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 12, chapter 8, Laws of 1987 1st ex. sess. (uncodified); amending section 401, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 402, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 501, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 503, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 504, chapter 7, Laws of 1987 1st ex. sess. as amended by section 2, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 505, chapter 7, Laws of 1987 1st ex. sess. as amended by section 3, chapter 1, Laws of 1987 3rd ex. sess. (uncodified); amending section 506, chapter 7, Laws of 1987 1st ex.

sess. (uncodified); amending section 507, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 508, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 509, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 510, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 511, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 513, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 514, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 516, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 601, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 602, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 603, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 604, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 605, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 606, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 607, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 608, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 609, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 701, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 702, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 703, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 705, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 712, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 715, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 717, chapter 7, Laws of 1987 1st ex. sess. (uncodified); amending section 3, chapter 272, Laws of 1987 (uncodified); reenacting and amending section 207, chapter 7, Laws of 1987 1st ex. sess. as amended by section 1, chapter 1, Laws of 1987 2nd ex. sess. and by section 1, chapter 2, Laws of 1987 2nd ex. sess. (uncodified); adding new sections to chapter 7, Laws of 1987 1st ex. sess. (uncodified); making appropriations; and declaring an emergency."

Signed by Senators McDonald, Gaspard, Hayner; Representatives Grimm, Locke, Holland.

MOTION

Mr. Locke moved that the House adopt the Report of the Conference Committee on Engrossed Substitute House Bill No. 1312 and grant said committee the powers of Free Conference. The motion was carried.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2038 and has granted said committee the powers of Free Conference. The report of the Conference Committee is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Conference Committee to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 2038, establishing the Washington state health care authority, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference in order to amend the bill as follows:

Reject the Senate amendments on page 5, line 26; page 5, line 33; and page 5, line 35 (For amendments, see Journal, 59th Day, March 9, 1988.);

Adopt the following amendments:

On page 3, line 14, after "senate," insert "The administrator shall serve at the pleasure of the governor."

On page 7, line 1, after the period add a new subsection to read as follows:

"(4) The board may authorize premium contributions for an employee and the employee's dependents."

Renumber the remaining subsection accordingly.

On page 7, beginning on line 3 after "board," strike all material down to and including the period on line 10

On page 9, line 7, after "authority" strike "may" and insert "shall"

Signed by Senators McDonald, Hayner; Representatives Grimm, Ebersole, Ballard.

MOTION

Mr. Grimm moved that the House adopt the Report of the Conference Committee on Engrossed Substitute House Bill No. 2038 and grant said committee the powers of Free Conference. The motion was carried.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 6157 and has granted said committee the powers of Free Conference.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred SUBSTITUTE SENATE BILL NO. 6157, changing provisions relating to student learning objectives, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Substitute Senate Bill No. 6157, read in March 9, 1988.)

Signed by Senators Rinehart, Bailey, Kiskaddon; Representatives Peery, Spanel, Betrozoff.

MOTION

Mr. Peery moved that the House adopt the Report of the Free Conference Committee on Substitute Senate Bill No. 6157. The motion was carried.

FINAL PASSAGE OF SENATE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6157 as amended by Free Conference Committee.

Representatives Peery and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6157 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, King P, McLean, Meyers, Sanders - 5.

Substitute Senate Bill No. 6157 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 6124 and has granted said committee the powers of Free Conference.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 6124, providing technical and financial assistance to assist in the delivery of rural health care systems, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed Substitute Senate Bill No. 6124, read in March 9, 1988.)

Signed by Senators Zimmerman, Johnson, Wojahn; Representatives Braddock, Sprenkle, Brooks.

MOTION

Mr. Braddock moved that the House adopt the Report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 6124. The motion was carried.

FINAL PASSAGE OF SENATE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6124 as amended by Free Conference Committee.

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6124 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Allen, King P, McLean, Meyers, Sanders - 5.

Engrossed Substitute Senate Bill No. 6124 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative P. King appeared at the bar of the House.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 6238 and has granted said committee the powers of Free Conference.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred SUBSTITUTE SENATE BILL NO. 6238, changing provisions relating to the authority of state agencies to administer part C of the federal safe drinking water act, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Substitute Senate Bill No. 6238, read in March 9, 1988.)

Signed by Senators Metcalf, Owen, Barr; Representatives Rust, Valle, Walker.

MOTION

Ms. Rust moved that the House adopt the Report of the Free Conference Committee on Substitute Senate Bill No. 6238. The motion was carried.

FINAL PASSAGE OF SENATE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6238 as amended by Free Conference Committee.

Representatives Rust and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6238 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Allen, McLean, Meyers, Sanders - 4.

Substitute Senate Bill No. 6238 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives McLean, Meyers and Sanders appeared at the bar of the House.

STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of ESSB 6124, rural hospital assistance; SSB 6157, student learning objectives; and SSB 6238, drinking water authority, as amended by joint House and Senate conference, on final passage.

PAUL SANDERS, 48th District.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 6297 and has passed the bill as amended by the Free Conference Committee.

W. D. Naismith, Assistant Secretary.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 1271 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred SUBSTITUTE HOUSE BILL NO. 1271, revising provisions relating to the department of corrections, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Substitute House Bill No. 1271, read in March 9, 1988.)

Signed by Senators Deccio, Owen, West; Representatives Sprengle, Braddock.

MOTION

Mr. Sprengle moved that the House adopt the Report of the Free Conference Committee on Substitute House Bill No. 1271.

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

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1271 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1271 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Jones, Sayan, Wang - 3.

Excused: Representative Allen - 1.

Substitute House Bill No. 1271 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 1302 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred SUBSTITUTE HOUSE BILL NO. 1302, establishing penalties for sexual offenses against developmentally disabled persons, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Substitute House Bill No. 1302, read in March 9, 1988.)

Signed by Senators Pullen, Talmadge, Anderson; Representatives Crane, Armstrong, Padden.

MOTION

Mr. Crane moved that the House adopt the Report of the Free Conference Committee on Substitute House Bill No. 1302. The motion was carried.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1302 as amended by Free Conference Committee.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1302 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute House Bill No. 1302 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420, revising provisions on property taxes, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed Substitute House Bill No. 1420, read in March 9, 1988.)

Signed by Senators Cantu, Garrett, Lee; Representatives Appelwick, Haugen, Ferguson.

MOTION

Ms. Haugen moved that the House adopt the Report of the Free Conference Committee on Engrossed Substitute House Bill No. 1420. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1420 as amended by Free Conference Committee.

Representatives Haugen and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1420 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 1420 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 1515 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred HOUSE BILL NO. 1515, modifying the termination dates of various state agencies, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on House Bill No. 1515, read in March 9, 1988.)

Signed by Senators Newhouse, Halsan, McCaslin; Representatives H. Sommers, Locke, Hankins.

MOTION

Ms. H. Sommers moved that the House adopt the Report of the Free Conference Committee on House Bill No. 1515. The motion was carried.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1515 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1515 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

House Bill No. 1515 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 1585 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED HOUSE BILL NO. 1585, revising provisions for juvenile dependency proceedings, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed House Bill No. 1585, read in March 9, 1988.)

Signed by Senators Kiskaddon, Stratton, Bailey; Representatives Brekke, Leonard, Winsley.

MOTION

Ms. Brekke moved that the House adopt the Report of the Free Conference Committee on Engrossed House Bill No. 1585. The motion was carried.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1585 as amended by Free Conference Committee.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1585 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed House Bill No. 1585 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1594, providing for a water use efficiency study, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed Substitute House Bill No. 1594, read in March 9, 1988.)

Signed by Senators Barr, DeJarnatt, Bailey; Representatives Nealey, Rayburn, H. Sommers.

MOTION

Ms. Rayburn moved that the House adopt the Report of the Free Conference Committee on Engrossed Substitute House Bill No. 1594. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1594 as amended by Free Conference Committee.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1594 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 1594 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 1445 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred SUBSTITUTE HOUSE BILL NO. 1445, prohibiting drug-related activities in rental dwellings, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Substitute House Bill No. 1445, read in March 9, 1988.)

Signed by Senators Pullen, Halsan, McCaslin; Representatives Armstrong, Wineberry, Padden.

MOTION

Mr. Armstrong moved that the House adopt the Report of the Free Conference Committee on Substitute House Bill No. 1445. The motion was carried.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1445 as amended by Free Conference Committee.

Representatives Wineberry and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1445 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Dary, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute House Bill No. 1445 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817, facilitating public and private funding of local transportation improvements, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed Substitute House Bill No. 1817, read in March 9, 1988.)

Signed by Senators Patterson, Bender, Nelson; Representatives Walk, Hine, Schmidt.

MOTION

Mr. Walk moved that the House adopt the Report of the Free Conference Committee on Engrossed Substitute House Bill No. 1817. The motion was carried.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1817 as amended by Free Conference Committee.

Mr. Walk spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Walk yielded to question by Ms. Schmidt.

Ms. Schmidt: Representative Walk, there have been questions raised regarding the credits which property owners will receive for dedication of land and off-site transportation improvements. As one of the prime sponsors of this legislation, is it your intent that the only dedications, which will qualify for a mandatory credit against the transportation impact fee, are those lands and improvements which are the identified off-site transportation improvements contained in the program of jointly funded transportation improvements?

Mr. Walk: Thank you, Representative Schmidt. The answer to your question is yes. It is not the intent of this legislation to provide a credit for dedications of land or improvements which are not within the program of transportation improvements.

Ms. Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1817 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P. King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Vaile, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 1817 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate suspended the Rules, returned SUBSTITUTE HOUSE BILL NO. 1368 to second reading and passed the bill with the Senate Committee on Law & Justice amendments (Adopted by Senate 3/4/88. For committee amendments, see House Journal, 57th Day, March 7, 1988.) and the following amendment by Senator Halsan to the Senate Committee on Law & Justice amendment:

On page 24, line 9 of the amendment, after "complaint." insert a new sentence as follows: "The garnishment attorney fee shall not exceed two hundred fifty dollars.", and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to Substitute House Bill No. 1368.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1368 as amended by the Senate.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1368 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Mary, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute House Bill No. 1368 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 5595 and has granted said committee the powers of Free Conference.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred SUBSTITUTE SENATE BILL NO. 5595, establishing liens for owners of self-storage facilities, have had the same under consideration and we recommend that the bill be amended

as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Substitute Senate Bill No. 5595, read in March 9, 1988.)

Signed by Senators Lee, Niemi, West; Representatives Armstrong, Appelwick, Padden.

MOTION

Mr. Armstrong moved that the House adopt the Report of the Free Conference Committee on Substitute Senate Bill No. 5595. The motion was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5595 as amended by Free Conference Committee.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5595 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Substitute Senate Bill No. 5595 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SECOND SUBSTITUTE HOUSE BILL NO. 1640 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred SECOND SUBSTITUTE HOUSE BILL NO. 1640, establishing the G. Robert Ross public service award program for outstanding public service by faculty, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Second Substitute House Bill No. 1640, read in March 9, 1988.)

Signed by Senators Saling, Patterson; Representatives Jacobsen, Fox, Miller.

MOTION

Mr. Jacobsen moved that the House adopt the Report of the Free Conference Committee on Second Substitute House Bill No. 1640. The motion was carried.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1640 as amended by Free Conference Committee.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1640 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Spannel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Second Substitute House Bill No. 1640 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

With consent of the House, Representative McLean was excused from further proceedings under the Call of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

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

INTRODUCTIONS AND FIRST READING

HCR 4451 by Representative Ebersole

Exempting EHB 1544 from bill cut-offs.

Held on First Reading from March 9, 1988.

HCR 4453 by Representatives Ebersole and Ballard

Adjourning the Legislature.

HCR 4454 by Representative Vekich

Directing a joint study of international trade by the Senate Economic Development and Labor Committee and the House of Representatives Trade and Economic Development Committee.

MOTION

Mr. Ebersole moved that the rules be suspended and that House Concurrent Resolution No. 4451 be placed on the second reading calendar. The motion was carried.

House Concurrent Resolution No. 4451 was read the second time.

Mr. Patrick moved adoption of the following amendment:
On page 1, line 6, after "1544" insert "or HB 1352"

POINT OF ORDER

Mr. Ebersole: Mr. Speaker, I ask you to rule on the scope and object of this amendment.

POINT OF ORDER

Mr. Lewis: Mr. Speaker, my point of order is: Is there a scope and object to the title of a House Concurrent Resolution?

SPEAKER'S RULING

The Speaker: Representative Lewis, there obviously is no title to a concurrent resolution, but the Speaker's rulings are on the scope and object which has to do with the germaneness of the issue before you. So all of the rulings we have made have to do, not only with the title, and there is no title on this, but also have to do with the subject before us. I hope that answers your question.

POINT OF ORDER

Mr. Lewis: Mr. Speaker, I draw your attention to Rule 30 of our Joint Rules.

SPEAKER'S RULING

The Speaker: Rule 30, Representative Lewis, deals with the Joint Rules. The matter before us is a concurrent resolution between the House and Senate. Your point is not well taken.

POINT OF ORDER

Mr. Lewis: Mr. Speaker, my point of order is that we have a House Concurrent Resolution before us. Rule 30 of our Joint Rules speaks to the amendatory process of a House Concurrent Resolution.

SPEAKER'S RULING

The Speaker: Representative Lewis, Rule 30 which reads "These joint rules may be amended by concurrent resolution agreed to..." with a day's advance notice. We are not, however, amending the Joint Rules. What we are doing is running a House Concurrent Resolution; we are not amending the Joint Rules.

The Speaker stated the question before the House to be the point of order raised by Mr. Ebersole regarding the amendment by Mr. Patrick.

SPEAKER'S RULING

The Speaker: Representative Ebersole, House Concurrent Resolution No. 4451 exempts a bill pertaining to minimum wage from the cut-off resolution. The amendment offered by Representative Patrick attempts to introduce an entirely new subject into the cut-off resolution. I find that your point is well taken; that the amendment by Representative Patrick is not germane to the resolution before us.

Mr. Ebersole moved adoption of the following amendments:

On page 1, line 2 after "amended" strike all material down to and including "4446" on line 3.

On page 1, line 6 strike "EHB 1544" and insert "HB 709"

Mr. Ebersole spoke in favor of adoption of the amendments, and they were adopted.

The resolution was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Ebersole spoke in favor of adoption of the resolution.

Representative McLean appeared at the bar of the House.

POINT OF INFORMATION

Mr. Lewis: For final passage of Engrossed House Concurrent Resolution No. 4551, what is the vote required? A simple majority?

The Speaker: Yes, a simple majority.

Mr. Lewis: What bill do we have before us now attached to House Concurrent Resolution No. 4551?

The Speaker: Representative Lewis, there is no bill attached to the House Concurrent Resolution. The bill referenced is House Bill No. 709, but it is a House Bill that now resides in the Ways & Means Committee.

Mr. Lewis: So all we are doing is passing a cut-off resolution? We don't have a bill before us? The bill is still in committee, is that correct?

The Speaker: That is correct.

Mr. Patrick spoke in favor of adoption of the resolution.

The resolution was adopted.

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

MOTION

Mr. Ebersole moved that Committee on Ways & Means be relieved of House Bill No. 709 and that the bill be placed on the second reading calendar.

MOTION

Mr. Lewis moved that Committee on Rules be relieved of House Bill No. 1352 and that the bill be placed on the second reading calendar.

SPEAKER'S RULING

The Speaker: We have a motion of equal rank pending, Representative Lewis. Your motion is now out of order. I will give you a chance to make that motion, having dealt with the motion before us.

The Speaker stated the question before the House to be the motion by Mr. Ebersole to relieve Committee on Ways & Means of House Bill No. 709 and place the bill on the second reading calendar.

MOTION

Ms. Brough moved that the motion by Mr. Ebersole be amended to relieve Committee on Rules of House Bill No. 1352.

POINT OF ORDER

Mr. Ebersole: Mr. Speaker, I would like you to rule on whether or not this motion can be properly considered under House Concurrent Resolution No. 4426.

SPEAKER'S RULING

The Speaker: Representative Ebersole, the Speaker has examined House Concurrent Resolution No. 4426. We know this as the cut-off resolution. The cut-off resolution is very clear that after 5:00 p.m. on Tuesday, February 16, 1988, except for the supplemental budget, the House can only consider Senate Bills, memorials and joint resolutions. That day was the last day for the House to consider House Bills that were not exempt, unless the cut-off resolution was otherwise amended. Your point is well taken and the motion offered by Representative Brough is out of order.

The Speaker stated the question before the House to be the motion by Mr. Ebersole that Committee on Ways & Means be relieved of House Bill No. 709 and that the bill be placed on the second reading calendar.

The motion was carried.

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

SECOND READING

POINT OF INFORMATION

Mr. Ballard: Thank you, Mr. Speaker. Can you inform the body of the status of Engrossed Second Substitute Senate Bill No. 6221?

The Speaker: Representative Ballard, we sent Engrossed Second Substitute Senate Bill No. 6221 to the Senate. We have not yet read in a return message from the Senate.

MOTION

Mr. Ballard moved that the House immediately receive the message from the Senate on Engrossed Second Substitute Senate Bill No. 6221.

The Speaker: Representative Ballard, I cannot accept your motion; the paperwork is not before us. It is not on the bar of the House.

POINT OF INFORMATION

Mr. Padden: If the paperwork on Engrossed Second Substitute Senate Bill No. 6221 is not on the bar of the House, where is it? The Senate acted on that bill a couple of hours ago to my understanding.

The Speaker: The Chief Clerk informed me that it is in transit and we will be receiving the transmission at some point.

POINT OF INFORMATION

Ms. Brough: My point of information is: When will Engrossed Second Substitute Senate Bill No. 6221 arrive on the bar of the House?

The Speaker: When it gets here, Representative Brough.

Ms. Brough: Could you give us an idea as to the time that might occur?

The Speaker: You might check with the Senate and find out what time they mailed it.

HOUSE BILL NO. 709, by Representatives Allen, Belcher, Hine, Miller, Brough, Cole, Fisher, Winsley, K. Wilson, Unsoeld, Rust, Lux, Hankins, Brekke, Leonard, Niemi, H. Sommers, Nutley, Wang, Locke, Valle, Jacobsen, Fisch, Basich and Jesernig

Establishing a state minimum wage tied to the federal poverty level.

The bill was read the second time. Mr. Grimm moved that Substitute House Bill No. 709 be substituted for House Bill No. 709, and the substitute bill be placed on the second reading calendar.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be the motion by Mr. Grimm that Substitute House Bill No. 709 be substituted for House Bill No. 709 and that the substitute bill be placed on the second reading calendar.

The motion was carried.

Substitute House Bill No. 709 was read the second time.

Mr. Patrick moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 294, Laws of 1959 as last amended by section 2, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.020 are each amended to read as follows:

((H)) Every employer shall pay to each of his or her employees who have reached the age of eighteen years wages at a rate of not less than ~~((one))~~ three dollars and ~~((sixty))~~ thirty-five cents per hour ~~((except as may be otherwise provided under subsections (2) through (7) of this section or as otherwise provided under this chapter. PROVIDED, That beginning the calendar year 1974, the applicable rate under this section shall be one dollar and eighty cents per hour, and beginning with September 1, 1975 the applicable rate under this section shall be two dollars and ten cents an hour, and beginning the calendar year 1976 the applicable rate under this section shall be two dollars and thirty cents an hour.~~

(2) Any individual eighteen years of age or older, unless exempt under the provisions of section 1(5)(k)(b) of this 1975 amendatory act, employed by the state, any county, city, town, municipal corporation or quasi-municipal corporation, political subdivision, or any instrumentality thereof shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars an hour, and beginning the calendar year 1976 at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977 at a rate of not less than two dollars and thirty cents an hour.

(3) Any individual eighteen years of age or older engaged in performing services in a nursing home licensed pursuant to chapter 10.51 RCW, shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars and ten cents an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977, at a rate of not less than two dollars and thirty cents an hour.

(4) Any individual eighteen years of age or older engaged in performing services in a hospital licensed pursuant to chapter 70.41 RCW, or chapter 71.12 RCW, shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars and ten cents an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents

an hour, and beginning the calendar year 1977 at a rate of not less than two dollars and thirty cents an hour:

(5) Any individual eighteen years of age or older employed in a retail or service establishment and who is so employed primarily in connection with the preparation or offering of food or beverages for human consumption, either on the premises, or by such services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977, at a rate of not less than two dollars and thirty cents an hour).

Sec. 2. A joint select committee on agricultural workers shall be established to review current compensation coverage for farm workers in the state of Washington and other states and the impact of current state of Washington policy on farm workers including the current minimum wage, the supply and demand for agricultural labor, and examine other state policies affecting farmers and farm workers. The joint select committee shall make its recommendations to the legislature for changes in state policies affecting agricultural workers and employers of agricultural workers."

Mr. Patrick spoke in favor of adoption of the amendment.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Representatives Belcher, Wang and Jones spoke against adoption of the amendment, and Representatives Amondson, Smith, Patrick, Doty and Bumgarner spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Patrick to Substitute House Bill No. 709, and the amendment was not adopted by the following vote: Yeas, 39; nays, 58; excused, 1.

Voting yea: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Grant, Hankins, Holland, Lewis, Mary, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 39.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristol, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 58.

Excused: Representative Allen - 1.

STATEMENT FOR THE JOURNAL

Please let the record show that I intended to vote "No" on the amendment by Representative Patrick to Substitute House Bill No. 709.

DOUG SAYAN, 35th District.

Ms. Belcher moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 294, Laws of 1959 as last amended by section 364, chapter 7, Laws of 1984 and RCW 49.46.010 are each amended to read as follows:

As used in this chapter:

(1) 'Director' means the director of labor and industries;

(2) 'Wage' means compensation due to an employee by reason of employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges, or allowances as may be permitted by regulations of the director;

(3) 'Employ' includes to permit to work;

(4) 'Employer' includes any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee;

(5) 'Employee' includes any individual employed by an employer but shall not include:

(a) ((Any individual employed (i) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (ii) in

packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; and the exclusions from the term 'employee' provided in this item shall not be deemed applicable with respect to commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption;

(b) Any individual employed in domestic service in or about a private home;

(c) Any individual (i) employed as a hand harvest laborer and paid on a piece rate basis in an operation which has been, and is generally and customarily recognized as having been, paid on a piece rate basis in the region of employment; (ii) who commutes daily from his or her permanent residence to the farm on which he or she is employed; and (iii) who has been employed in agriculture less than thirteen weeks during the preceding calendar year;

(d) Any individual employed in casual labor in or about a private home, unless performed in the course of the employer's trade, business, or profession;

(e) Any individual employed in a bona fide executive, administrative, or professional capacity or in the capacity of outside salesman as those terms are defined and delimited by regulations of the director. However, those terms shall be defined and delimited by the state personnel board pursuant to chapter 41.06 RCW and the higher education personnel board pursuant to chapter 28B.16 RCW for employees employed under their respective jurisdictions;

(f) Any individual engaged in the activities of an educational, charitable, religious, state or local governmental body or agency, or nonprofit organization where the employer-employee relationship does not in fact exist or where the services are rendered to such organizations gratuitously. If the individual receives reimbursement in lieu of compensation for normally incurred out-of-pocket expenses or receives a nominal amount of compensation per unit of voluntary service rendered, an employer-employee relationship is deemed not to exist for the purpose of this section or for purposes of membership or qualification in any state, local government or publicly supported retirement system other than that provided under chapter 41.24 RCW;

(g) Any individual employed full time by any state or local governmental body or agency who provides voluntary services but only with regard to the provision of the voluntary services. The voluntary services and any compensation therefor shall not affect or add to qualification, entitlement or benefit rights under any state, local government, or publicly supported retirement system other than that provided under chapter 41.24 RCW;

(h) Any newspaper vendor or carrier;

(i) Any carrier subject to regulation by Part 1 of the Interstate Commerce Act;

(j) Any individual engaged in forest protection and fire prevention activities;

(k) Any individual employed by any charitable institution charged with child care responsibilities engaged primarily in the development of character or citizenship or promoting health or physical fitness or providing or sponsoring recreational opportunities or facilities for young people or members of the armed forces of the United States;

(l) Any individual whose duties require that he or she reside or sleep at the place of his or her employment or who otherwise spends a substantial portion of his or her work time subject to call, and not engaged in the performance of active duties;

(m) Any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution;

(n) Any individual who holds a public elective or appointive office of the state, any county, city, town, municipal corporation or quasi municipal corporation, political subdivision, or any instrumentality thereof, or any employee of the state legislature;

(o) All vessel operating crews of the Washington state ferries operated by the department of transportation;

(p) Any individual employed as a seaman on a vessel other than an American vessel.

(6) 'Occupation' means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

Sec. 2, Section 2, chapter 294, Laws of 1959 as last amended by section 2, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.020 are each amended to read as follows:

(1) Every employer shall pay to each of his or her employees who ~~((have))~~ has reached the age of eighteen years wages at a rate of not less than ~~((one dollar))~~ two dollars and ((sixty)) thirty cents per hour except as may be otherwise provided under ((subsections (2) through (7)) of this section or as otherwise provided under this chapter. PROVIDED: That beginning the calendar year 1974, the applicable rate under this section shall be one dollar and eighty cents per hour, and beginning with September 1, 1975 the applicable rate under this section shall be two dollars and ten cents an hour, and beginning the calendar year 1976 the applicable rate under this section shall be two dollars and thirty cents an hour)) this section. The minimum wage for employees under the age of eighteen years shall be seventy-five percent of the minimum wage payable under this section to persons eighteen years of age and older.

(2) ((Any individual eighteen years of age or older, unless exempt under the provisions of section 1(5)(k)(8) of this 1975 amendatory act, employed by the state, any county, city, town, municipal corporation or quasi municipal corporation, political subdivision, or any instrumentality thereof shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars an hour, and beginning the calendar year 1976 at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977 at a rate of not less than two dollars and thirty cents an hour.

(3) Any individual eighteen years of age or older engaged in performing services in a nursing home licensed pursuant to chapter 18.51 RCW, shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars and ten cents an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977, at a rate of not less than two dollars and thirty cents an hour.

(4) Any individual eighteen years of age or older engaged in performing services in a hospital licensed pursuant to chapter 70.41 RCW, or chapter 71.12 RCW, shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars and ten cents an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977 at a rate of not less than two dollars and thirty cents an hour.

(5) Any individual eighteen years of age or older employed in a retail or service establishment and who is so employed primarily in connection with the preparation or offering of food or beverages for human consumption, either on the premises, or by such services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977, at a rate of not less than two dollars and thirty cents an hour)) (a) Beginning July 1, 1988, through December 31, 1988, the state minimum wage shall be three dollars and thirty-five cents per hour.

(b) Beginning January 1, 1989, through June 30, 1990, the state minimum wage shall be three dollars and seventy-five cents per hour.

(c) Beginning July 1, 1990, the state minimum wage shall be established as of July 1 of each year as provided in this section. Beginning January 1, 1989, and each year thereafter, the office of financial management shall review the adequacy of the state minimum wage. In conducting this review the office shall consider, but not be limited to, the following factors: The federal minimum wage, the rate of inflation since the most recent adjustment under this subsection, and current federal poverty guidelines. The office shall make recommendations concerning the state minimum wage, based on the adequacy of the state minimum wage considering these factors, to the governor. Prior to the start of the 1990 regular legislative session, and each regular session thereafter, the governor shall issue an executive order establishing the state minimum wage for the twelve-month period beginning on the following July 1. The order shall be filed with the state code reviser for publication in the next available issue of the Washington state register in compliance with RCW 34.08.020, and in the Washington state administrative code, as appropriate. By majority vote of both houses, the legislature may veto the governor's action. If the legislature vetoes the governor's action, the state minimum wage for the previous year shall remain in effect.

(3) In addition to any other penalty provided by law, the director may assess a civil penalty against any employer who pays or agrees to pay wages at a rate less than the minimum rate required under this section or RCW 49.46.060. The civil penalty shall be the greater of: (a) One thousand dollars, or (b) the full amount of the applicable wage rate for employees paid less than the applicable rate, plus the full amount of the applicable wage rate for such employees less the amount actually paid to such employees. The director shall assess penalties under this subsection after a hearing in accordance with chapter 34.04 RCW and all penalties paid shall be deposited in the general fund and used solely for the administration of this chapter.

Sec. 3. Section 15, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.121 are each amended to read as follows:

The committee, or the director, may at any time inquire into wages, hours, and conditions of labor of minors employed in any trade, business or occupation in the state of Washington and may adopt special rules for the protection of the safety, health and welfare of minor employees((-such minimum wages not to exceed the state minimum wage as prescribed in RCW 49.46.020, as now or hereafter amended)). The minimum wage for minors shall be as prescribed in RCW 49.46.020. The committee shall issue work permits to employers for the employment of minors, after being assured the proposed employment of a minor meets the standards set forth concerning the health, safety and welfare of minors as set forth in the rules and regulations promulgated by the committee. No minor person shall be employed in any occupation, trade or industry subject to this 1973 amendatory act, unless a work permit has been properly issued, with the consent of the parent, guardian or other person having legal

custody of the minor and with the approval of the school which such minor may then be attending.

NEW SECTION. Sec. 4. This act shall take effect July 1, 1988."

Ms. Belcher spoke in favor of adoption of the amendment, and Mr. Patrick opposed it.

POINT OF ORDER

Mr. O'Brien: Reed's Rules regarding reference to the other body states remarks should be confined to the issue at hand and not refer to what is going to happen over in the Senate.

The Speaker: Your point is well taken, Representative O'Brien.

Mr. Patrick continued his remarks against adoption of the amendment, and Ms. Cole spoke in favor of it.

POINT OF ORDER

Mr. Lewis: Mr. Speaker, I would remind the speaker about Rule 18(C), reading of a paper.

The Speaker: I don't think your point is well taken, Representative Lewis. I think Representative Cole might have been glancing at some notes on her desk, but I don't think she was reading a text.

Ms. Cole continued her remarks in favor of adoption of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Belcher to Substitute House Bill No. 709, and the amendment was adopted by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Amondson, Ballard, Barnes, Beck, Betzoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Grant, Hankins, Holland, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 35.

Excused: Representative Allen - 1.

With consent of the House, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "wage;" strike the remainder of the title, and insert "amending RCW 49.46.010, 49.46.020, and 49.12.121; and providing an effective date."

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher, Lewis and Ebersole spoke in favor of passage of the bill, and Representatives Barnes and Nealey opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 709, and the bill passed the House by the following vote: Yeas, 74; nays, 23; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Beck, Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Amondson, Ballard, Barnes, Berozoff, Brooks, Bumgarner, Chandler, Doty, Ferguson, Fuhrman, Grant, May, McLean, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Williams J, Wilson S - 23.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 709, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has relieved the Free Conference Committee of ENGROSSED SUBSTITUTE HOUSE BILL NO. 2038 and returned the bill to second reading under suspension of Rules for purpose of amending the bill. The bill was passed with the following amendments:

On page 3, line 14, after "senate," insert "The administrator shall serve at the pleasure of the governor."

On page 7, line 1, after the period, add a new subsection to read as follows:

"(4) The board may authorize premium contributions for an employee and the employee's dependents. Such authorization shall require a vote of five members of the board for approval."

Renumber the remaining subsections accordingly.

On page 7, beginning on line 3, after "board," strike all material down to and including the period on line 10.

On page 9, line 7, after "authority" strike "may" and insert "shall"

and the same is herewith transmitted.

Sidney R. Snyder, Deputy Secretary.

POINT OF INFORMATION

Mr. Padden: Mr. Speaker, the Clerk, when told to read the last line, did not indicate what bill he was dealing with. I don't know if it was Engrossed Second Substitute Senate Bill No. 6221 or some other bill, but he didn't read the bill that the message was on. I was hoping you might have found E2SSB 6221.

The Speaker: The message on the reader board and the message the Clerk read referred to Engrossed Substitute House Bill No. 2038.

POINT OF INFORMATION

Mr. Ballard: Thank you, Mr. Speaker. A short time ago I requested information about E2SSB 6221. Apparently, it has been delivered here and we were able to secure this at about 4 o'clock. We have the signature of the person who received it here in this body. We would appreciate it if we could locate that and place it on the bar for us to deal with this evening.

The Speaker: We are doing our best, Representative Ballard.

MOTION

Mr. Grimm moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2038.

Representatives Grimm and Ballard spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2038 as amended by the Senate.

Mr. Sprenkle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2038 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 59; nays, 38; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Beck, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Fisher, Fox,

Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Velich, Walk, Walker, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Day, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Holland, King P, Lewis, Mary, McLean, Miller, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Williams B, Williams J, Wilson S, Winsley - 38.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 2038 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENTS FOR THE JOURNAL

I would like the records to show that the roll call vote today on final passage of ESHB 2038 as amended by the Senate indicates a "No" vote for me. It was my intention to vote "Yes."

BRUCE HOLLAND, 47th District.

I would like the records to show that the roll call vote today on final passage of ESHB 2038 as amended by the Senate indicates a "No" vote for me. It was my intention to vote "Yes."

ROY A. FERGUSON, 48th District.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate concurs in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6221 except subsection (1) of NEW SECTION, Sec. 902. (page 18, lines 17-21), and asks the House to recede therefrom, and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Braddock moved that the House adhere to its position regarding its amendments to Engrossed Second Substitute Senate Bill No. 6221 and again ask the Senate to concur in the remaining amendments.

Mr. Padden spoke against the motion, and Mr. Braddock spoke in favor of it.

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

MOTION

Ms. Brough moved that the House recede from its position on the amendments to subsection (1) of NEW SECTION, Sec. 902. (page 18, lines 17-21).

Mr. Lewis demanded an electric roll call vote, and the demand was sustained.

Representatives Padden and Moyer spoke in favor of the motion, and Mr. Appelwick spoke against it.

MOTION

Mr. Appelwick moved that the remarks by Mr. Moyer be spread upon the Journal and immediately transmitted to the Senate. With consent of the House, it was so ordered.

REMARKS BY REPRESENTATIVE MOYER

Mr. Moyer: Thank you, Mr. Speaker. Ladies and gentlemen of the House: With the permission of the Speaker, I would like to briefly read what we will lose if we don't have an AIDS bill. If we don't have a bill, we will lose all the public information for children and adults on AIDS that emphasizes sexual abstinence, sexual fidelity and avoiding drug abuse. We will lose the opportunity to offer AIDS education annually in the fifth through twelfth grades. We will lose it in colleges. We will lose the opportunity to train health professionals. We will lose mandating AIDS tests

for convicted sex offenders, drug abusers and prostitutes. We won't be able to have law enforcement officers, fire fighters and health care providers request AIDS testing of people with whose bodily fluids they come in contact. Jail and prison administrators are not authorized to test inmates unless we have the bill. Specific guidelines for establishing six regional AIDS networks will not be in existence. Confidentiality standards will be lost. Discrimination provisions are included in the bill, as has just been said. Public health officers will not be authorized to detain people with AIDS under certain conditions. We will lose a class B felony conviction for knowingly transmitting the AIDS virus. Recognizing that in the emotional debate last night, I did speak for section 902 as modified, I cannot in good conscience say that I want this bill lost. We have far too much at stake. We have a narcotics epidemic in King County. Yakima County, as was told to us this morning, is the third entry point in the United States. To my perception, as a legislature, we cannot opt out. We have to have an AIDS bill. I will vote to concur.

Representatives Brooks, Hargrove, Baugher, Brough and Schoon spoke in favor of the motion, and Representatives Braddock, Locke, Jones, Anderson and Ebersole opposed it.

ROLL CALL

The Clerk called the roll on the motion by Ms. Brough that the House recede from its position on the amendments to subsection (1) of NEW SECTION. Sec. 902. (page 18, lines 17-21) to Engrossed Second Substitute Senate Bill No. 6221, and the motion was lost by the following vote: Yeas, 41; nays, 56; excused, 1.

Voting yea: Representatives Amondson, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Holland, King P, Kremen, Lewis, May, McLean, Moyer, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 41.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Leonard, Locke, Lux, Meyers, Miller, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 56.

Excused: Representative Allen - 1.

The Speaker stated the question before the House to be the motion by Mr. Braddock that the House adhere to its position regarding its amendments to Engrossed Second Substitute Senate Bill No. 6221 and again ask the Senate to concur in the remaining amendments.

MOTION

Mr. Lewis moved that the House insist on its position regarding its amendments to Engrossed Second Substitute Senate Bill No. 6221 and request the Senate to concur therein.

Mr. Lewis spoke in favor of the motion.

Ms. Brough demanded an electric roll call vote, and the demand was sustained.

Mr. Ebersole spoke against the motion, and Ms. Brough spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Lewis that the House insist on its position on the amendments to subsection (1) of NEW SECTION. Sec. 902. (page 18, lines 17-21) to Engrossed Second Substitute Senate Bill No. 6221 and ask the Senate to concur therein, and the motion was lost by the following vote: Yeas, 39; nays, 58; excused, 1.

Voting yea: Representatives Amondson, Ballard, Barnes, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Doty, Ferguson, Fuhrman, Hankins, Hargrove, Holland, King P, Kremen, Lewis, May, McLean, Moyer, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 39.

Voting nay: Representatives Anderson, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher,

Fox, Gallagher, Grant, Grimm, Haugen, Heavey, Hine, Holm, Jacobsen, Jesernig, Jones, King R, Leonard, Locke, Lux, Meyers, Miller, Nelson, Nutley, O'Brien, Peery, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 58.

Excused: Representative Allen - 1.

The Speaker stated the question before the House to be the motion by Mr. Braddock that the House adhere to its position regarding its amendments to Engrossed Second Substitute Senate Bill No. 6221 and again ask the Senate to concur in the remaining amendments.

The motion was carried.

The Speaker called on Representative O'Brien to preside.

MOTION

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

MESSAGES FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate receded from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1849 and passed the bill without said amendments, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 5595 and has passed the bill as amended by the Free Conference Committee.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 6124 and has passed the bill as amended by the Free Conference Committee.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 6157 and has passed the bill as amended by the Free Conference Committee.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 6238 and has passed the bill as amended by the Free Conference Committee.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1418,
HOUSE BILL NO. 1558,
HOUSE BILL NO. 1695,

HOUSE CONCURRENT RESOLUTION NO. 4402,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated that the Speaker had signed:

SUBSTITUTE HOUSE BILL NO. 692,
HOUSE BILL NO. 1292,
SUBSTITUTE HOUSE BILL NO. 1295,
SUBSTITUTE HOUSE BILL NO. 1317,
SUBSTITUTE HOUSE BILL NO. 1319,
SUBSTITUTE HOUSE BILL NO. 1333,
SUBSTITUTE HOUSE BILL NO. 1340,
HOUSE BILL NO. 1341,
SUBSTITUTE HOUSE BILL NO. 1366,
SUBSTITUTE HOUSE BILL NO. 1369,
HOUSE BILL NO. 1387,
SUBSTITUTE HOUSE BILL NO. 1389,
SUBSTITUTE HOUSE BILL NO. 1424,
SUBSTITUTE HOUSE BILL NO. 1465,
SUBSTITUTE HOUSE BILL NO. 1469,
SUBSTITUTE HOUSE BILL NO. 1530,
SECOND SUBSTITUTE HOUSE BILL NO. 1565,
SUBSTITUTE HOUSE BILL NO. 1586,
HOUSE BILL NO. 1588,
SUBSTITUTE HOUSE BILL NO. 1633,
SUBSTITUTE HOUSE BILL NO. 1652,
SUBSTITUTE HOUSE BILL NO. 1660,
SUBSTITUTE HOUSE BILL NO. 1673,
SUBSTITUTE HOUSE BILL NO. 1683,
SUBSTITUTE HOUSE BILL NO. 1684,
SUBSTITUTE HOUSE BILL NO. 1701,
SECOND SUBSTITUTE HOUSE BILL NO. 1713,
SUBSTITUTE HOUSE BILL NO. 1745,
SUBSTITUTE HOUSE BILL NO. 1754,
SUBSTITUTE HOUSE BILL NO. 1783,
HOUSE BILL NO. 1796,
HOUSE BILL NO. 1836,
SUBSTITUTE HOUSE BILL NO. 1845,
SUBSTITUTE HOUSE BILL NO. 1857,
SUBSTITUTE HOUSE BILL NO. 1883,
HOUSE BILL NO. 1884,
SUBSTITUTE HOUSE BILL NO. 1915,
SUBSTITUTE HOUSE BILL NO. 1952,
HOUSE BILL NO. 2046,
HOUSE JOINT RESOLUTION NO. 4223,
SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4231,
SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 4403,
HOUSE CONCURRENT RESOLUTION NO. 4452.

The Speaker resumed the Chair.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate refuses to concur in the remaining amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6221, (subsection (1) of NEW SECTION. Sec. 902., page 18, lines 17-21), insists on its position, and once again asks the the House to recede therefrom, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Ebersole moved that the House again adhere to its position regarding its amendments to Engrossed Second Substitute Senate Bill No. 6221 and again ask the Senate to concur in the remaining amendment. The motion was carried.

Mr. Ebersole demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Allen, Gallagher, Lux, Sanders, Sayan and Sutherland.

On motion of Mr. Ebersole, the absent members were excused, and the House proceeded with business under the Call of the House.

Representatives Gallagher, Lux, Sayan and Sutherland appeared at the bar of the House.

POINT OF PERSONAL PRIVILEGE

Ms. Hankins: Mr. Speaker, some of the members of the House do not realize that I am a member of the Executive Committee of the National Conference of State Legislatures. I would like to make an announcement at this time to tell them that I have the minutes of the board meeting which I attended on Saturday. They might want to call or come by my office and have an opportunity to read those minutes to prepare themselves for the National Conference meeting in Reno, Nevada this year. There are some major issues coming up before our delegates. They will need to know what those issues are, and they will also need to know how to vote on the changes to the bylaws for the foundation. Thank you.

MESSAGE FROM THE SENATE

March 9, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 6160 and has granted said committee the powers of Free Conference.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 6160, providing baccalaureate and masters degree equivalencies for certification of vocational instructors, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed Substitute Senate Bill No. 6160, read in March 9, 1988.)

Signed by Senators Bailey, Bender, Craswell; Representatives Spanel, Betrozoff, Peery.

POINT OF ORDER

Mr. Lux: Mr. Speaker, in looking at the bill I think that I would like to ask for a ruling on scope and object.

SPEAKER'S RULING

The Speaker: Representative Lux, the Speaker has examined Engrossed Substitute Senate Bill No. 6160 and finds it to be a bill that deals with certification standards for vocational instructors. The amendment deals with grounds for dismissal of all teachers. It talks about revocation of a certificate based on felony crimes. The scope of the original bill was relatively narrow, dealing just with certification requirements for vocational instructors. The Speaker, therefore, finds, Representative Lux, that your point is well taken and that the amendment is outside the scope and object of the bill.

The Speaker stated that by its action the House had returned Engrossed Substitute Senate Bill No. 6160 to the Conference Committee.

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

INTRODUCTION AND FIRST READING

HCR 4455 by Representative Ebersole

Extending the bill cut-off for capital projects.

MOTION

On motion of Mr. Ebersole, the rules were suspended and the resolution was advanced to second reading.

House Concurrent Resolution No. 4455 was read the second time.

Mr. Padden moved adoption of the following amendment by Representatives Patrick, Scott and Baugher:

On page 1, line 5, after "HB" insert "1352."

POINT OF ORDER

Mr. Ebersole: Mr. Speaker, will you rule on the scope of this amendment?

SPEAKER'S RULING

The Speaker: Representative Ebersole, the proposed amendment to the cut-off resolution deals with capital projects and extends the bill cut-off for capital projects. The amendment offered by Representatives Patrick, Scott and Baugher tries to insert a new subject. I find that your point is well taken, that the amendment is outside the scope and object of the resolution.

With consent of the House, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

The resolution was adopted.

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

MOTION

Mr. Ebersole moved that Committee on Rules be relieved of House Bill No. 2041 and House Bill No. 2044 and that the bills be placed on the second reading calendar. The motion was carried.

Representative Sanders appeared at the bar of the House.

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

SECOND READING

HOUSE BILL NO. 2041, by Representative Grimm

Relating to the capital budget. (t.o.)

The bill was read the second time.

Mr. Bristow moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

(1) As used in this act, the following phrases have the following meanings:

'Common School Constr Fund' means Common School Construction Fund;

'Cap Bldg Constr Acct' means Capitol Building Construction Account;

'St Bldg Constr Acct' means State Building Construction Account;

'St Fac Renew Acct' means State Facilities Renewal Account;

'Fish Cap Proj Acct' means Fisheries Capital Projects Account;

'ORA' means Outdoor Recreation Account;

'Sal Enhmt Constr Acct' means Salmon Enhancement Construction Account;

'For Dev Acct' means Forest Development Account;

'Res Mgmt Cost Acct' means Resource Management Cost Account;

'LIRA, DSHS Fac' means Local Improvements Revolving Account—Department of Social and Health Services Facilities;

'DSHS Constr Acct' means State Social and Health Services Construction Account;

'CEP & RI Acct' means Charitable, Educational, Penal, and Reformatory Institutions Account;

'Fire Trng Constr Acct' means Fire Training Construction Account;

- 'WSU Bldg Acct' means Washington State University Building Account;
 'St H Ed Constr Acct' means State Higher Education Construction Account;
 'EWU Cap Proj Acct' means Eastern Washington University Capital Projects Account;
 'TESC Cap Proj Acct' means The Evergreen State College Capital Projects Account;
 'Com Col Cap Impvmt Acct' means Community College Capital Improvement Account;
 'Com Col Cap Proj Acct' means Community College Capital Projects Account;
 'Com Col Cap Constr Acct' means 1975 Community College Capital Construction Account;
 'CWU Cap Proj Acct' means Central Washington University Capital Projects Account;
 'UW Bldg Acct' means University of Washington Building Account;
 'St Bldg Auth Constr Acct' means State Building Authority Construction Account;
 'WVU Cap Proj Acct' means Western Washington University Capital Projects Account;
 'Cap Purch & Dev Acct' means Capitol Purchase and Development Account;
 'Hndcp Fac Constr Acct' means Handicapped Facilities Construction Account;
 'LIRA, Waste Disp Fac' means State and Local Improvement Revolving Account—Waste Disposal Facilities;
 'State Emerg Water Proj Rev' means Emergency Water Project Revolving Account—State;
 'LIRA, Waste Fac 1980' means State and Local Improvement Revolving Account—Waste Disposal Facilities 1980;
 'LIRA, Water Sup Fac' means State and Local Improvement Revolving Account—Water Supply Facilities;
 'LIRA' means State and Local Improvement Revolving Account;
 'LIRA, Public Rec Fac' means State and Local Improvement Revolving Account—Public Recreation Facilities;
 'PNW Fest Fac Constr Acct' means Pacific Northwest Festival Facility Construction Account;
 'Cultural Fac Constr Acct' means Cultural Facilities Construction Account;
 'H Ed Constr Acct' means Higher Education Construction Account 1979;
 'H Ed Reimb S/T Bonds Acct' means Higher Education Reimbursable Short-Term Bonds Account;
 'St Patrol Hiwy Acct' means State Patrol Highway Account;
 'WSP Services Acct' means State Patrol Services Account;
 'Unemp Comp Admin Acct' means Unemployment Compensation Administration Account;
 'Game Spec Wildlife Acct' means Game Special Wildlife Account;
 'Local Jail Imp & Constr Acct' means Local Jail Improvement and Construction Account.
'Cap Campus Ofc Dev Acct' means Capitol Campus Office Development Account.
'Wynoochee Riv Mit Acct' means Wynoochee River Mitigation Account.

The words 'capital improvements' or 'capital projects' used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets. For purposes of this act, 'provided solely' means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall revert.

'Revert' or 'lapse' means the amount shall return to an unappropriated status.

(2) Letters and numbers in parenthesis following each project description are the unique project identifiers used throughout a project's duration to identify it.

PART 1

GENERAL GOVERNMENT

Sec. 101. Section 106, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT

Tacoma Union Station building stabilization and planning

The appropriation in this section is subject to the following conditions and limitations:

(1) \$1,000,000 of this appropriation is provided solely to prevent further deterioration of the Tacoma Union Station building. This may include, but is not limited to, providing a fire detection system, removing safety hazards, and programming necessary to implement these works.

(2) A maximum of \$500,000 may be used for planning regarding future use of the Tacoma Union Station property to promote state economic development.

(3) The money in subsections (1) and (2) of this section is provided contingent upon a written legal agreement between the city of Tacoma and the state that (a) requires state approval of future uses and disposition of the Tacoma Union Station property and (b) gives the state the right of first refusal to assume the city of Tacoma's option to purchase the Tacoma Union Station property currently owned by the Burlington Northern company.

(4) \$500,000 of this appropriation is provided solely for architectural plans and construction specifications for a state museum on the Union Station property.

(5) \$400,000 of this appropriation is provided solely for purchase of the Union Station property. The appropriation in this subsection is contingent on a like amount being provided for this purpose from nonstate sources.

(6) \$2,000,000 of this appropriation is provided solely for restoration of the rotunda of the Union Station building. The appropriation in this subsection is contingent on the city's agreement to exercise its option to purchase Union Station and the city's agreement to grant to the state the right of first refusal to assume the city's option to purchase the property should the city decide to withdraw from the project.

(7) The money in subsections (4), (5), and (6) of this section is provided contingent upon a written legal agreement between the city of Tacoma and the state that:

(a) The city obtain the state's approval for all decisions with respect to:

(i) Determining final ownership of Union Station itself;

(ii) Identifying appropriate uses for the site; and

(iii) Selecting consultants retained by the city under its contract with the state;

(b) The city consult with the state and, unless prohibited from doing so by terms of the United States general services administration lease, follow the state's recommendations in other significant decisions concerning the development of the Union Station properties, including but not limited to:

(i) Planning the development and redevelopment of the site to accommodate appropriate uses;

(ii) Obtaining financing for acquisition, development, or redevelopment of the property; and

(iii) Acquiring, leasing, subleasing, and/or reselling the property;

(c) If the city finds that it is not possible to follow the state's recommendations, the city will advise the state and allow the state a reasonable opportunity to comment; and

(d) The city shall obtain a public access easement from the United States general services administration or any other owner or lessee that will allow public access through the rotunda to any future state facility.

	Reappropriation	Appropriation ((1,500,000)) 4,400,000
St Bldg Constr Acct		
	Estimated	Estimated
Project Costs	Costs	Total
Through 6/30/87	7/1/89 and Thereafter	Costs
		((1,500,000)) 4,400,000

Sec. 102. Section 107, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT

Capitalize development loan fund (88-2-002)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$250,000 of the appropriation in this section is provided solely for entitlement communities, which shall not require the commitment of additional federal funds by the entitlement community.

(2) Up to one million five hundred thousand dollars may be used for grants of state funds to local governments which qualify as 'entitlement communities' under the federal law authorizing community development block grants, which shall not require the commitment of additional federal funds by the entitlement community.

(3) Additional grants may be provided to entitlement communities subject to the matching requirement in RCW 43.168.100.

(4) To the extent permitted under federal law, the development loan committee shall require local entitlement communities to transfer repayments of principal and interest to the Washington state development loan fund.

	Reappropriation	Appropriation ((3,070,000)) 4,070,000
St Bldg Constr Acct		
	Estimated	Estimated
Project Costs	Costs	Total
Through 6/30/87	7/1/89 and Thereafter	Costs
		((3,070,000)) 4,070,000

NEW SECTION. Sec. 103. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT

Columbia county courthouse

The appropriation in this section is subject to the following conditions and limitations:

(1) \$400,000 is appropriated to repair and restore the Columbia county courthouse.

(2) The appropriation in this section shall be matched by \$700,000 in private donations and local funds from Columbia county.

	Reappropriation	Appropriation
St Bldg Constr Acct		400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
	400,000	400,000

NEW SECTION. Sec. 104. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

East capitol campus development

The appropriations in this section are subject to the following conditions and limitations:

(1) The \$50,700,000 appropriation from the Cap Campus Dev Acct is provided solely for the construction of a natural resources building on the unimproved state-owned property east of Capitol Way and west of Jefferson Avenue and construction of a multilevel parking structure on the state-owned property near Jefferson Avenue and Wheeler Street. No funds authorized in this subsection may be expended until the functions of the department of natural resources currently occupying the John A. Cherberg Building are moved to the interim location of the former J.C. Penney's building.

(2) The \$13,000,000 appropriation from the St Bldg Constr Acct is provided solely for construction of a new state museum and visitor center and demolition of the old Thurston county courthouse. The courthouse demolition shall occur prior to construction of the new museum. The state museum is to be constructed on the capitol campus between Capitol Way and Water Street. The new museum shall include an underground parking garage. The new museum shall be designed and constructed in such a manner to include as many useable parts and materials from the old Thurston county courthouse as practical. The department of general administration shall establish a committee consisting of members of the legislature and the state historical societies to advise the department of general administration on the schematic design of the new museum. The committee may disapprove the final schematic plans for the museum submitted by the department of general administration but shall not have authority to approve or modify the final plans for the new museum.

	Reappropriation	Appropriation
Cap Campus Otc Dev Acct		50,700,000
St Bldg Constr Acct		13,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		63,700,000

Sec. 105. Section 151, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Legislative Building painting and renovation

	Reappropriation	Appropriation
Cap Bldg Constr Acct		((1,365,000))
		<u>2,465,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		((1,365,000))
		<u>2,465,000</u>

Sec. 106. Section 155, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

Tacoma Armory rehabilitation (86-1-001)

	Reappropriation	Appropriation
General Fund, Federal		300,000
St Bldg Constr Acct	((1,566,000))	207,000
	<u>1,524,254</u>	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
((626,000))	4,536,000	7,163,000
595,746		

Sec. 107. Section 157, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT
Minor works (86-1-005)

	Reappropriation	Appropriation
St Bldg Constr Acct		500,000
St Fac Renew Acct	<u>34,747</u>	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
(1,764,666)	1,000,000	3,264,000
1,729,253		

NEW SECTION, Sec. 108. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE MILITARY DEPARTMENT
Facility contingency (CR-86-2-006)

	Reappropriation	Appropriation
St Fac Renew Acct	64,812	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
1,010,188	1,210,000	2,285,000

PART 2

HUMAN RESOURCES

Sec. 201. Section 201, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Referendum 37 projects (79-3-R01)

Approve, construct, renovate, and equip facilities for the care, training, and rehabilitation of persons with physical or mental handicaps, involving ~~(eight)~~ ten projects as recommended by the department, totaling ~~((3353,267))~~ \$465,547. Moneys allocated to a project under this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1987, and approved by March 31, 1988, with the exception of \$112,280 for two Thurston county projects, which require final application submittal by December 31, 1988, and approval by March 31, 1989.

	Reappropriation	Appropriation
Hndcp Fac Constr Acct	2,389,000	
LIRA, DSHS Fac		47,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
22,580,000		25,016,000

Sec. 202. Section 202, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Referendum 29 projects (79-3-R02)

Provides expenditure authority for projects already in progress and provides new funds from interest earnings to complete a community multipurpose center for the handicapped in Ferry county. A maximum of \$40,000 of the funds provided in this section may be spent for renovation or other costs necessary to establish a self-supporting day care center for children of state employees at Eastern State Hospital. A maximum of \$170,000 of the funds provided in this section is provided solely for participation by the department of social and health services in a project to construct a multipurpose child care center at the Everett community college.

	Reappropriation	Appropriation
LIRA, DSHS Fac	874,000	((126,666))
		<u>330,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
426,000		((1,426,666))
		<u>1,630,000</u>

Sec. 203. Section 216, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Emergency, unanticipated, and small works contingency (86-1-010)

	Reappropriation	Appropriation
St Fac Renew Acct	525,000	
St Bldg Constr Acct		294,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
452,000		(977,000)
		1,271,000

Sec. 204. Section 236, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Referendum 27 and Referendum 38

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to sixteen full time equivalent staff per year (~~(in this act)~~) may be funded (~~(through)~~) from the reappropriation of Referendum 38 for the purpose of reviewing local water improvement accounts.

(2) The appropriation is provided solely for drought related municipal and industrial water supply projects.

	Reappropriation	Appropriation
LIRA, Water Supp Fac	41,934,000	3,200,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		(41,161,000)
		44,361,000

NEW SECTION. Sec. 205. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Capital repair minor works: Utilities and facilities (88-1-001)

	Reappropriation	Appropriation
St Bldg Constr Acct		1,058,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
	8,668,000	9,726,000

NEW SECTION. Sec. 206. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Capital repair minor works: Hazardous materials abatement (88-1-005)

	Reappropriation	Appropriation
St Bldg Constr Acct		977,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
	800,000	1,777,000

PART 3
HUMAN SERVICES—OTHER

Sec. 301. Section 316, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS
State-wide: Transformers (PCB) code compliance (86-1-012)

	Reappropriation	Appropriation
(St Fac Renew Acct)	(100,000)	
CEP & RI Acct	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
100,000		200,000

Sec. 302. Section 322, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS
State-wide: Emergency repair projects (86-1-010)

Reappropriation	Appropriation
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~~(St Bldg Constr Acct)~~St Fac Renew AcctProject
Costs
Through
6/30/87
330,000Estimated
Costs
7/1/89 and
Thereafter~~(76,666)~~70,000Estimated
Total
Costs

400,000

NEW SECTION, Sec. 303. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Tacoma work training release center: Construction of a Tacoma work release facility (88-2-004)

	Reappropriation	Appropriation
St Bldg Constr Acct		4,462,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		4,462,000

NEW SECTION, Sec. 304. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Eastern Washington prerelease: Site preparation costs for Eastern Washington prerelease facility (88-2-005)

	Reappropriation	Appropriation
St Bldg Constr Acct		1,011,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		1,011,000

NEW SECTION, Sec. 305. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Purdy corrections center for women: Wastewater treatment, life safety projects, and master plan preparation (88-2-006)

	Reappropriation	Appropriation
St Bldg Constr Acct		615,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		615,000

PART 4

K-12 EDUCATION

Sec. 401. Section 407, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD OF EDUCATION

Artwork grants: 1985-87 (86-4-008)

	Reappropriation	Appropriation
Common School Constr Fund	(215,666)	
	<u>294,000</u>	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
(236,666)		445,000
151,000		

Sec. 402. Section 408, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD OF EDUCATION

Public school building construction: 1987 (88-2-001)

The appropriation in this section is subject to the following conditions and limitations:

(1) After the effective date of this 1988 section, authorization of projects to receive state matching assistance shall include only projects that meet requirements and timelines for authorization of projects to open bids established as of March 1, 1988, in state board of education rules, of which a maximum of \$77,000,000 may be for new construction due to enrollment growth or condemnation.

(2) A maximum of \$955,000 of the appropriation in this section may be spent for state administration of school construction funding.

Common School Constr Fund	Reappropriation	Appropriation
		((134,337,000))
		<u>208,262,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		((134,337,000))
		<u>208,262,000</u>

NEW SECTION. Sec. 403. A new section is added to chapter 6, Laws of 1987 1st ex. sess. to read as follows:

FOR THE STATE BOARD OF EDUCATION

Darrington school district: New elementary-middle school

The appropriation in this section is subject to the following conditions and limitations:

(1) This project shall comply with all state board of education rules and procedures for receipt of state assistance for school construction, with the following exceptions:

(a) The local matching requirement shall be ten percent of the approved project cost as determined by state board of education rules; and

(b) The Darrington school district may be authorized to open bids on the project prior to the final prioritization and authorization of other eligible school district projects and as soon as all other applicable requirements for eligibility for state assistance are met.

(2) If the Darrington school district does not secure local matching funds for the project prior to March 1, 1989, the appropriation in this section shall lapse.

Common School Constr Fund	Reappropriation	Appropriation
		3,405,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		3,405,000

Sec. 404. Section 409, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD OF EDUCATION

Common school disbursement limit

A maximum of ((~~\$152,230,000~~)) \$200,650,000 of the appropriations and reappropriations in sections ((~~301 through 306 of this act~~)) 401 through 408 of chapter 6, Laws of 1987 1st ex. sess., as amended, and section 403 of this 1988 act, may be disbursed during the 1987-89 biennium.

NEW SECTION. Sec. 405. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

Roof repairs: Irwin educational building (88-1-002)

St Bldg Constr Acct	Reappropriation	Appropriation
		140,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		140,000

PART 5

COLLEGES AND UNIVERSITIES

Sec. 501. Section 503, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Life safety: Code compliance (86-1-002)

St H Ed Constr Acct	Reappropriation	Appropriation
St Bldg Constr Acct	500,000	3,000,000
<u>UW Bldg Acct</u>		<u>1,000,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
500,000	3,000,000	((7,000,000))
		<u>8,000,000</u>

Sec. 502. Section 516, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Health science building expansion (H Wing) (86-1-021)

	Reappropriation	Appropriation
H Ed Reimb S/T Bonds Acct	135,000	
St Bldg Constr Acct		21,135,000
<u>UW Bldg Acct</u>		<u>3,500,000</u>
Project Costs	Estimated Costs	Estimated Total
Through 6/30/87	7/1/89 and Thereafter	Costs
41,000		((21,311,000))
		<u>24,811,000</u>

NEW SECTION. Sec. 503. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Science and engineering facilities: Preplanning (88-2-044)

	Reappropriation	Appropriation
UW Bldg Acct		1,000,000
Project Costs	Estimated Costs	Estimated Total
Through 6/30/87	7/1/89 and Thereafter	Costs
		1,000,000

NEW SECTION. Sec. 504. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Power plant boiler coal retrofit (88-4-024)

	Reappropriation	Appropriation
UW Bldg Acct		2,300,000
Project Costs	Estimated Costs	Estimated Total
Through 6/30/87	7/1/89 and Thereafter	Costs
		2,300,000

NEW SECTION. Sec. 505. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Power plant stack replacement (88-1-023)

	Reappropriation	Appropriation
UW Bldg Acct		1,500,000
Project Costs	Estimated Costs	Estimated Total
Through 6/30/87	7/1/89 and Thereafter	Costs
		1,500,000

Sec. 506. Section 529, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Minor capital improvements (88-1-001)

	Reappropriation	Appropriation
WSU Bldg Acct		((4,800,000))
Project Costs	Estimated Costs	Estimated Total
Through 6/30/87	7/1/89 and Thereafter	Costs
	9,260,000	((14,800,000))
		<u>13,983,100</u>

Sec. 507. Section 530, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Minor capital renewal (88-1-002)

	Reappropriation	Appropriation
St Bldg Constr Acct		((6,344,000))
Project Costs	Estimated Costs	Estimated Total
Through 6/30/87	7/1/89 and Thereafter	Costs
		<u>5,701,900</u>

6/30/87

Thereafter
10,000,000~~((16,344,000))~~
15,701,900

NEW SECTION, Sec. 508. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Fine arts building: Mechanical system improvements (88-1-012)

Reappropriation

Appropriation
3,119,000

WSU Bldg Acct

Project
Costs
Through
6/30/87Estimated
Costs
7/1/89 and
ThereafterEstimated
Total
Costs

3,119,000

NEW SECTION, Sec. 509. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

PCB transformer removal and replacement (88-1-014)

Reappropriation

Appropriation
642,100
76,900

St Bldg Constr Acct

WSU Bldg Acct

Project
Costs
Through
6/30/87Estimated
Costs
7/1/89 and
ThereafterEstimated
Total
Costs

719,000

Sec. 510. Section 560, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Lab annex remodel (86-1-099)

Reappropriation

Appropriation
~~((1,000,000))~~
1,222,000

St Bldg Constr Acct

Project
Costs
Through
6/30/87
75,000Estimated
Costs
7/1/89 and
ThereafterEstimated
Total
Costs~~((1,000,000))~~
1,297,000

Sec. 511. Section 566, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Minor works (88-2-008)

Reappropriation

Appropriation
~~((420,000))~~
214,000

St Bldg Constr Acct

Project
Costs
Through
6/30/87Estimated
Costs
7/1/89 and
Thereafter
273,000Estimated
Total
Costs~~((701,000))~~
487,000

Sec. 512. Section 577, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WESTERN WASHINGTON UNIVERSITY

Minor works request: Small repairs and improvements: PROVIDED, That the \$900,000 state building construction account appropriation shall be used solely for asbestos removal (87-2-004)

Reappropriation

Appropriation

St H Ed Constr Acct

St Bldg Constr Acct

WWU Cap Proj Acct

St Fac Renew Acct

Project
Costs
Through
6/30/87Estimated
Costs
7/1/89 and
ThereafterEstimated
Total
Costs

175,000

910,000

160,000

900,000

4,697,000

7,292,000

3,545,000

~~(16,779,000)~~
17,679,000PART 6
COMMUNITY COLLEGES

NEW SECTION, Sec. 601. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

Washington State University education center: Clark College

The appropriation in this section is subject to the following conditions and limitations: Clark College shall not charge Washington State University facility rental fees for the use of the education center.

	Reappropriation	Appropriation
St Bldg Constr Acct		1,800,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		1,800,000

NEW SECTION, Sec. 602. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

Multipurpose child care center: Everett

The appropriation in this section is subject to the following conditions and limitations: The funds in this section are provided solely for a model multipurpose child care center for one hundred forty children on or near the Everett community college campus, in accordance with the findings and recommendations of the department of general administration feasibility study for state employee child care dated October 1986. The center is intended to serve a broad base of parents, including students, college and state employees, and clients of state agencies, including but not limited to participants in the department of social and health services family independence program. Additionally, the center may be used as a training facility for students in early childhood education or other appropriate disciplines, and for child care providers. Planning and construction of this facility shall be coordinated with the department of social and health services and local private or government entities.

	Reappropriation	Appropriation
St Bldg Constr Acct		600,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		770,000

PART 7

NATURAL RESOURCES

Sec. 701. Section 702, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Waste disposal facilities: 1980 (88-2-001)

The appropriation in this section is subject to the following conditions and limitations: A maximum of \$1,500,000 of the appropriation may be expended for planning assistance to any ground water management areas created pursuant to chapter 453, Laws of 1985. Such assistance shall be allocated in a manner consistent with chapter 3, Laws of 1986.

	Reappropriation	Appropriation
LIRA, Waste Fac 1980	235,300,000	(3,330,000)
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		<u>2,850,900</u>
		(239,305,900)
		<u>238,825,900</u>

Sec. 702. Section 704, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Emergency water project revolving account (88-2-004)

	Reappropriation	Appropriation
State Emerg Water Proj Rev	4,000,000	(225,000)
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		<u>188,000</u>

((4,225,000))
4,188,000

The appropriations in this section are provided solely for the planning, acquisition, construction, and improvement of water supply facilities and other appropriate measures to alleviate emergency drought conditions which may arise in 1987 through 1989, as provided in Second Substitute Senate Bill No. 6513.

Sec. 703. Section 705, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Water supply facilities (88-2-005)

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$500,000 of this reappropriation may be expended to complete the Lake Osoyoos international water control structure authorized by chapter 76, Laws of 1982. This amount is in addition to the \$3,000,000 previously appropriated for this purpose.

(2) Funds previously appropriated for the East Selah reregulating reservoir shall be reallocated for purposes of early implementation of the Yakima river basin water enhancement project in order to financially assist irrigators in making up 80,000 acre feet of water per year lost because of a 1980 court decision.

LIRA, Water Sup Fac	Reappropriation	Appropriation
	30,500,000	((920,000))
		<u>888,000</u>
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
		((31,420,000))
		<u>31,388,000</u>

Sec. 704. Section 706, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

Water quality projects

State Water Quality Acct	Reappropriation	Appropriation
		((1,940,000))
		<u>1,862,000</u>
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
		((6,305,000))
		<u>6,227,000</u>

Sec. 705. Section 712, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

State-wide water supply facilities (86-1-002)

St Bldg Constr Acct	Reappropriation	Appropriation
	((290,000))	
	<u>431,000</u>	
ORA, State	3,000	
ORA, Federal	3,000	
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
		634,000
		((300,000))
		<u>197,000</u>

Sec. 706. Section 727, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Green River Gorge: Staged acquisition (87-3-010)

St Bldg Constr Acct	Reappropriation	Appropriation
ORA, State	115,000	551,000
	((39,000))	
	<u>100,000</u>	
ORA, Federal	100,000	
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs

((246,000))
185,000

2,000,000

3,051,000

NEW SECTION, Sec. 707. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION
Yakima greenway: Acquisition (CI-81-3-098)

ORA, State		Reappropriation 94,000	Appropriation
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/89 and		Costs
6/30/87	Thereafter		
56,000			150,000

NEW SECTION, Sec. 708. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden: Acquisition of adjacent property, health and safety improvements

St Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		750,000
Costs	Costs		Estimated
Through	7/1/89 and		Total
6/30/87	Thereafter		Costs
			750,000

NEW SECTION, Sec. 709. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Larrabee: Acquisition of Clayton beach, health and safety improvements

St Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		1,600,000
Costs	Costs		Estimated
Through	7/1/89 and		Total
6/30/87	Thereafter		Costs
			1,600,000

NEW SECTION, Sec. 710. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Casey: Acquisition of Keystone spit properties

St Bldg Constr Acct		Reappropriation	Appropriation
ORA, State			415,000
Project	Estimated		85,000
Costs	Costs		Estimated
Through	7/1/89 and		Total
6/30/87	Thereafter		Costs
			500,000

NEW SECTION, Sec. 711. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Hood Canal property acquisition for boat ramp and parking

St Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		50,000
Costs	Costs		Estimated
Through	7/1/89 and		Total
6/30/87	Thereafter		Costs
			50,000

NEW SECTION, Sec. 712. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Belfair: Acquisition of adjacent property

St Bldg Constr Acct		Reappropriation	Appropriation
Project	Estimated		50,000
Costs	Costs		Estimated
Through	7/1/89 and		Total
	Thereafter		Costs

6/30/87	Thereafter	50,000
<u>NEW SECTION</u> , Sec. 713. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:		
FOR THE DEPARTMENT OF WILDLIFE		
Aberdeen lake fish hatchery expansion		
	Reappropriation	Appropriation
Wynoochee Riv Mit Acct		819,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		819,000

PART 8

NATURAL RESOURCES—CONTINUED

Sec. 801. Section 875, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Area office space increase projects (88-2-030)

	Reappropriation	Appropriation
For Dev Acct		((151,000))
		104,000
Res Mgmt Cost Acct		((269,000))
		316,000
<u>St Bldg Constr Acct</u>		<u>12,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		((420,000))
		432,000

Sec. 802. Section 879, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Seed orchard irrigation (89-2-006)

	Reappropriation	Appropriation
For Dev Acct		((59,000))
		49,500
Res Mgmt Cost Acct		((106,000))
		<u>115,500</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		165,000

Sec. 803. Section 880, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Management roads (89-2-008)

	Reappropriation	Appropriation
((For Dev Acct))		((154,000))
Res Mgmt Cost Acct		((274,000))
		<u>428,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
	1,700,000	2,433,000

Sec. 804. Section 882, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Real estate improved property maintenance (89-2-010)

	Reappropriation	Appropriation
For Dev Acct		((90,000))
		25,000
Res Mgmt Cost Acct		((160,000))
		<u>225,000</u>
Project	Estimated	Estimated

Costs Through 6/30/87	Costs 7/1/89 and Thereafter 200,000	Total Costs 450,000
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Sec. 805. Section 893, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES
Northeast shop remodeling and addition

	Reappropriation	Appropriation
((For Dev Acct))		((32,000))
Res Mgmt Cost Acct		((57,000))
		<u>89,000</u>
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
		89,000

Sec. 806. Section 890, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Acquisition of fifty-one miles of Milwaukee Railroad right of way in Jefferson and Clallam counties for recreation, transportation, and utility purposes

The appropriation in this section is subject to the following conditions and limitations: Portions of the right of way not needed for recreational purposes may be re-sold for economic development purposes.

	Reappropriation	Appropriation
State Bldg Constr Acct		((800,000))
		<u>15,000</u>
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
		((800,000))
		<u>15,000</u>

Sec. 807. Section 895, chapter 6, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Northeast headquarters paving

	Reappropriation	Appropriation
((For Dev Acct))		((20,000))
Res Mgmt Cost Acct		((34,000))
		<u>54,000</u>
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
		54,000

NEW SECTION. Sec. 808. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Hawks Prairie sewer hookup (88-5-045)

	Reappropriation	Appropriation
Res Mgmt Cost Acct		200,000
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
		200,000

Part 9
MISCELLANEOUS

NEW SECTION. Sec. 901. The following acts or parts of acts are each repealed:

- (1) Section 317, chapter 6, Laws of 1987 1st ex. sess. (uncodified);
- (2) Section 410, chapter 6, Laws of 1987 1st ex. sess. (uncodified);
- (3) Section 716, chapter 6, Laws of 1987 1st ex. sess. (uncodified); and
- (4) Section 871, chapter 6, Laws of 1987 1st ex. sess. (uncodified).

NEW SECTION. Sec. 902. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representatives Bristow and McLean spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "budget" insert "; authorizing certain projects; amending section 2, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 106, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 107, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 151, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 155, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 157, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 201, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 202, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 216, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 236, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 316, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 322, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 407, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 408, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 409, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 503, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 516, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 529, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 530, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 560, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 566, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 577, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 702, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 704, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 705, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 706, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 712, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 727, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 875, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 879, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 880, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 882, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 893, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 890, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 895, chapter 6, Laws of 1987 1st ex. sess. (uncodified); adding new sections to chapter 6, Laws of 1987 1st ex. sess. (uncodified); creating new sections; repealing section 317, chapter 6, Laws of 1987 1st ex. sess. (uncodified); repealing section 410, chapter 6, Laws of 1987 1st ex. sess. (uncodified); repealing section 716, chapter 6, Laws of 1987 1st ex. sess. (uncodified); repealing section 871, chapter 6, Laws of 1987 1st ex. sess. (uncodified); making appropriations; and declaring an emergency."

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow and McLean spoke in favor of passage of the bill, and Mr. Fuhrman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2041, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Saryan, Schoon, Scott, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Amundson, Bumgarner, Butterfield, Chandler, Fuhrman, Heavey, Moyer, Padden, Patrick, Sanders, Schmidt, Silver, Smith C, Sommers D, Williams B - 15.
Excused: Representative Allen - 1.

Engrossed House Bill No. 2041, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 2044, by Representative Grimm

Relating to bonded indebtedness. (t.o.)

The bill was read the second time.

Mr. Bristow moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 4, Laws of 1985 ex. sess. as amended by section 1, chapter 103, Laws of 1986 and RCW 43.99G.020 are each amended to read as follows:

Bonds issued under RCW 43.99G.010 are subject to the following conditions and limitations:

(1) General obligation bonds of the state of Washington in the sum of thirty-eight million ~~((fifty-four))~~ fifty thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for grants and loans to local governments and subdivisions of the state for capital projects through the community economic revitalization board and for the department of general administration, military department, parks and recreation commission, and department of corrections to acquire real property and perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, lands, and waters, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state building construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of general administration, subject to legislative appropriation.

(2) General obligation bonds of the state of Washington in the sum of four million six hundred thirty-five thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the planning, design, acquisition, construction, and improvement of a Washington state agricultural trade center, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state building construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered as provided in the capital budget acts, subject to legislative appropriation.

(3) General obligation bonds of the state of Washington in the sum of thirty-eight million seven hundred ~~((sixty-two))~~ sixty thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the department of social and health services and the department of corrections to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, and grounds, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the social and health services construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of social and health services, subject to legislative appropriation.

(4) General obligation bonds of the state of Washington in the sum of three million two hundred thirty thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the department of ecology, parks and recreation commission, department of fisheries, department of ~~((game))~~ wildlife, and the department of natural resources to acquire real property and perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, lands, and waters, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the outdoor recreation account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the interagency committee for outdoor recreation, subject to legislative appropriation.

(5) General obligation bonds of the state of Washington in the sum of ~~((three))~~ one million ~~((three hundred fifty-nine thousand))~~ dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the department of fisheries to acquire real property and perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads,

grounds, lands, and waters, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the fisheries capital projects account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of fisheries, subject to legislative appropriation.

(6) General obligation bonds of the state of Washington in the sum of fifty-nine million six hundred thirty thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for state agencies and the institutions of higher education, including the community colleges, to perform capital renewal projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, lands, and waters, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state facilities renewal account hereby created in the state treasury, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered as provided in the capital budget acts, subject to legislative appropriation.

(7) General obligation bonds of the state of Washington in the sum of twenty-three million six hundred ~~((forty-three))~~ forty thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the University of Washington and the state community colleges to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, improving, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, and lands, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the higher education reimbursable short-term bond account hereby created in the state treasury, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the University of Washington, subject to legislative appropriation.

(8) General obligation bonds of the state of Washington in the sum of thirty-three million nine hundred ~~((twenty-eight))~~ twenty-five thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the institutions of higher education to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, and lands, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the higher education construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by Washington State University, subject to legislative appropriation.

(9) General obligation bonds of the state of Washington in the sum of eighty million six hundred ten thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the institutions of higher education, including facilities for the community college system, to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, and lands, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection, together with all grants, donations, transferred funds, and all other moneys which the state finance committee may direct the state treasurer to deposit therein, shall be deposited in the state higher education construction account in the state treasury and shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection.

Sec. 2. Section 2, chapter 3, Laws of 1987 1st ex. sess. and RCW 43.99G.102 are each amended to read as follows:

Bonds issued under RCW 43.99G.100 are subject to the following conditions and limitations:

(1) General obligation bonds of the state of Washington in the sum of four hundred four million four hundred thousand dollars, or so much thereof as may be required, shall be issued for the purposes described and authorized by the legislature in the capital and operating appropriations acts for the 1987-1989 fiscal biennium and subsequent fiscal biennia, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. Subject to such changes as may be required in the appropriations acts, the proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited as follows:

(a) Thirty million dollars in the common school construction fund ~~((created in RCW 28A.40.101))~~;

(b) ~~An amount up to two hundred thousand dollars in the fisheries capital projects account;~~

(c) Three hundred sixty-two million seven hundred thousand dollars in the state building construction account created in RCW 43.83.020.

These proceeds shall be used exclusively for the purposes specified in this subsection, and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the office of financial management, subject to legislative appropriation.

(2) General obligation bonds of the state of Washington in the sum of ~~((three))~~ eight million ~~((two))~~ seven hundred eighty thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for Washington State University to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, and lands, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the higher education construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by Washington State University, subject to legislative appropriation.

NEW SECTION. Sec. 3. For the purpose of providing funds for the renovation and construction of state-owned office buildings on the capitol campus, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of credit enhancement agreements, and other expenses incidental to the administration of capital projects, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of fifty million seven hundred thousand dollars, or so much thereof as may be required, to finance these projects and all costs incidental thereto.

Bonds authorized in this section shall be sold in such manner, at such time or times, in such amounts, and at such price as the state finance committee shall determine. No such bonds may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds. The state finance committee may obtain insurance or letters of credit and may authorize the execution and delivery of agreements, promissory notes, and other obligations for the purpose of insuring the payment or enhancing the marketability of bonds authorized in this section. Promissory notes or other obligations issued pursuant to this section shall not constitute a debt or the contracting of indebtedness under any constitutional or statutory indebtedness limitation if their payment is conditioned upon the failure of the state to pay the principal of or interest on the bonds with respect to which the same relate.

Bonds authorized under this section shall be sold in accordance with chapter 39.42 RCW.

NEW SECTION. Sec. 4. Subject to section 8 of this act, the following moneys shall be deposited in the capitol campus office development account hereby created in the state treasury and shall be used exclusively for the purposes specified in section 3 of this act and for the payment of expenses incurred in the issuance and sale of the bonds: (1) The proceeds from the sale of the bonds authorized in section 3 of this act; (2) the account balance and the investment earnings thereon in the state capitol vehicle parking account not required for the retirement of current outstanding parking bond debt service or necessary reserves therefor; (3) each year until June 30, 2018, all rent received from general fund agencies from leasing the new state-owned office buildings, the construction of which was financed with the proceeds of such bonds, the amount to be deposited in a separate subaccount in the capitol campus office development account; (4) each year until June 30, 2018, all rents received from nongeneral fund agencies from leasing the new state-owned office buildings the construction of which was financed with the proceeds of such bonds, the amount to be deposited in a separate subaccount in the capitol campus office development account; (5) the treasurer shall transfer on July first of each year from the capitol building construction account the amount of one million six hundred thousand dollars per year until June 30, 2000; and (6) all earnings from the

investment of money deposited in the capitol campus office development account, including the earnings from money in the subaccounts referred to in subsections (3) and (4) of this section which shall be credited to the respective subaccounts. These proceeds shall be administered by the department of general administration, subject to legislative appropriation.

NEW SECTION, Sec. 5. Both principal of and interest on the bonds authorized by section 3 of this act shall be payable from the state general obligation bond retirement fund. The state finance committee may provide that a special account be created in such fund to facilitate payment of such principal and interest.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required for principal and interest on such bonds in accordance with the provisions of the bond proceedings. The state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the state general obligation bond retirement fund, or a special account in such fund, such amounts and at such times as are required by the bond proceedings.

Bonds issued under section 3 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

NEW SECTION, Sec. 6. The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized in section 3 of this act, and section 5 of this act shall not be deemed to provide an exclusive method for the payment.

NEW SECTION, Sec. 7. Subject to section 8 of this act, on each date on which any interest or principal and interest payment is due on the bonds authorized in section 3 of this act, the state treasurer shall withdraw from the capitol campus office development account an amount equal to the amount required for such interest or principal and interest payment and deposit the amount into the general fund of the state treasury: PROVIDED, That no such withdrawal may be made from the subaccount of the capitol campus office development account into which the rents from general fund agencies and the earnings from the investment thereof are deposited if such reimbursement to the state treasury is intended to satisfy the requirements of RCW 39.42.060(5).

NEW SECTION, Sec. 8. No provision of sections 3 through 7 of this act repeals, overrides, or limits any provision or covenant of the proceedings of the state capitol committee taken in the issuance of revenue bonds of the state secured by a pledge of receipts from any parking facilities or from leases and contracts of sale made of lands, timber, and other products from the surface or beneath the surface of lands granted to the state by the United States pursuant to the act of Congress and/or other revenues mentioned in RCW 79.24.650 through 79.24.668. The obligation to make the deposit to or withdrawal from the capitol campus office development account, as provided in sections 4 and 7 of this act, shall be subordinate to the lien and charge of any revenue bonds issued against such receipts pledged to pay and secure such bonds, and on any money in the state capitol vehicle parking account and the capitol building construction account pledged therefor.

Sec. 9. Section 1, chapter 158, Laws of 1963 as last amended by section 59, chapter 57, Laws of 1985 and RCW 46.08.172 are each amended to read as follows:

There is hereby established an account in the state treasury to be known as the 'state capitol vehicle parking account'. The director of the department of general administration shall establish an equitable and consistent employee parking rental fee for state owned or leased property, effective July 1, 1988. All fees shall take into account the market rate of comparable privately owned rental parking, as determined by the director. All unpledged parking rental income collected by the department of general administration from rental of parking space on the capitol grounds and the east capitol site shall be deposited in the 'state capitol vehicle parking account'. All earnings of investments of balances in the state capitol vehicle parking account shall be credited to the general fund or as otherwise provided by law.

The 'state capitol vehicle parking account' shall be used to pay costs incurred in the operation, maintenance, regulation and enforcement of vehicle parking and parking facilities at the state capitol or as otherwise provided by law.

Sec. 10. Section 5, chapter 69, Laws of 1909 as last amended by section 77, chapter 57, Laws of 1985 and RCW 79.24.060 are each amended to read as follows:

The proceeds of such sale of capitol building lands, or the timber or other materials shall be paid into the capitol building construction account which is hereby established in the state treasury to be used as in this act provided or as otherwise provided by law. All contracts for the construction of capitol buildings shall be let after notice for proposals or bids have been advertised for at least four consecutive weeks in at least three newspapers of general circulation throughout the state.

NEW SECTION, Sec. 11. The bonds authorized in section 3 of this act shall be a legal investment for all state funds or funds under state control and for all funds of any other public body.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Mr. Bristow spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "indebtedness" insert "; amending RCW 43.99G.020, 43.99G.102, 46.08.172, and 79.24.060; and creating new sections."

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow and McLean spoke in favor of passage of the bill, and Mr. Fuhrman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2044, and the bill passed the House by the following vote: Yeas, 77; nays, 20; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, May, McLean, Meyers, Miller, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 77.

Voting nay: Representatives Amondson, Brooks, Bumgarner, Butterfield, Chandler, Fuhrman, Heavey, Jacobsen, Lux, Moyer, Padden, Patrick, Sanders, Schmidt, Silver, Smith C, Sommers D, Taylor, Williams B, Zellinsky - 20.

Excused: Representative Allen - 1.

Engrossed House Bill No. 2044, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6235 and has granted said committee the powers of Free Conference.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6235, creating the water pollution control account and authorizing financial assistance from it, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed Second Substitute Senate Bill No. 6235, read in March 9, 1988.)

Signed by Senators Barr, Lee, Kreidler; Representatives Rust, Hine, Schoon.

MOTION

Ms. Rust moved that the House adopt the Report of the Free Conference Committee on Engrossed Second Substitute Senate Bill No. 6235. The motion was carried.

FINAL PASSAGE OF SENATE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6235 as amended by Free Conference Committee.

Representatives Rust and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6235 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Engrossed Second Substitute Senate Bill No. 6235 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

With consent of the House, Representative Meyers was excused from further proceedings under the Call of the House.

POINT OF PERSONAL PRIVILEGE

Mr. Schoon: Thank you, Mr. Speaker. There is one of our members, who will not be back next year. Traditionally, when we are on the floor at about 11:15 or 11:30, he has maintained a very regular and dutiful habit in that he goes down and samples the pies for the day. The cook, who does the baking, has noticed that he has a strong preference for strawberry cream pie. Since this is Sine Die, the last night of the regular session, the cooking crew wanted to honor this member with his favorite pie. I would appreciate it if you would join me in acknowledging strawberry pie for Bob Williams.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4776, by Representatives Hine, Zellinsky, Haugen, Rust, Valle, H. Sommers, Jacobsen, Fisher, Locke and Anderson

WHEREAS, Independence Day is a national holiday to be celebrated Monday, July 4, 1988; and

WHEREAS, The Fourth of July commemorates our nation's independence from tyranny and oppression; and

WHEREAS, Independence Day evokes great national pride and international respect; and

WHEREAS, The Fourth of July honors those who have fought and died to preserve the principles of freedom and democracy throughout the world; and

WHEREAS, Independence Day is traditionally and rightfully celebrated with festive community parades and events, family picnics and vacations, and public services honoring veterans of the United States Armed Forces; and

WHEREAS, Fireworks are often used to promote Independence Day activities; and

WHEREAS, The House of Representatives recognizes the threat to public safety and the potential fire hazards posed by fireworks; and

WHEREAS, Fireworks' mishaps constitute a danger to the personal safety of both children and adults, often resulting in serious injuries including the loss of fingers, the loss of eyesight, severe burns, and impaired hearing; and

WHEREAS, Senior citizens suffer from undue stress, anxiety, and interruption of sleep because of noise caused by fireworks' explosions; and

WHEREAS, Fires caused by fireworks represent a threat to citizens' homes, especially in large cities with densely populated residential areas; and

WHEREAS, The danger of fires caused by fireworks in our forests, parks, and communities will be greatly increased during the upcoming summer due to the severe drought conditions experienced in Washington State and throughout the Pacific Northwest; and

WHEREAS, Family pets and livestock suffer severe, harmful stress and often run away from home because of the noise caused by nearby fireworks; and

WHEREAS, Paper refuse from discharged fireworks represents a growing litter problem;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives in order to help protect the health and safety of our citizens, our homes, our recreation areas, and our pets encourages citizens to refrain from using fireworks to celebrate Independence Day; and

BE IT FURTHER RESOLVED, That the House of Representatives encourages citizens to celebrate and observe the Fourth of July by participating in community parades and events, by bringing families together for picnics and outings, and by honoring those who have served our country to defend freedom and democracy.

Ms. Hine moved adoption of the resolution. Representatives Hine and Zellinsky spoke in favor of the resolution, and Representatives Barnes, S. Wilson, Vekich and Lux opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on the adoption of House Floor Resolution No. 88-4776, and the resolution was not adopted by the following vote: Yeas, 35; nays, 61; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Belcher, Brekke, Bristow, Brough, Cole, Cooper, Day, Dellwo, Fisher, Fox, Grimm, Haugen, Heavey, Hine, Jacobsen, Jesernig, Jones, Kremen, Leonard, Locke, McLean, Nelson, Nutley, Rust, Schmidt, Sommers H, Spanel, Valle, Walk, Zellinsky, and Mr. Speaker - 35.

Voting nay: Representatives Amondson, Barnes, Basich, Baugher, Beck, Betrozoff, Braddock, Brooks, Bumgarner, Butterfield, Cantwell, Chandler, Crane, Dorn, Doty, Ebersole, Ferguson, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Holland, Holm, King P, King R, Lewis, Lux, May, Miller, Moyer, Nealey, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Sommers D, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley - 61.

Excused: Representatives Allen, Meyers - 2.

Representative Meyers appeared at the bar of the House.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has relieved the Free Conference Committee of SUBSTITUTE HOUSE BILL NO. 608, insists on its position on the Senate Law & Justice Committee striking and title amendments and asks the House to concur therein, and the same is herewith transmitted.

Sidney R. Snyder, Deputy Secretary.

MOTION

Mr. Armstrong moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 608 and ask the Senate to recede therefrom.

MOTION

Mr. Padden moved that the House do concur in the Senate amendments to Substitute House Bill No. 608.

Representatives Padden, Crane, P. King and Hargrove spoke in favor of the motion, and Representatives Armstrong and Dellwo opposed it.

A division was called.

ROLL CALL

The clerk called the roll on the motion by Mr. Padden that the House do concur in the Senate amendments to Substitute House Bill No. 608, and the motion was carried by the following vote: Yeas, 59; nays, 38; excused, 1.

Voting yea: Representatives Amondson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Crane, Dorn, Doty, Ferguson, Fisher, Fuhrman, Hargrove, Haugen, Heavey, Holland, Holm, Jones, King P, King R, Kremen, Lewis, May, McLean, Miller, Moyer, Nealey, Padden, Patrick, Peery, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sutherland, Taylor, Todd, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 59.

Voting nay: Representatives Anderson, Armstrong, Belcher, Braddock, Brekke, Bristow, Brooks, Cole, Cooper, Day, Dellwo, Ebersole, Fox, Gallagher, Grant, Grimm, Hankins, Hine, Jacobsen, Jesernig, Leonard, Locke, Lux, Meyers, Nelson, Nutley, O'Brien, Prince, Pruitt, Rasmussen, Rust, Sayan, Sommers H, Spanel, Sprengle, Unsoeld, Wilson K, and Mr. Speaker - 38.

Excused: Representative Allen - 1.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 608 as amended by the Senate.

Mr. Locke spoke against passage of the bill, and Representatives Crane, P. King and Taylor spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 608 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; nays, 27; excused, 1.

Voting yea: Representatives Amondson, Appelwick, Ballard, Barnes, Basich, Baugher, Beck, Betrozoff, Bristow, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Hargrove, Haugen, Heavey, Holland, Holm, Jones, King P, King R, Kremen, Lewis, McLean, Miller, Moyer, Nealey, O'Brien, Padden, Patrick, Peery, Rasmussen, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Spanel, Sprengle, Sutherland, Taylor, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson S, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Anderson, Armstrong, Belcher, Braddock, Brekke, Brooks, Cole, Dellwo, Grimm, Hankins, Hine, Jacobsen, Jesernig, Leonard, Locke, Lux, May, Meyers, Nelson, Nutley, Prince, Pruitt, Rust, Sommers H, Todd, Unsoeld, Wineberry - 27.

Excused: Representative Allen - 1.

Substitute House Bill No. 608 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Representative O'Brien to preside.

POINTS OF PERSONAL PRIVILEGE

Mr. May: Ladies and gentlemen: I have been here for four sessions, and I have come to know a young fellow pretty well during those sessions. He calls himself a senior now, but he is far junior to me in some ways. You may guess that he is Dick Barnes. Dick has been here for seven terms, fourteen years, with his wife Sylvia and his daughter Cindy, who have become fixtures. He has been an outstanding member of our organization. I had the privilege of sitting with him first on the Environmental Affairs Committee. We had a little problem together—we were never quite sure whether we were voting together or against each other on some of the things in which we became interested. That was an interesting experience. This year he has been the ranking Republican member on the Energy Committee, and I sat down in front of him and tried to keep an ear cocked to see if I could learn anything from the gentleman. That has been an interesting experience. He is serving currently on the Higher Education, Housing and Constitution, Elections & Ethics

Committees—a pretty busy guy. The other day, some of you may recall, my wife was down. We had our 38th wedding anniversary, went out to dinner, and afterwards decided that it would be nice to have a nightcap at the Capital Bar and Grill. You know who was there, playing his slipstick. He was pretty good. You've all heard him in various places, and he certainly has been an outstanding member of our body, shall we say, in some extracurricular ways. Talk about a guy being a junior or senior—he's just retired from playing football. After all of these years? I expect we will hear about him next year, kicking a field goal. Dick, I salute you.

Mr. Barnes: Thank you, Mr. Speaker. I have to quit in order to get applause out of this group. Actually, I am going to miss you all. I am going to miss the news people also—are any of them here? I just read in my favorite technical journal, the Reader's Digest, a good definition of a news writer—that is a noncombatant who hides in the woods until the fighting is over, then walks out on the battle field and shoots the wounded. When I was in college, I studied a lot of mathematics. I find the Legislature is like one of my math books—the further I get into it, the less sense it makes. I will miss you all. If some of you think I have been a nuisance while I have been sitting here in this seat, just wait until next year when you start getting my hotline messages. I don't know that I have retired from football yet, Fred. I have to wait and see if I make the team next year. I have done some interesting things in my life. Being here with you people has been one of the most fascinating things, and I am sure I will miss it. I'll probably come down and visit you next year—once. Then I will look down from the balcony, shake my head, walk out and say, "I am out of there." I will miss you, but I don't miss having to run again. So good luck to you. I think we would have gotten a lot of things done, if everybody would have agreed with me on everything. But you didn't. So, if you'll run the state for me when I am gone, I'll appreciate it. Thank you.

Ms. Hine: Thank you, Mr. Speaker. I would also like to say a couple of words to my district-mate, Representative Barnes. It is true that we don't always agree, but when we disagree, we usually do it in a very friendly fashion. I have enjoyed the years serving with Dick. It is always fun on the campaign trail with Dick, because we talk on different issues and often on different sides of the issues. I have really enjoyed the gentlemanly and courteous way in which he has always treated the young one from the district. That's been kind of fun. I am especially pleased, because the other day, when we were honoring Ed Munro, Representative Barnes was complaining that I had never invited him to that fancy champagne brunch that I have every couple of years. This year, Dick, you get an invitation.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding): Representative Barnes, we are all going to miss you in that corner. You remind me often of an anchorman. You are always in there in energy matters and certainly have been a good, loyal member of this body. We are going to miss you very much. The Speaker would also like to recognize Representative Barnes' wife, Sylvia, who has always been a very diligent part of this operation.

The members of the House of Representatives recognized Mrs. Sylvia Barnes.

POINTS OF PERSONAL PRIVILEGE

Ms. Nelson: Thank you, Mr. Speaker. It has been my privilege, and usually my pleasure, to have sat next to Dick Barnes for a number of years on the House Energy & Utilities Committee. It was certainly a pleasure when Dick took the chair of that committee and set a different kind of tone for some of the issues that we dealt with there. He didn't bring his computer to the committee; he didn't bring piles of very esoteric data to the committee. That was certainly very helpful and beneficial for all of us, who had to deal with some very technical questions. We dealt with them on the basis of what was best policy and not whether or not we could out-gun the other person with our computers. Dick, I am sure many of you know, is a person of many parts. He is, as some people have already mentioned, a football player. I can remember many stories in Monday morning committee meetings, when Dick would come back from football games, where he had kicked winning field goals, had made tackles as the kickoff person, or was the last man to

stop the person who had fielded that football and was heading for the goal line. As someone over sixty, I admired him very much. I hope I am still on my feet when I am over sixty. He is also a rugby player—you may not know that. I think the word is scrum, or something like that. You scrum every weekend. He tells me he is going to become an instructor of pilots again. He is a pilot, and he is going after his instructor's license. And he certainly is a musician. All of that adds up to, if not a renaissance person, at least a person who has a lot of energy, a lot to enjoy and to give to his community and his world. Dick comes on like a person who doesn't quite understand something. I think he is one of those dumb-like-a-fox persons. In a committee he is always asking questions; he is always digging; he is always getting to the answer. It is usually a good answer. I am going to miss Dick Barnes as a colleague and as a person who shares some of the same interests. I hope, Dick, that you will find a person to fill your seat on the Energy Committee—somebody who will do just as good a job as you. Thank you very much for being my friend.

Mr. Sanders: Thank you, Mr. Speaker. I, too, would like to thank Representative Dick Barnes for his many years of service to the people of the state of Washington. I am sure all of you on the House floor are wondering why I have a perfect voting record this year. Of course, it is because of the coaching that I have received from my seat mate, Representative Barnes. It is a joy working with Dick and to be with him on the Constitution, Elections and Ethics Committee. He certainly is not only an expert in the energy area and the energy issues, but also on governmental issues as well. It is also a pleasure to know his wife Sylvia and how much she supports Dick and how interested she is in politics, as well as his daughter Cindy. It is one of the joys of my life to know this family and to consider them friends. We will miss you, Dick, very much. We wish you Godspeed.

Mr. Todd: Thank you, Mr. Speaker. Ladies and gentlemen of the House: Representative Barnes, I also will miss you here, your wife Sylvia and your daughter Cindy for the fine work you have done for the House of Representatives. I have spent many hours in Representative Barnes' office going back to 1980, discussing an issue—a minor, technical issue as I recall—called the energy code. We had what were known as the smoking-calculator wars at that time. That started in 1980 and progressed through 1984 or 1985. I always appreciated the fairness. We did not always agree on the issues, but I appreciate the sessions that we had. I think we have come a long way on the energy issue, and you were a major part of that discussion. I sincerely appreciate your fairness in those discussions. I have to tell you that one of my most memorable nights in the Legislature was when a former representative, Barney McClure, and you were over in the wings and rolled out the piano. You brought out your trombone and we had one of the best jam sessions ever—one of the best ever that I have heard. I appreciate that. I will miss you. I wish you, Sylvia and your daughter Cindy the best. Thank you.

Ms. Valle: Thank you, Mr. Speaker. Ladies and gentlemen: There are about three things that no one has mentioned here. We are going to miss the Charleston, and, if you haven't seen the Barnes' doing the Charleston, you haven't seen anything. I would like to say that you have moved from the back to the front. I would like to say that you have moved from being a conservative to a moderate. I didn't think that would ever happen. I think that is very interesting, and that means that I have really watched you. You joined me on the no smoking issue, and I can only say that it is too bad that you won't be here to vote on disposable diapers, because that is an issue that is going to come up soon. The best to you and to Sylvia.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding): The Speaker would also like to recognize Representative Barnes' daughter, Cindy, who is also a thirteen-year veteran of our institution. Cindy, it is nice to see you again.

The members of the House of Representatives recognized Ms. Cindy Barnes.

MESSAGES FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6235 and has passed the bill as amended by the Free Conference Committee.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5595,
 SUBSTITUTE SENATE BILL NO. 6124,
 SUBSTITUTE SENATE BILL NO. 6157,
 SUBSTITUTE SENATE BILL NO. 6219,
 SUBSTITUTE SENATE BILL NO. 6238,
 SENATE BILL NO. 6297,
 SUBSTITUTE SENATE BILL NO. 6344,
 SENATE BILL NO. 6668,
 SUBSTITUTE HOUSE BILL NO. 692,
 HOUSE BILL NO. 1292,
 SUBSTITUTE HOUSE BILL NO. 1295,
 SUBSTITUTE HOUSE BILL NO. 1317,
 SUBSTITUTE HOUSE BILL NO. 1319,
 SUBSTITUTE HOUSE BILL NO. 1333,
 SUBSTITUTE HOUSE BILL NO. 1340,
 HOUSE BILL NO. 1341,
 SUBSTITUTE HOUSE BILL NO. 1366,
 SUBSTITUTE HOUSE BILL NO. 1369,
 HOUSE BILL NO. 1387,
 SUBSTITUTE HOUSE BILL NO. 1389,
 SUBSTITUTE HOUSE BILL NO. 1424,
 SUBSTITUTE HOUSE BILL NO. 1465,
 SUBSTITUTE HOUSE BILL NO. 1469,
 SUBSTITUTE HOUSE BILL NO. 1530,
 SECOND SUBSTITUTE HOUSE BILL NO. 1565,
 SUBSTITUTE HOUSE BILL NO. 1586,
 HOUSE BILL NO. 1588,
 SUBSTITUTE HOUSE BILL NO. 1633,
 SUBSTITUTE HOUSE BILL NO. 1652,
 SUBSTITUTE HOUSE BILL NO. 1660,
 SUBSTITUTE HOUSE BILL NO. 1673,
 SUBSTITUTE HOUSE BILL NO. 1683,
 SUBSTITUTE HOUSE BILL NO. 1684,
 SUBSTITUTE HOUSE BILL NO. 1701,
 SECOND SUBSTITUTE HOUSE BILL NO. 1713,
 SUBSTITUTE HOUSE BILL NO. 1745,
 SUBSTITUTE HOUSE BILL NO. 1754,
 SUBSTITUTE HOUSE BILL NO. 1783,
 HOUSE BILL NO. 1796,
 HOUSE BILL NO. 1836,
 SUBSTITUTE HOUSE BILL NO. 1845,
 SUBSTITUTE HOUSE BILL NO. 1857,
 SUBSTITUTE HOUSE BILL NO. 1883,
 HOUSE BILL NO. 1884,
 SUBSTITUTE HOUSE BILL NO. 1915,
 SUBSTITUTE HOUSE BILL NO. 1952,
 HOUSE BILL NO. 2046,
 HOUSE JOINT RESOLUTION NO. 4223,
 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4231,

SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 4403,
HOUSE CONCURRENT RESOLUTION NO. 4452,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1988

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 318 with the following amendments:

On page 3, after line 22, insert the following section and renumber the remaining sections accordingly:

***NEW SECTION.** Sec. 5. A new section is added to chapter 48.07 RCW to read as follows:

(1)(a) Any insurer duly organized under the laws of any other state and admitted to transact insurance business in this state may become a domestic insurer upon complying with all requirements of law for the organization of a domestic insurer in this state and by designating its principal place of business at a location in this state. Such domestic insurer is entitled to a certificate of authority to transact insurance in this state, subject to the conditions set forth in (b) of this subsection, and is subject to the authority and the jurisdiction of this state.

(b) Before being eligible to become a domestic insurer under this section, an admitted insurer shall advise the commissioner, in writing, thirty days in advance of the proposed date of its plan to become a domestic insurer. The commissioner must approve the plan in advance of the proposed date. The commissioner shall not approve any such plan unless, after a hearing, pursuant to such notice as the commissioner may require, the commissioner finds that the plan is consistent with law, and that no reasonable objection to the plan exists. If the commissioner fails to approve the plan, the commissioner shall state his or her reasons for failure to approve the plan in an order issued at the hearing.

(2) After providing thirty days advance written notice of its plan to the commissioner and upon the written approval of the commissioner in advance of the proposed transfer date, any domestic insurer of this state may transfer its domicile to any other state in which it is admitted to transact the business of insurance. Upon transfer of domicile, the insurer ceases to be a domestic insurer of this state. If otherwise qualified under the laws of this state, the commissioner shall admit the insurer to do business in this state as a foreign insurer. The commissioner shall approve any proposed transfer of domicile unless the commissioner determines after a hearing, pursuant to such notice as the commissioner may require, that the transfer is not in the best interests of the public or the insurer's policyholders in this state. If the commissioner fails to approve a proposed transfer of domicile, the commissioner shall state his or her reasons for failure to approve the transfer in an order issued at the hearing.

(3) When a foreign insurer, admitted to transact business in this state, transfers its corporate domicile to this state or to any other state, the certificate of authority, appointment of statutory agent, and all approved licenses, policy forms, rates, filings, and other authorizations and approvals in existence at the time the foreign insurer transfers its corporate domicile shall continue in effect.

(4) Any insurer transferring its corporate domicile under this section shall file any amendments to articles of incorporation, bylaws, or other corporate documents that are required to be filed in this state before the insurer may receive approval of its proposed plan by the commissioner."

On page 12, line 4, after "companies" insert "or insurance brokers whose average daily balance for premiums received on behalf of insureds in the state of Washington equals or exceeds one million dollars"

On page 12, line 12, strike "or damage" and insert "~~((or damage))~~"

On page 16, after line 3, insert the following:

***NEW SECTION.** Sec. 20. Section 5 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 16, after line 3, insert the following and renumber the remaining sections accordingly:

***NEW SECTION.** Sec. 21. (1) The insurance commissioner shall establish a committee to review health care coverage relating to temporomandibular joint disorder. This committee shall include one member from each of the four caucuses of the legislature to be appointed by the appropriate presiding officer in the House or Senate, representatives of the commissioner, the medical and dental professions, insurers, health care service contractors, health maintenance organizations, health care providers and those representing persons with temporomandibular joint disorder.

(2) Not later than November 1, 1988, the commissioner shall receive a report from the committee established under this section. This report shall include any recommendations for legislation, if needed.

(3) Any legislative recommendations presented to the commissioner pursuant to this section shall be referred to the state health coordinating council for its review and recommendation.

(4) The committee established under this section shall be dissolved on January 1, 1989."

On page 1, line 1 of the title strike "and" and on line 4 before the period insert "; and adding a new section to chapter 48.07 RCW"

On page 1, line 1 of the title, after "insurance;" strike "and" and on line 4 before the period insert "; and creating a new section"

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Lux moved that the House do concur in the Senate amendments to Second Substitute House Bill No. 318. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 318 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 318 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brøkke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Hearvey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Allen - 1.

Second Substitute House Bill No. 318 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF PERSONAL PRIVILEGE

Mr. Betzoff: Thank you, Mr. Speaker. Members of the House: I would like to take this opportunity to honor another member, who is retiring from the Legislature, Representative Ren Taylor. Ren, this is my opportunity to do a monologue, so you are going to have to listen during this period of time and you will not be able to reply. It has been my honor to serve with Ren since 1983 and, prior to that time, I served as a staff member here. Ren came to the Legislature after thirty years of service in the public school system. He served as an assistant superintendent in administration on the west side in the Clover Park area for a number of years and spent his remaining years in education in the Spokane area as the West Valley superintendent. His ten years in the Legislature have been ones that, I think, most people will remember. I know some of the people, who were around here in 1981 and 1982, probably will remember Representative Taylor for some time—you probably still call him Mr. House Bill 166. Those of you, who were not around at that time, can ask some of the other members. They will tell you a little bit about how that bill passed. You know, Representative Taylor is very diplomatic, does everything in a smooth way, and was very concerned about both Republicans and Democrats on the House Education Committee at all times—very concerned. In fact, he did such a good job on House Bill No. 166 that the members of the other party were able to leave the committee meeting early that day—they left prior to the time that there was a vote on that bill. That's how efficient Representative Taylor was. The other thing that we will remember Ren Taylor for is Rule 14(C). Rule 14(C) is the rule that clutters our books and is seldom, if ever, used.

POINT OF ORDER

Mr. Taylor: Under House Rule 14(C) we are now operating illegally, and I move that we adjourn.

The Speaker (Mr. O'Brien presiding): You want to do that after all the nice things he is saying about you?

POINTS OF PERSONAL PRIVILEGE

Mr. Betrozoff: I don't think we ever adjourned at 10 o'clock, and if we did, it was probably more accidental than on purpose. Ren, the one thing that has come across—and you will recall when we talked about you in House Education—almost without exception people said that you have to be one of the most dedicated people to education that has ever served in the Legislature. Nobody ever doubted your dedication to the public schools and to public service. You certainly brought a wealth of experience to the Legislature. We certainly have benefited by it during your ten years here. For that we thank you very much and wish you the best of everything for the future.

Mr. Padden: Mr. Speaker, ladies and gentlemen of the House: I, too, wanted to say a few things about Representative Renwick Taylor. Ren came into the Legislature in 1978. At that time our 4th Legislative District was represented by three members on the other side of the aisle. Ren was a trailblazer, when he was elected in a very close election in 1978, and led the way, for better or worse, for a couple of other members of our party two years later. One thing about Ren is you never know where he stands on anything; he is kind of wishy-washy, shy and retiring. In all seriousness the people of the Spokane Valley, Millwood, Opportunity, Veradale, Greenacres, Olympia Lake and Newman Lake are going to miss Ren for the things that he has done in very effectively and very competently serving our district. There are a lot of things that legislators do, when we are not in session, in dealing with constituent problems and public agencies. Ren has always been very effective in numerous activities, and the people in our area are going to miss his service. They are also going to miss his lovely wife, Virginia, and both of them as residents in our area. It is going to be our loss and the gain of Lakewood and University Place, where Ren is going to be moving. We are going to miss you very much, Ren, and we thank you for your service.

Ms. Silver: I would like to say a few words about Ren Taylor. I had my first introduction to Ren six years ago. I want to tell you it was a back view only that I got of Ren Taylor, because we were on the campaign trail and I saw Ren get up from the chair to speak before our constituents. I want to tell you what he always did—I could count on it every time. Ren would stand and hitch up his pants every time. I had a tough time keeping a straight face. I would always look at Ren and wait for him to hitch up his pants. You will note now, when Ren gets up to talk to us, he will stand and hitch up his pants. And, Georgette, I hate to tell you this, but you are never going to have Ren on that no smoking bill—there is just no way he is going to go with that. He has been such an asset to our caucus. Whenever we needed the tough questions asked, whenever we needed a tough speech given, we could look to Ren. And he did a good job. He knew the issues; he reads his bills; he knows what is going on here; he is ethical and so honest and such a good legislator. We will really miss you, Ren. We really will. We always have needed you. I do want to share one more thing with you. I want to tell you this man is in debt. He has been in debt since May 18, 1987. He is in debt, and he should hold his head in shame. Interest is going on this debt and within twenty-five minutes this debt is going to be doubled. Doubled. I want all of you to know so that I can get paid in twenty-five minutes, and I am holding you all responsible to help me get paid. He owes me ten dollars—five dollars from last session, when I said we were going to get out on a certain time and he said it would be another time. I won five dollars. He has never paid his debt. We have doubled the bet. I say we are going to get out tonight; he says we are not. I think I have ten dollars coming. Thank you.

Mr. Lewis: Thank you, Mr. Speaker. Members of the House: It is sad for me to see us honoring Ren, but at least he is still alive. I think it is appropriate that at 11:37, in total violation of House Rule 14(C) which he so adamantly stuck with, he is

forced to abide by House Rule 30, which prohibits smoking in the Chambers. So I think it is only fitting that we honor him tonight at 11:37. My first experience with Ren was as a freshman in 1981, when he was chairman of the House Education Committee. The House Education Committee is a very nonpartisan, cooperative group obviously aimed at promoting the welfare of students. I used to be nice—really a nice person, not a mean bone in my body, no acidic tongue—until sitting on that committee. During my first experience to see your side walk out of the committee in a huff, I was thinking, "Is this the way things go around here?" Ren assured me that, yes, that was the way he operated it. Ren, we are going to miss you, but I have a feeling that we are going to be seeing you around here in these hallowed halls, violating House Rule 30. I think we will give you a special dispensation. It has been good working with you, Ren. I look forward to working with you in the future.

The Speaker resumed the Chair.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1835 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Natismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1835, providing for economic diversification in the Tri-Cities, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed Second Substitute House Bill No. 1835, read in March 9, 1988.)

Signed by Senators Benitz, Williams, Lee; Representatives Ebersole, Grant, Hankins.

MOTION

Mr. Ebersole moved that the House adopt the Report of the Free Conference Committee on Engrossed Second Substitute House Bill No. 1835. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1835 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1835 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Betzoff, Braddock, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Fuhrman, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Belcher, Brekke - 2.

Excused: Representative Allen - 1.

Engrossed Second Substitute House Bill No. 1835 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1312 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 9, 1988

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1312, adopting the supplemental operating budget, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee.

(See Report of Conference Committee on Engrossed Substitute House Bill No. 1312, read in earlier today.)

Signed by Senators McDonald, Gaspard, Hayner; Representatives Grimm, Locke, Holland.

MOTION

Mr. Grimm moved that the House adopt the Report of the Free Conference Committee on Engrossed Substitute House Bill No. 1312. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1312 as amended by Free Conference Committee.

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1312 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Bumgarner, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprengle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Fuhrman - 1.

Excused: Representative Allen - 1.

Engrossed Substitute House Bill No. 1312 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

INTRODUCTION AND FIRST READING

HCR 4453 by Representatives Ebersole and Ballard

Adjourning the Legislature.

MOTION

Mr. Ebersole moved that the rules be suspended and the resolution be placed on the second reading calendar. The motion was carried.

House Concurrent Resolution No. 4453 was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

The resolution was adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

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

POINTS OF PERSONAL PRIVILEGE

Mr. Smith: I have to say that Ren is the last, except for me, of the group that came in 1978. Representative Taylor and I have always been good friends; we get along fine--our wives have been sitting up in the gallery all evening. I must say that the Chairman of the Senate Ways & Means Committee came in at that same time, and he seems to be very important now. We have another one, who also seems to be very important, who is running for Governor and will probably be our next Governor. We have Representative Ren Taylor, who, I learned tonight, has several sons who are attorneys. I have been thinking about what I am going to do here--the last one of the last McCoys, you might say. Then I thought there has to be somebody to put seed in the ground--being the old sod buster that I am, a real farmer. It was our group that gave us the 49-49 tie. Maybe that is the reason I am around here--to plant that seed, so that we will at least have a 49-49 tie and maybe that 55 that we see in our caucus. Representative Taylor, I appreciate you being here with me all these years. I know that this is not the last time we are going to see each other. You and your opinions have been a great support to me. Even though I don't speak much on the floor, I do an awful lot of thinking out here as I'm listening to all this chatter.

Ms. Winsley: Thank you, Mr. Speaker. I stand here with mixed emotions, because, not only am I losing a good friend here in the Legislature, but also I am gaining a constituent. That certainly gives me mixed emotions. I already represent one of his lawyer sons, who lives in my district. I have his sister and brother-in-law. This is getting to be a big family now that I have in my district. I hope Ren doesn't know the hotline number. There have been a lot of good times throughout the years. I think back on the time when we were tied 49-49 and also when we were in the majority in 1981. Sometimes I think that Ren and I have dared to go where angels dare not tread, particularly when it comes to some tax and budget issues. I think I am going to feel mighty lonely, when I cast one of those controversial votes, because Taylor is not going to be there to back me up. Maybe as a constituent he will understand. Good luck, Ren.

Mr. Dellwo: Thank you, Mr. Speaker. To close debate... We want to get home. Ren. We will be back here tomorrow, I think, to get a chance to wish you well again. I did want to take this chance not to be sad that you are leaving, but to be happy that you are leaving with your health, your beautiful wife and your family. Again, returning to Tacoma. Again, going to be over here more often than we will probably want, visiting us, giving us advice--and we look forward to that. I also wanted to make sure that the record shows that I am thankful for the help you have given me in my years, especially in the beginning, and for your ability to talk with us back and forth, Republican and Democratic. You have been one of the warm spots on that side of the aisle, and I thank you for that. We'll see you again;

we'll see you tomorrow for sure. Enjoy your vacation. Enjoy your sons and daughter-in-law, who is the daughter of a very good friend of mine—lots of good lawyers. Hopefully, they can bend their father's will and get him back in here. Congratulations.

Ms. Cole: Thank you, Mr. Speaker. I am going to miss you, Ren, both as a friend and as a colleague. Ren sat behind me for four years on the Education Committee. He certainly contributed a lot to that committee. His experience at the local level as an educator, as an administrator and as a legislator has been a great contribution to the children of the state of Washington. One thing about Ren is we all know that he truly cares about children and that he was committed to quality education for all the children in this state. We will miss you.

Mr. Ebersole: Thank you, Mr. Speaker. I also wanted to pay tribute to my good friend, Ren Taylor. He was a former Chair of the Education Committee and did a great job. He served on the committee when I was Chair, and I always relied on Ren's vast experience with public education. We always got along quite well. In fact, Ren was my biggest supporter; he was one of my best votes on the committee. Ren has a deep love of children. He has commitment; he has dedication; he has conviction. He grew up in Pierce County and went to Lincoln High School with the Swift boys, Al and Larry. I don't know where he went wrong in his party affiliation, but we all go down a few wrong paths. Ren is going to be returning home to Pierce County. We are going to be glad to have him. He is a heck of a good guy, a person who is just fun to be around. He has a warmth and a wit about him. He has good humor. I am going to greatly miss Ren. He is the kind of person who makes it a pleasure to serve in the Legislature. I am going to miss you, my friend.

Ms. Walker: Thank you, Mr. Speaker. We have been lauding Ren tonight and talking about the years of service that he has given to this Legislature and to education. The Representative from the 3rd District said that he thought he'd be back. The Representative from the 29th District mentioned that Representative Taylor was moving back to Pierce County and that perhaps he was a member of the wrong party. He is a member of my party and he is going to live, I think, in my district. If you keep telling him how invaluable he is, I may have a primary opponent. I would think that, at the least, I can expect to receive some excellent guidance from Representative Taylor. I would sure hate to take him on in a campaign. I am going to enjoy having him as a person to whom I can turn when some of the tough decisions need to be made.

Ms. Hine: Thank you, Mr. Speaker. I have heard all the wonderful statements about Ren Taylor, but when I first came into the Legislature in the 1981 session, Ren was Chair of the Education Committee. There is no tougher son-of-a-gun that I have ever met. I am not going to say all these nice things about Ren. He wielded a fast gavel and he was intent on his agenda. As a freshman legislator, he made me shake. Ren, when you are listening to all these good things, I want to tell you, there were some tough times. During my first session I was on the Education Committee; I was also on the Energy Committee which Representative Barnes chaired; and I was on the Local Government Committee which former Representative Isaacson chaired. I wonder if there is something about me that sends you guys out early? Subsequent to the time when I served on that committee—and incidentally I am exaggerating—Representative Taylor and I became fast friends. I will long cherish some of our conversations in the cafeteria, just talking over philosophies of education, local government and the Legislature. Ren is a real statesman and has always admired and respected the system, and for that I am proud to have served with him. One of the things I like the most is that Ren always calls me Mayor. That local government title is one that I cherish. We will miss you, but we know we will see more of you.

The Speaker called on Representative Grimm to preside.

Mr. O'Brien: Mr. Speaker, ladies and gentlemen of the House: I have not served on the Education Committee with Representative Taylor, but I can tell you that he has a great interest in the arts. One time he offered an amendment to give some relief to art production and activities. I was presiding while the Speaker of the

House was in his office, and he heard me put that motion by Representative Taylor to help the arts people and activities. I was able to give a pretty fast motion, and it carried through his effort and foresight. Generally, the arts community functions and activities do not have a great amount of income, and they are more or less activities that need assistance. Representative Taylor, being an artist himself, saw in his own mind that something should be done to alleviate that. You have been a great legislator, and I have enjoyed working with you. You have a lot of good common sense, and you are very diligent and dedicated to your activities here. I wish you well in your future endeavors.

The Speaker resumed the Chair.

Mr. Lux: Thank you, Mr. Speaker: I have never had the privilege of serving on a committee with Ren Taylor, but I have had the opportunity and the privilege to vote with him a number of times on the floor. Education was never my long suit. Ren, I always thought it would be nice to have an opportunity to take advantage of some of that public education, but I had the opportunity to go to a school called ICS--International Correspondence School. We had a little song that we used to sing when we went to graduation down at the post office. We would get our graduation certificate, and we'd sing, "Down with Harvard; down with Yale; we're the boys that learned by mail." I have often thought, Ren, it's been a real experience to have the opportunity to serve with you, and I appreciate it. Thank you very much.

Mr. Day: Thank you, Mr. Speaker. Members of the House: I have had the honor of knowing Representative Ren Taylor for quite some time. I want you to know that fellow there gave my father some headaches, but afterwards they could sit down, have a drink, talk about it, and go back and work on something else together. I have also worked on campaigns against Ren Taylor--I was raised in the 4th District--but afterwards, at a rally or something, I could go up, shake Ren's hand and have a nice friendly conversation with him. Working with Ren Taylor over here has been some kind of an honor, let me tell you. I have made a friend over here that transcends party lines--somebody I could go to for advice, and he would give it honestly, and somebody that wouldn't pull any punches and would tell me the truth--unwavering integrity. I am going to miss you, Ren, here, but I am not going to miss your friendship, because I hope it continues through many more years. Thank you for the help and advice. It has been a pleasure.

Mr. D. Sommers: Thank you, Mr. Speaker. Ren, I have enjoyed working and serving with you this past year and a half. I first got to know Ren about a year and a half ago, when I was a candidate. When I would go around to various groups to speak and Ren was there as a veteran legislator, he seemed to be so knowledgeable on so many issues. I was still having trouble learning a lot of the issues. However, I remember that one time after the election and after the session, Ren and I and two or three other legislators were at a meeting. I remember that the group was very upset over something that DSHS had done to them. I remember that we listened for awhile, and one woman got up and was very, very angry. She got so mad that she said she wanted to punch every legislator in the meeting in the nose. At this time Ren stood up and said, "Wait, wait, just a minute. I didn't come here to be insulted. I didn't come here to have my nose punched. If you will please sit down, then we can talk calmly." She muttered, "No way, no way," stood up, put her coat on and left. We went ahead and heard the rest of the people. Normally, Ren is pretty convincing, but that was one person he was not able to convince. She wasn't going to listen to him, but she had problems, of course. Ren, I have learned much from you. You are the dean of the legislators in Eastern Washington, a very good mentor, and very much of an educator. I learned a lot from you. Thank you, Ren.

Mr. Todd: Thank you, Mr. Speaker. Ladies and gentlemen of the House: Ren, I have enjoyed serving with you on the Education Committee. You have been a good friend. I have appreciated your advice and your analysis of the issues. I would also like to say how late the hour is. I was just observing that those of us who wear contacts know that it is way past ten o'clock and time that we should be home and in bed. I would also observe that I know that you are a student of lexicography. I know that the gentleman from the 33rd District would appreciate

some of your wisdom. We had a meeting late one night. There was an amendment offered by me to a bill, and I was described as being very pernicious, a fact that was reported in the newspaper the next day. The gentleman from the 33rd District said, "No, I didn't mean pernicious. I meant persistent." Perhaps in your retirement, you might want to explain to the gentleman from the 33rd District, who is also retiring, the difference in meaning between those two words. I do thank you for your help on the committee. All the best to you and your wife.

Mr. Taylor: Thank you. You have all been so wonderful tonight. I was dreading this speech, I will tell you. Maybe I should get back, Lorraine, and pound that gavel again. I saw two people flinch tonight, when John was describing it—one was Lorraine and the other was Georgette Valle. I think they are the only two left that know. I was sorry to have that secret come out, but I hope, Lorraine and Georgette, that I have smoothed out a little since 1981 and that you will forgive me at this point in time. I never ask forgiveness, but this time I will. Seriously, this is very difficult. I will miss you all. You people in University Place, Federal Way, Gig Harbor and Lakewood may wonder why I have been checking your voting records. I will see you all later. Thank you so much.

SPEAKER'S PRIVILEGE

The Speaker: Would you please recognize Mrs. Virginia Taylor in the gallery.

The members of the House of Representatives recognized Mrs. Taylor.

The Speaker called on Representative O'Brien to preside.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4779, by Representatives Ebersole and Ballard

NOW, THEREFORE, BE IT RESOLVED, That a committee of four members be appointed by the Speaker to notify the Senate that the House of Representatives is ready to adjourn the Regular Session of the 1988 Legislature sine die.

On motion of Mr. Appelwick, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Floor Resolution No. 88-4779, the Speaker (Mr. O'Brien presiding) appointed Representatives Cole, Sprenkle, Barnes and Chandler to notify the Senate that the House was ready to adjourn sine die.

HOUSE FLOOR RESOLUTION NO. 88-4786, by Representatives Hine and Prince

WHEREAS, Washington State's Capitol Building has recently undergone many improvements to enhance its environment, with one improvement in particular enhancing also the disposition of members of the House of Representatives during this legislative session -- the transformation of the members' Cafeteria; and

WHEREAS, The staff of the new Cafeteria recognized the importance of nutrition and its effect on the decision-making abilities of all legislators, and they worked with nutritionist, Sandra Marvinney, during the interim to develop healthy well-balanced menus; and

WHEREAS, Under the tutelage of Sandra Marvinney, the staff followed the principles of healthy cooking by serving fresh foods not packaged, processed or chemically preserved, but organically grown fruits and vegetables, grains, fish and poultry, thereby minimizing the fat content in meals served each day; and

WHEREAS, The staff has also reorganized the Cafeteria to facilitate better eating habits, placing the desserts in the nutrition bar out of direct sight of legislators, leading them, perhaps, to think first, eat second; and

WHEREAS, The entire Cafeteria staff has played a role in making the Cafeteria a pleasant place where Legislators can spend time isolated from the demands of their staff and lobbyists; and

WHEREAS, The Cafeteria staff deserves special recognition for their hard work and conscientiousness: Sara Tuey, Cafeteria Supervisor, for her efforts in researching and developing well-balanced menus and coordinating the services of the

Cafeteria; Bonnie Smith, cook, for preparing excellent cooked-to-order breakfasts and creative lunch entrees; Carma Carlson, for presenting fresh, colorful and varied salads; Mimi Price, who prepared a wide variety of delicious ethnic cuisine for evening meals; Nora Schiele, for bending the rules and continuing to satisfy every sweet tooth; and Barbara Vant, Bruce Zook, Irene Kane, Steve McKnight, Suzanne Mykol and Rhonda Noble for presenting the new food and service in the most pleasant manner and meticulously maintaining the Cafeteria's facilities; and

WHEREAS, House members also thank Jeanne Smith, Intern Coordinator, whose idea led to the decoration of the Cafeteria with posters from around the state that reflect the beauty and bountiful resources that our state offers;

NOW, THEREFORE, BE IT RESOLVED, That the members of the House of Representatives highly commend the members' Cafeteria staff for their untiring commitment and dedication to quality foods and healthy cuisine; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Sara Tuey, Bonnie Smith, Carma Carlson, Nora Schiele, Sandra Marvinney, Mimi Price, Bruce Zook, Irene Kane, Steve McKnight, Suzanne Mykol, Barbara Vant and Jeanne Smith.

Ms. Hine moved adoption of the resolution. Representatives Hine, Kremen, Butterfield, Sayan and Todd spoke in favor of the resolution, and it was adopted.

POINT OF PERSONAL PRIVILEGE

Mr. Lux: Mr. Speaker, I obviously supported the resolution we just passed, but I do want to express to this body and to those fine folks in the gallery how much their efforts have meant to me. This has been a real encouragement at campaign time, because there isn't a whole lot to look forward to down here. Down in the gallery it is a whole lot different, and that has kept me going for a number of years. At my age appetite is all I have left, and I certainly appreciate everything you have done for us. Thank you very much.

MESSAGES FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6221 to subsection (1) of NEW SECTION. Sec. 902. (page 18, lines 17-21), and has passed the bill as amended by the House.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The Senate receded from its striking and title amendments to SUBSTITUTE HOUSE BILL NO. 657, and has passed the bill without said amendments, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 6235,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

March 10, 1988

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4453,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SUBSTITUTE HOUSE BILL NO. 318,

SUBSTITUTE HOUSE BILL NO. 608,

SUBSTITUTE HOUSE BILL NO. 657,

SUBSTITUTE HOUSE BILL NO. 1271,
 SUBSTITUTE HOUSE BILL NO. 1302,
 SUBSTITUTE HOUSE BILL NO. 1312,
 SUBSTITUTE HOUSE BILL NO. 1368,
 SUBSTITUTE HOUSE BILL NO. 1420,
 SUBSTITUTE HOUSE BILL NO. 1445,
 HOUSE BILL NO. 1515,
 SUBSTITUTE HOUSE BILL NO. 1568,
 HOUSE BILL NO. 1585,
 SUBSTITUTE HOUSE BILL NO. 1594,
 SECOND SUBSTITUTE HOUSE BILL NO. 1640,
 SUBSTITUTE HOUSE BILL NO. 1729,
 SUBSTITUTE HOUSE BILL NO. 1817,
 SECOND SUBSTITUTE HOUSE BILL NO. 1835,
 SUBSTITUTE HOUSE BILL NO. 1849,
 SUBSTITUTE HOUSE BILL NO. 2038,
 HOUSE CONCURRENT RESOLUTION NO. 4453.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Senate that the House was about to adjourn sine die.

The report was received and the special committee was discharged.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 318,
 SUBSTITUTE HOUSE BILL NO. 608,
 SUBSTITUTE HOUSE BILL NO. 657,
 SUBSTITUTE HOUSE BILL NO. 1312,
 HOUSE BILL NO. 1515,
 SUBSTITUTE HOUSE BILL NO. 1594,
 SECOND SUBSTITUTE HOUSE BILL NO. 1640,
 SECOND SUBSTITUTE HOUSE BILL NO. 1835,
 SUBSTITUTE HOUSE BILL NO. 2038,
 HOUSE CONCURRENT RESOLUTION NO. 4453,
 SECOND SUBSTITUTE SENATE BILL NO. 6221,
 SECOND SUBSTITUTE SENATE BILL NO. 6235,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SECOND SUBSTITUTE SENATE BILL NO. 6221,
 SECOND SUBSTITUTE SENATE BILL NO. 6235.

REPORT OF SPECIAL COMMITTEE FROM SENATE

A committee from the Senate, consisting of Senators Zimmerman, Barr and Kreidler, appeared at the bar of the House and notified the House that the Senate was ready to adjourn sine die.

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

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1271,
 SUBSTITUTE HOUSE BILL NO. 1302,
 SUBSTITUTE HOUSE BILL NO. 1368,

SUBSTITUTE HOUSE BILL NO. 1420,
 SUBSTITUTE HOUSE BILL NO. 1445,
 SUBSTITUTE HOUSE BILL NO. 1568,
 HOUSE BILL NO. 1585,
 SUBSTITUTE HOUSE BILL NO. 1729,
 SUBSTITUTE HOUSE BILL NO. 1817,
 SUBSTITUTE HOUSE BILL NO. 1849,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SUBSTITUTE SENATE BILL NO. 5595,
 SUBSTITUTE SENATE BILL NO. 6124,
 SUBSTITUTE SENATE BILL NO. 6157,
 SUBSTITUTE SENATE BILL NO. 6219,
 SUBSTITUTE SENATE BILL NO. 6238,
 SENATE BILL NO. 6297,
 SUBSTITUTE SENATE BILL NO. 6344,
 SENATE BILL NO. 6668.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8441.

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

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

INTRODUCTIONS AND FIRST READING

HB 2055 by Representatives Jacobsen, Leonard, Brække and Armstrong

AN ACT Relating to the center for children and family studies; adding new sections to chapter 28B.20 RCW; creating a new section; making an appropriation; and providing an expiration date.

Referred to Committee on Higher Education.

SCR 8441 by Senators Hayner, Sellar, Vognild and Fleming

Notifying the Governor that the Legislature is about to adjourn sine die.

MOTIONS

On motion of Mr. Appelwick, House Bill No. 2055 was considered first reading under the fourth order of business and referred to the committee so designated.

On motion of Mr. Appelwick, the rules were suspended and Senate Concurrent Resolution No. 8441 was advanced to second reading.

Senate Concurrent Resolution No. 8441 was read the second time.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Senate Concurrent Resolution No. 8441 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of Senate Concurrent Resolution No. 8441, the Speaker (Mr. O'Brien presiding) appointed Representatives Cooper, Scott, Taylor and B. Williams to notify the Governor that the Legislature was ready to adjourn sine die.

MESSAGE FROM THE SENATE

March 10, 1988

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8441.

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SENATE CONCURRENT RESOLUTION NO. 8441.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Governor that the Legislature was about to adjourn sine die.

The report was received and the special committee was discharged.

MOTION

On motion of Mr. Appelwick, reading of the Journal of the Sixtieth Day of the 1988 Regular Session of the Fiftieth Legislature was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Appelwick, the 1988 Regular Session of the Fiftieth Legislature was adjourned sine die.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIRST SPECIAL SESSION

FIRST DAY

MORNING SESSION

House Chamber, Olympia, Friday, March 11, 1988

The House was called to order by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Braddock, Ferguson, Grant, Hargrove, Heavey, Jacobsen, P. King, Locke, Meyers, Miller, Sanders, Todd, J. Williams and Wineberry. Representatives Allen, Jacobsen and Miller were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Clorinda Gatrell and Kenny Dirk. Prayer was offered by Representative Doug Sayan:

Our Heavenly Father, we are grateful for this beautiful day, for the health we enjoy and for the many friendships we have formed here in this body. We pray that You give us the wisdom and the initiative to complete our work as we were expected to do. Lord, set a moment aside from Your busy schedule to help our friends across the rotunda to place the needs of all our people uppermost in their minds, especially those seemingly forgotten working men and women, who also labor in Your vineyard. Please help us to eliminate poverty and disease and bigotry. We pray that we will have the resolve to do all these things in Your honor. Amen.

PROCLAMATION BY THE GOVERNOR

WHEREAS, in accordance with Article II, Section 12 (Amendment 68), the 1988 Regular Session adjourned March 10, 1988, the 60th day of the session without finishing its essential tasks; and

WHEREAS, it is therefore necessary for me to convene a Special Session for the purpose of addressing matters related to the Capital Budget, Convention Center, and Minimum Wage;

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68), and Article III, Section 7 of the State Constitution, do hereby convene the Legislature of the State of Washington on Friday, the 11th day of March, 1988, at 11:00 a.m. in Special Session in the Capitol at Olympia for the purposes stated herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 11th day of March, A.D., Nineteen Hundred and Eighty-Eight.

(SEAL) BOOTH GARDNER,
Governor.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4788, by Representatives Ebersole and Ballard

NOW, THEREFORE, BE IT RESOLVED, That a committee of four members be appointed by the Speaker to notify the Senate that the House of Representatives is organized and ready to conduct the business of the First Special Session.

On motion of Mr. Ebersole, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Floor Resolution No. 88-4788, the Speaker (Mr. O'Brien presiding) appointed Representatives Baugher, Spanel and May to notify the Senate that the House of Representatives was organized and ready to conduct the business of the First Special Session.

REPORT OF SPECIAL COMMITTEE FROM SENATE

A special committee from the Senate, consisting of Senators Stratton, Johnson, Garrett and Metcalf, appeared at the bar of the House and notified the House that the Senate was organized and ready for business.

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

REPORT OF SPECIAL COMMITTEE

The special committee appeared at the bar of the House and reported that they had notified the Senate that the House was organized and ready to conduct business.

The report was received and the special committee was discharged.

MESSAGE FROM THE SENATE

March 11, 1988

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8442,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

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

INTRODUCTION AND FIRST READING

SCR 8442 by Senators Hayner, Sellar, Vognild and Fleming

Notifying the Governor that the Legislature is organized.

MOTIONS

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

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Senate Concurrent Resolution No. 8442 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of Senate Concurrent Resolution No. 8442, the Speaker (Mr. O'Brien presiding) appointed Representatives Fox, Rayburn, Patrick and Brough to notify the Governor that the Legislature was organized and ready to conduct business.

REPORT OF SPECIAL COMMITTEE

The special committee appeared at the bar of the House and reported that they had notified the Governor that the Legislature was organized and ready to conduct business.

The report was received and the special committee was discharged.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Braddock, Ferguson, Grant, Hargrove, Heavey, Locke, Meyers, Sanders, Todd, J. Williams and Wineberry appeared at the bar of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

INTRODUCTIONS AND FIRST READING

HB 2056 by Representatives Belcher, Miller, Wang, Ebersole, Brekke, Hine, Unsoeld and Locke

AN ACT Relating to the state minimum wage; amending RCW 49.46.010, 49.46.020, and 49.12.121; and providing an effective date.

HB 2057 by Representatives Locke, Grimm, Bristow and Hine

AN ACT Relating to public facilities; amending RCW 67.40.020, 67.40.025, 67.40.030, 67.40.040, 67.40.055, 67.40.090, 67.28.200, 67.28.210, and 67.40.100; amending section 1, chapter 8, Laws of 1987 1st ex. sess. (uncodified); amending section 9, chapter 8, Laws of 1987 1st ex. sess. (uncodified); reenacting and amending RCW 84.52.052; adding a new section to chapter 67.40 RCW; adding new sections to chapter 67.28 RCW; adding a new section to chapter 6, Laws of 1987 1st ex. sess.; adding a new chapter to Title 36 RCW; creating a new section; making appropriations and authorizing bonds; and declaring an emergency.

HB 2058 by Representatives Bristow, McLean, Grimm and Holland

AN ACT Relating to capital projects; authorizing certain projects; amending RCW 46.08.172; amending section 2, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 106, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 107, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 151, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 155, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 157, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 201, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 202, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 216, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 236, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 316, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 322, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 407, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 408, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 409, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 503, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 516, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 529, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 530, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 560, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 566, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 577, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 702, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 704, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 705, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 706, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 712, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 727, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 775, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 779, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 880, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 882, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 879, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 880, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 882, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 890, chapter 6, Laws of 1987 1st ex. sess. (uncodified); amending section 895, chapter 6, Laws of 1987 1st ex. sess. (uncodified); adding new sections to chapter 6, Laws of 1987 1st ex. sess. (uncodified); creating new sections; repealing section 317, chapter 6, Laws of 1987 1st ex. sess. (uncodified); repealing section 410, chapter 6, Laws of 1987 1st ex. sess. (uncodified); repealing section 716, chapter 6, Laws of 1987 1st ex. sess. (uncodified); repealing section 871, chapter 6, Laws of 1987 1st ex. sess. (uncodified); making appropriations; and declaring an emergency.

HB 2059 by Representatives Bristow, McLean, Grimm and Holland

AN ACT Relating to bonded indebtedness; amending RCW 43.99G.020, 43.99G.102, 43.83A.020, 43.83A.070, 43.99E.015, 43.99E.035, 43.99F.020, 43.99F.060, 75.48.020, and 75.48.060; creating a new section; and declaring an emergency.

MOTION

On motion of Mr. Ebersole, the rules were suspended and House Bill No. 2056 was placed on the second reading calendar.

SECOND READING

HOUSE BILL NO. 2056, by Representatives Belcher, Miller, Wang, Ebersole, Brække, Hine, Unsoeld and Locke

Revising the state minimum wage.

House Bill No. 2056 was read the second time.

MOTION

On motion of Mr. Ebersole, further consideration of House Bill No. 2056 was deferred and the bill was ordered to hold its place on the second reading calendar.

MOTION

On motion of Mr. Ebersole, the rules were suspended and House Bill No. 2057 was placed on the second reading calendar.

HOUSE BILL NO. 2057, by Representatives Locke, Grimm, Bristow, and Hine

Providing for public facilities.

House Bill No. 2057 was read the second time.

MOTION

On motion of Mr. Ebersole, further consideration of House Bill No. 2057 was deferred and the bill was ordered to hold its place on the second reading calendar.

MOTION

On motion of Mr. Ebersole, the rules were suspended and House Bill No. 2058 was placed on the second reading calendar.

HOUSE BILL NO. 2058, by Representatives Bristow, McLean, Grimm and Holland

Adopting the supplemental capital budget.

House Bill No. 2058 was read the second time.

MOTION

On motion of Mr. Ebersole, further consideration of House Bill No. 2058 was deferred and the bill was ordered to hold its place on the second reading calendar.

MOTION

On motion of Mr. Ebersole, the rules were suspended and House Bill No. 2059 was placed on the second reading calendar.

HOUSE BILL NO. 2059, by Representatives Bristow, McLean, Grimm and Holland

Revising provisions on general obligation bonds.

House Bill No. 2059 was read the second time.

MOTION

On motion of Mr. Ebersole, further consideration of House Bill No. 2059 was deferred and the bill was ordered to hold its place on the second reading calendar.

Representatives P. King and Miller appeared at the bar of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The House resumed consideration of House Bill No. 2056 on second reading.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INFORMATION

Mr. Padden: Mr. Speaker, how many votes did it take to suspend the rules?

The Speaker: It took two-thirds.

Representatives Belcher and Basich spoke in favor of passage of the bill, and Representatives Patrick and B. Williams opposed it.

Ms. Belcher again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2056, and the bill passed the House by the following vote: Yeas, 62; nays, 34; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Butterfield, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Leonard, Locke, Lux, May, Meyers, Miller, Nelson, Nutley, O'Brien, Peery, Pruitt, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Bumgarner, Chandler, Doty, Ferguson, Fuhrman, Grant, Kremen, Lewis, McLean, Moyer, Nealey, Padden, Patrick, Prince, Rasmussen, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Walker, Williams B, Williams J, Wilson S - 34.

Excused: Representatives Allen, Jacobsen - 2.

House Bill No. 2056, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The House resumed consideration of House Bill No. 2057 on second reading.

Mr. Bristow moved adoption of the following amendment by Representatives Bristow, D. Sommers, Dellwo, Locke, Padden, Silver, Taylor and Moyer:

Beginning on page 12, line 31, after "center" strike everything through "district." on page 13, line 5, and insert: "

A public facilities district shall be created upon approval of a proposition to create such a district by a majority of the voters of the proposed district.

A proposition to create a public facilities district shall be submitted to the voters of the proposed district after the county legislative authority in which the proposed district is located and the city council of the largest city within such county have each adopted resolutions calling for such submittal. The proposition shall be placed on the ballot at the next general election held sixty or more days after the adoption of both the city and county resolutions. The resolution calling for providing submittal of the proposition to the voters may be adopted only after the county legislative authority and the city council hold a joint public hearing on the proposition. Notice of the public hearing shall be published in a newspaper of general circulation in the county in which the proposed district is located at least ten days before the public hearing."

Representatives Bristow, D. Sommers and Padden spoke in favor of adoption of the amendment, and it was adopted.

Mr. Bristow moved adoption of the following amendment by Representatives Bristow, D. Sommers, Dellwo, Locke, Padden, Silver, Taylor and Moyer:

On page 14, line 20, strike "seventy-five" and insert "fifty"

Representatives Bristow and D. Sommers spoke in favor of adoption of the amendment, and it was adopted.

Mr. Bristow moved adoption of the following amendment:

On page 17, line 19, strike "2049" and insert "2057"

Mr. Bristow spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Locke spoke in favor of passage of the bill.

POINT OF PERSONAL PRIVILEGE

Mr. Schoon: I submitted an amendment yesterday on House Bill No. 2049. Had I realized that House Bill No. 2057 was coming to us rewritten as House Bill No. 2049 and had I received a copy of the bill, I would have resubmitted the amendment. I have just given a copy of the amendment to the Clerk and would appreciate it if you would defer action on this bill until that amendment can be acted on.

The Speaker: Representative Schoon, we will be glad to get your amendment distributed.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

On motion of Mr. Ebersole, the rules were suspended and Engrossed House Bill No. 2057 was returned to second reading for purpose of amendment.

Mr. Schoon moved adoption of the following amendment by Representatives Schoon, Brough and Bristow:

On page 19, after line 10 insert:

"(5) Taxes levied and collected under this act shall not be used for a zero grade beach or other components of a wave pool or water slide constructed or acquired as a part of an indoor aquatic swimming facility in Pierce County."

Representatives Schoon and Fisher spoke in favor of adoption of the amendment, and Ms. Winsley opposed it.

POINT OF INQUIRY

Ms. Fisher yielded to question by Mr. Schoon.

Mr. Schoon: Representative Fisher, I understood you to say that you were supporting the amendment, and yet your last statement might leave some doubt in the minds of the other representatives.

Ms. Fisher: It is such a pleasure to join you in an amendment for probably the first time in my legislative life. I got confused. Vote "yes."

Representatives Locke and Sayan spoke against adoption of the amendment.

The amendment was not adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Silver spoke in favor of passage of the bill.

POINT OF INFORMATION

Mr. Padden: Mr. Speaker, how much time is each member allowed to speak on this?

The Speaker (Mr. O'Brien presiding): The Chief Clerk just informed me you have three minutes.

Mr. Padden: Mr. Speaker, I don't believe that rule applies. Previously, the Speaker indicated on point of information from me that it took a two-thirds vote to suspend the rules, which would indicate we are not within the time limit and that the proper time would be at least ten minutes.

The Speaker (Mr. O'Brien presiding): You were given some bad advice. We do not know the length of the Special Session, so I could rule either one way or the other. It might last until tomorrow and then you will be out. There is a lot of flexibility in a Special Session regarding length of debate.

Ms. Silver continued her remarks in favor of passage of the bill, and Representatives Hine, Schoon, Hargrove, Padden, Dellwo, Ferguson, Jones and Locke also spoke in favor of it. Ms. Haugen spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2057, and the bill passed the House by the following vote: Yeas, 71; nays, 25; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Brekke, Bristow, Brough, Bumgarner, Cantwell, Cole, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Leonard, Lewis, Locke, May, McLean, Moyer, Nealey, Nutley, O'Brien, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Unsoeld, Valle, Vekich, Walk, Walker, Williams J, Wilson K, Wineberry, Winsley, and Mr. Speaker - 71.

Voting nay: Representatives Beck, Braddock, Brooks, Butterfield, Chandler, Cooper, Dorn, Fuhrman, Grant, Haugen, Heavey, Kremen, Lux, Meyers, Miller, Nelson, Patrick, Sanders, Schmidt, Smith C, Todd, Wang, Williams B, Wilson S, Zellinsky - 25.

Excused: Representatives Allen, Jacobsen - 2.

Engrossed House Bill No. 2057, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The House resumed consideration of House Bill No. 2058 on second reading.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher, Sayan, Bristow, H. Sommers and Grimm:

On page 8, line 1, strike all of section 104 and insert:

NEW SECTION, Sec. 104. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION:

East capitol campus development

The appropriations in this section are subject to the following conditions and limitations:

(1) The \$50,700,000 appropriation from the Cap Campus Dev Acct is provided solely for the construction of a natural resources building on the unimproved state-owned property east of Capitol Way and west of Jefferson Avenue and construction of a multilevel parking structure on the state-owned property near Jefferson Avenue and Wheeler Street. No funds authorized in this subsection may be expended until the functions of the department of natural resources currently occupying the John A. Cherberg Building are moved to the interim location of the former J.C. Penney's building.

	Reappropriation	Appropriation
Cap Campus Otc Dev Acct		50,700,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		50,700,000*

Renumber the remaining sections and correct internal references accordingly.

Representatives Belcher, McLean and Sayan spoke in favor of adoption of the amendment, and Mr. B. Williams opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Belcher and others to House Bill No. 2058, and the amendment was adopted by the following vote: Yeas, 52; nays, 43; absent, 1; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, Fox, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Holm, Jones, King P, King R, Leonard, Locke, McLean, Meyers, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 52.

Voting nay: Representatives Amondson, Ballard, Barnes, Baugher, Beck, Betrozoff, Brooks, Brough, Bumgarner, Butterfield, Chandler, Crane, Doty, Ferguson, Fuhrman, Grant, Hankins, Heavey, Jesernig, Kremen, Lewis, May, Miller, Moyer, Nealey, Nelson, Padden, Patrick, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers D, Taylor, Todd, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 43.

Absent: Representative Lux - 1.

Excused: Representatives Allen, Jacobsen - 2.

The Clerk read the following amendment by Representatives D. Sommers, Fuhrman, Silver, Moyer and Taylor:

On page 18, following line 27, insert:

NEW SECTION, Sec. 511. A new section is added to chapter 6, Laws of 1987 1st ex. sess. (uncodified) to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY:

Land acquisition: Spokane technical institute		Reappropriation	Appropriation
St Bldg Constr Acct			800,000
Project	Estimated	Estimated	Total
Costs	Costs	Total	Costs
Through	7/1/89 and		
6/30/87	Thereafter		800,000*

Reumber the remaining sections and correct internal references accordingly.

With consent of the House, Mr. D. Sommers withdrew the amendment.

Ms. H. Sommers moved adoption of the following amendment by Representatives H. Sommers, Bristow, Grimm, Belcher and Sayan:

On page 24, following line 33, strike all of section 714.

Representatives H. Sommers and Sayan spoke in favor of adoption of the amendment, and Representatives Lewis, Doty, Baugher, Schoon and Rayburn opposed it.

The amendment was not adopted.

Mr. Padden moved adoption of the following amendment:

On page 13, after line 25 insert:

"NEW SECTION. Sec. 307. All individuals arrested and convicted for drug abuse through law enforcement efforts utilizing one party consent as authorized during the 1988 Legislative Session shall be committed to corrections facilities under the direction of the department of corrections."

POINT OF ORDER

Mr. Wineberry: Mr. Speaker, I would like to request that you please rule on whether or not this amendment is within the scope and object of House Bill No. 2058, an act relating to capital projects.

SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): Representative Wineberry, we have reviewed the question you raised and find that your point of order is well taken. This amendment has nothing to do with the capital budget. I am ruling your amendment out of order. Representative Padden.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow and Sayan spoke in favor of passage of the bill, and Mr. Fuhrman opposed it.

MOTIONS

Mr. Ebersole moved that further consideration of Engrossed House Bill No. 2058 be deferred and that the bill hold its place on the third reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately resume consideration of Engrossed House Bill No. 2058 on third reading. The motion was carried.

Mr. Padden spoke against passage of the bill.

POINT OF ORDER

Ms. Hine: Mr. Speaker, I believe we are on final passage of Engrossed House Bill No. 2058, a capital budget. I would think the speaker's remarks are straying a bit from the content of that document.

SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): Would you hold your remarks to the issue at hand, the supplemental capital budget and items within that budget?

Mr. Padden continued his remarks against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2058, and the bill passed the House by the following vote: Yeas, 82; nays, 14; excused, 2.

Voting yea: Representatives Amondson, Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nealey, Nelson, Nutley, O'Brien, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Beck, Brooks, Bumgarner, Butterfield, Chandler, Fuhrman, Grant, Heavey, Padden, Patrick, Silver, Smith C, Sommers D, Williams B - 14.

Excused: Representatives Allen, Jacobsen - 2.

Engrossed House Bill No. 2058, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I should have voted "Nay" on final passage of Engrossed House Bill No. 2058. Please enter this in the Journal.

KAREN SCHMIDT, 23rd District.

The Speaker resumed the Chair.

The Speaker declared the House to be at ease.

The Speaker (Mr. Locke presiding) called the House to order.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Saturday, March 12, 1988.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIRST SPECIAL SESSION

SECOND DAY

MORNING SESSION

House Chamber, Olympia, Saturday, March 12, 1988

The House was called to order by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Allen, Betrozoff, Brekke, Bumgarner, Day, Grimm, Jacobsen, Locke, Meyers, Sanders, Todd, Walk, Walker, J. Williams and Zellinsky. Representatives Allen, Jacobsen and J. Williams were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Edwards and Zach Elmore. Prayer was offered by Representative Clyde Ballard.

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

MESSAGE FROM THE GOVERNOR

March 11, 1988

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

I have the honor to advise you that on March 11, 1988, Governor Gardner approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 1392: Relating to continuing care retirement community;

HOUSE BILL NO. 1401: Relating to the business and occupation tax exemption for sheltered workshops;

HOUSE BILL NO. 1504: Relating to trusts and estates;

HOUSE BILL NO. 1531: Relating to redefining the standards for sunset reviews of a regulatory entity and extending the duration of the sunset review process.

Sincerely,
Terry Sebring, Counsel.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

Representatives Betrozoff, Brekke, Day, Grimm, Locke, Meyers, Todd, Walk and Walker appeared at the bar of the House.

Representative B. Williams was excused.

MESSAGES FROM THE SENATE

March 11, 1988

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6763,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

March 11, 1988

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8442.

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 8442.

SENATE AMENDMENT TO HOUSE BILL

March 11, 1988

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2057 with the following amendment:

On page 20, after line 10 insert:

"(5) Taxes levied and collected under this act shall not be used for a zero grade beach or other components of a wave pool or water slide constructed or acquired as a part of an indoor aquatic swimming facility in Pierce County."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Locke moved that the House do concur in the Senate amendment to Engrossed House Bill No. 2057.

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

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 2057 as amended by the Senate.

ROLL CALL

The Clerk call the roll on the final passage of Engrossed House Bill No. 2057 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; nays, 23; absent, 3; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Brekke, Bristow, Brough, Cantwell, Cole, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Holm, Jones, King P, King R, Leonard, Lewis, Locke, Lux, May, McLean, Moyer, Nealey, Nutley, O'Brien, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Taylor, Todd, Unsoeld, Valle, Walk, Walker, Wilson K, Wilson S, Wineberry, and Mr. Speaker - 68.

Voting nay: Representatives Amondson, Beck, Braddock, Brooks, Butterfield, Chandler, Cooper, Dorn, Fuhrman, Grant, Heavey, Jesernig, Kremen, Meyers, Miller, Nelson, Patrick, Schmidt, Smith C, Sutherland, Vekich, Wang, Winsley - 23.

Absent: Representatives Bumgarner, Sanders, Zellinsky - 3.

Excused: Representatives Allen, Jacobsen, Williams B, Williams J - 4.

Engrossed House Bill No. 2057 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

It was my intention to vote "No" on final passage of EHB 2057 as amended by the Senate. I had voted "No" on this bill when it passed the House on March 11, 1988. I oppose the concept of changing the state trade and convention center from a privately operated entity to a public, state operated entity.

PAUL SANDERS, 48th District.

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

INTRODUCTIONS AND FIRST READING

HB 2060 by Representatives Padden and Brough

AN ACT Relating to criminal activity; amending RCW 9.73.090; reenacting and amending RCW 9.73.030; adding new sections to chapter 9.73 RCW; repealing RCW 9.73-.050; and providing an effective date.

Referred to Committee on Judiciary.

HJM 4047 by Representatives Valle, Holland, Beck, Moyer, Peery, Sprenkle, Kremen, Heavey, Pruitt, O'Brien, S. Wilson, Lux, Nelson, Schmidt, Fisher, Hargrove, Anderson, Unsoeld, Sayan, Winsley, Jacobsen and K. Wilson

Requesting elimination of the Hatch Act and approval of H.R. 3400.

Referred to Committee on Constitution, Elections & Ethics.

HCR 4457 by Representative Patrick

Providing for the reintroduction of House Bill No. 1352.

Referred to Committee on Rules 2.

ESSB 6763 by Committee on Ways & Means (originally sponsored by Senators Hayner and McDonald)

Providing for capital public school projects and capital projects at Washington State University.

The Speaker referred the bills, memorial and resolution listed on today's introduction sheet to the committees so designated with the exception of Engrossed Substitute Senate Bill No. 6763.

MOTION

Mr. Ebersole moved that the rules be suspended and that Engrossed Substitute Senate Bill No. 6763 be placed on the second reading calendar.

MOTION

Ms. Brough moved to amend the motion to suspend the rules and also place House Bill No. 2060 on the second reading calendar.

SPEAKER'S RULING

The Speaker: Representative Brough, that bill was just referred to the Committee on Judiciary. It is no longer before us. The matter before us is Engrossed Substitute Senate Bill No. 6763. You are trying to bring forth another measure. I find that your motion is out of order.

The Speaker stated the question before the House to be the motion by Mr. Ebersole to suspend the rules and place Engrossed Substitute Senate Bill No. 6763 on the second reading calendar. The motion was carried.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 6763, by Committee on Ways & Means (originally sponsored by Senators Hayner and McDonald)

Providing for capital public school projects and capital projects at Washington State University.

The bill was read the second time.

POINT OF PARLIAMENTARY INQUIRY

Ms. Brough: What is the status of my amendment to Representative Ebersole's motion?

The Speaker: I ruled that motion out of order.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bristow, Grimm, Prince, S. Wilson, Basich and Wang spoke in favor of passage of the bill.

POINT OF ORDER

Mr. Lewis: I believe the esteemed representative is beginning to stray.

SPEAKER'S RULING

The Speaker: I am afraid you are right, Representative Lewis. He is out there on the far reaches of the capital budget. Representative Wang, please bring your remarks a little closer to the agricultural trade complex.

Mr. Wang continued his remarks in favor of passage of the bill.

POINT OF ORDER

Mr. Ebersole: Mr. Speaker, this straying can turn into a dangerous game that two can play. I hope that the gentleman will confine his remarks to the capital budget before us.

SPEAKER'S RULING

The Speaker: Representative Wang, you are at the end of your rope here.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6763, and the bill passed the House by the following vote: Yeas, 87; nays, 3; absent, 4; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beck, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Butterfield, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher, Fox, Gallagher, Grant, Grimm, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Holm, Jesernig, Jones, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, May, McLean, Meyers, Miller, Moyer, Nelson, Nutley, O'Brien, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers D, Sommers H, Spanel, Sprenkle, Sutherland, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 87.

Voting nay: Representatives Amondson, Fuhrman, Patrick - 3.

Absent: Representatives Bumgarner, Nealey, Sanders, Zellinsky - 4.

Excused: Representatives Allen, Jacobsen, Williams B, Williams J - 4.

Engrossed Substitute Senate Bill No. 6763, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENTS FOR THE JOURNAL

I would have voted "Yes" on ESSB 6763.

DARWIN R. NEALEY, 9th District.

It was my intention to vote in favor of ESSB 6763.

PAUL SANDERS, 48th District.

Please make a Journal entry to indicate that, had I been present, I would have voted "Yes" on EHB 2057 as amended by the Senate and ESSB 6763.

JOSEPH L. WILLIAMS, 41st District.

Representative Zellinsky appeared at the bar of the House.

POINTS OF PERSONAL PRIVILEGE

Ms. Hine: Thank you, Mr. Speaker. I request permission for Representative Prince and myself to approach the rostrum. Mr. Speaker, the Chair of the Republican Caucus and the Chair of the Democratic Caucus would like to present you with a gift, showing our appreciation for last year's session and for this year's, for a term of office as Speaker, that we have all appreciated. We would like to say that in the future we hope you will be just a little more forthright and let us know how you feel, so that we won't have to guess. We would like to have you delegate a little bit more. We would like to have you get more people up here on the rostrum, since you feel that anyone up here never serves a real term as Speaker. In all sincerity, I think we have had a very successful session. I think we have worked together as a

legislature. My colleague, Representative Prince, and I are very pleased to present to you this gift with our thanks, appreciation and good wishes.

Mr. Prince: On behalf of my caucus, as well, we are happy to present this to you. We have enjoyed the way that you have treated us--there were times when we didn't enjoy it that much--but basically it has been a good relationship. We really appreciate that.

SPEAKER'S PRIVILEGE

The Speaker: I reflected in our caucus a few minutes ago about the miracle of this legislature and the miracle, particularly, of this session. We have had an issue before us that has divided us deeply, especially during the end of this special session. It has divided us along philosophical grounds, and those have shown up. The miracle of this legislature and of the legislative process in general--but particularly of this session--is that with philosophical differences deeply dividing us, we are able to be as productive as we are. I think this entire body ought to be enormously proud of itself, and we owe ourselves a hand. Thank you very much for your support.

POINT OF PERSONAL PRIVILEGE

Ms. Brough: Thank you, Mr. Speaker. There are often times when the differences between those of you who sit on that side of the aisle and those of us on this side of the aisle are quite obvious. There are other times when the differences are not quite so obvious. There are a lot of arenas where we deal with each other, and there are times when we use terminology such as level playing field. There are times when we need a level playing field. There are times when we keep score, one upon the other--sometimes more appropriately than at other times. I think that there is definitely an arena where the extraordinary talents of those on this side of the aisle, our athletic expertise, will simply overshadow your very best efforts. I would like to reissue the challenge on April 16 that the Democrats in the Legislature meet us in Tacoma at the Tacoma Dome for our soccer game, a rematch perhaps of the legislative session. The rules are very clear in this game. The only eligible players are members, either from the House or Senate, or members of permanent staff. We will play indoor soccer rules and there must be at least one man on each team at all times. You know the coaches--Alan "Tatu" Thompson and Vito "Pele" Chiechi. I hope that you are looking forward to April 16 at 6:00 as much as we are. Thank you.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4785, by Representatives Hine and Prince

WHEREAS, The staff of the House of Representatives is most appreciated and cherished; and

WHEREAS, Our professional nonpartisan committee staff is the best in state government, laboring long hours to research, draft and perfect the thousands of great bills we dream up; and

WHEREAS, The Billroom and Workroom staff probably would win a case charging cruel and unusual punishment for the long, tiring hours they work to prepare the tons of paperwork we need to work all those swell bills; and

WHEREAS, Our professional partisan staff has provided us with the necessary resources to prove that we are each the best Democrat/Republican in the state and that our Democrat/Republican solutions are the most newsworthy; and

WHEREAS, The session workers have guarded us, fed us, transported us, staffed our committees, and in all ways helped us perform our jobs; and

WHEREAS, Our personal aides have once again performed the impossible by shuffling thousands of pieces of mail, answering our constantly ringing telephones, keeping our hectic schedules and managing to deal politely with all our visitors; and

WHEREAS, The faithful assistance of all these people contributes greatly to our ability to fulfill our duties as state legislators;

NOW, THEREFORE, BE IT RESOLVED, That the members of the House of Representatives extend our sincere appreciation to all those employees who have worked long and hard for the good of all of us; and

BE IT FURTHER RESOLVED, That copies of this Resolution be distributed to staff offices and work areas in appreciation for a job well done.

Ms. Hine moved adoption of the resolution. Representatives Hine, Prince and Wineberry spoke in favor of the resolution, and it was adopted.

The Speaker called on Representative O'Brien to preside.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) invited the staff of the House Workroom to the rostrum where they were acknowledged by the members of the House of Representatives.

POINTS OF PERSONAL PRIVILEGE

Mr. Locke: Thank you, Mr. Speaker. While the members are still here and before they go, recognizing that these are the last few minutes of the session, I wanted to rise and indicate that it is somewhat of an emotional time when we adjourn. This is the last of the legislature. We have continuing committee weekends, but for several here in this Chamber, it will be the last regular session. There are three who have indicated an intent to retire—Representative Barnes, Representative Taylor and Representative Williams. We have at least one person who is going to be running for the U.S. Congress and therefore will not be with us next year. We have several who are contemplating running for the State Senate and will not be with us next year. Obviously, there are some on both sides of the aisle, who will be up for re-election as House members and who will be defeated—hopefully none, but we cannot guarantee who will be back next year. So it is an opportunity for all of us to reflect on the contributions that we make to this body and to this institution, regardless of political party, regardless of the part of the state we come from and our viewpoints and philosophies. We are members of a very distinguished club and a very distinguished chamber. I think that all of us recognize just how valuable we are to the process and to the institution and how much of a contribution we make in our small, individual ways. As we depart this evening, I think we all wish everyone else a good future, good luck and success. Thank you.

Mr. Taylor: This is the last session and hopefully, there will be no other Special Sessions. I will see you on committee weekends. This has been a wonderful experience for me, something I have wanted to do since I was a young lad, six years old, when I delivered my first Republican handbill. Thank you all so much for everything.

Mr. Brooks: Thank you, Mr. Speaker. Ladies and gentlemen of the House: I want to rise to congratulate the whole House for helping us pass what I think is one of the most extraordinary bills that we have had before us. It was a very difficult thing to do. It took a lot of soul searching on everybody's part. I think we finely got together and passed a national bill—not just a state bill, but a national bill—to start the fight in earnest against this terrible scourge of AIDS. I want to take this moment to thank everybody who helped and all those who, although they couldn't always agree with us completely, also helped. My heartfelt thanks to the whole House.

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

INTRODUCTION AND FIRST READING

HCR 4460 by Representative Grimm

Establishing a joint select committee on school construction.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4460 was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and resolution was placed on final passage.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Grimm, Brough, Hargrove and Lux spoke in favor of the resolution, and it was adopted.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 88-4762, by Representatives Sayan, Betzoff, Peery and Vekich

WHEREAS, The Mason County Parents Advisory Committee has raised some concerns regarding educational services to children with special needs; and

WHEREAS, Public Law 94-142 mandates that these special needs children be "mainstreamed" whenever possible and that they be placed in the least-restrictive educational environment; and

WHEREAS, Teachers certified after August 1, 1987 are required to complete continuing education courses amounting to 150 hours per five years of teaching; and

WHEREAS, Teachers certified after August 1, 1987 must also complete a certain number of hours in special education courses; and

WHEREAS, Teachers certified before August 1, 1987 lack specific hourly requirements for special education training;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Superintendent of Public Instruction and the State Board of Education are urged to adopt rules which require all teachers to complete ten hours of special education training by 1992.

Mr. Sayan moved adoption of the resolution. Representatives Sayan and Betzoff spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 88-4790, by Representatives Ballard and J. King

WHEREAS, Janice Laverne Keller and John Brian Saul have covenanted to wed this twelfth day of March 1988 under the spectacular legislative dome in the Rotunda of the Washington State Legislature; and

WHEREAS, The happy couple has joined themselves in holy matrimony on this second day of the First Special Session of the 50th Legislature; and

WHEREAS, They have chosen an auspicious place in which to exchange their vows, for this is an edifice dedicated to achieving solutions through conflict, negotiation and compromise; and

WHEREAS, The groom, a printer, and his bride, employed in public relations, plan to live in the Olympia area after their honeymoon in Hawaii; and

WHEREAS, The bride's parents reside in the Lacey area, and the groom's parents live in Okinawa, where his father, a Navy Captain, is stationed; and

WHEREAS, The couple selected this hallowed place on this equally hallowed occasion for its beauty and as a tribute to their state and their community;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That it extends its best wishes to the happy couple on this most memorable day of their lives; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the bride and groom and to their parents.

Ms. Schmidt moved adoption of the resolution. Ms. Schmidt spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) invited Janice Laverne Keller and John Brian Saul to the rostrum and presented them with a copy of House Floor Resolution

No. 88-4790. The Speaker (Mr. O'Brien presiding) introduced the parents and friends of the bride and groom, who were seated in the gallery.

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

INTRODUCTION AND FIRST READING

HCR 4458 by Representatives Ebersole and Ballard

Providing that the legislature adjourn sine die.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4458 was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and resolution was placed on final passage.

House Concurrent Resolution No. 4458 was adopted.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 88-4789, by Representatives Ebersole and Ballard

NOW, THEREFORE, BE IT RESOLVED, That a committee of four members be appointed by the Speaker to notify the Senate that the House of Representatives is ready to adjourn the First Special Session of the 1988 Legislature sine die.

On motion of Mr. Ebersole, House Floor Resolution No. 88-4789 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Floor Resolution No. 88-4789, the Speaker (Mr. O'Brien presiding) appointed Representatives Anderson, Spanel, Barnes and McLean to notify the Senate that the House was ready to adjourn sine die.

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

INTRODUCTION AND FIRST READING

HCR 4459 by Representatives Ebersole and Ballard

Appointing a committee to notify the Governor that the legislature is about to adjourn sine die.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4459 was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and resolution was placed on final passage.

House Concurrent Resolution No. 4459 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Concurrent Resolution No. 4459, the Speaker (Mr. O'Brien presiding) appointed Representatives Valle, Wineberry, Taylor and Miller to notify the Governor that the Legislature was ready to adjourn sine die.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Senate that the House was about to adjourn sine die.

The report was received and the special committee was discharged.

REPORT OF SPECIAL COMMITTEE FROM SENATE

A committee from the Senate, consisting of Senators Anderson, Saling, Hansen and Barr, appeared at the bar of the House and notified the House that the Senate was ready to adjourn sine die.

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

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Governor that the Legislature was about to adjourn sine die.

The report was received and the special committee was discharged.

POINT OF PERSONAL PRIVILEGE

Mr. Appelwick: They always say the Legislature isn't over until the fat lady sings. I looked futilely for her this afternoon. It's been an auspicious occasion, and I would note a couple of things. We had a birthday for Representative Basich, and we have a wedding waiting outside the door. I don't know how you are going to gavel, when they say, "I do." We have several near retirements. But if we don't have a fat lady to sing, I can at least say, "Arrivederci, Fiftieth Legislature, it's been a lot of fun."

MOTION

On motion of Mr. Ebersole, reading of the Journal of the Second Day of the 1988 First Special Session of the Fiftieth Legislature was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 12, 1988

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 6763,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 2057,

SUBSTITUTE SENATE BILL NO. 6763.

MESSAGE FROM THE SENATE

March 12, 1988

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4458,

HOUSE CONCURRENT RESOLUTION NO. 4459,

HOUSE CONCURRENT RESOLUTION NO. 4460,

and the same are herewith transmitted.

W. D. Nalsmith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE CONCURRENT RESOLUTION NO. 4458,

HOUSE CONCURRENT RESOLUTION NO. 4459,

HOUSE CONCURRENT RESOLUTION NO. 4460.

MESSAGE FROM THE SENATE

March 12, 1988

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 2057,

HOUSE CONCURRENT RESOLUTION NO. 4458,
HOUSE CONCURRENT RESOLUTION NO. 4459,
HOUSE CONCURRENT RESOLUTION NO. 4460,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

On motion of Mr. Ebersole, the 1988 First Special Session of the Fiftieth Legislature was adjourned sine die.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

HOUSE LEGISLATIVE LEADERS

Fiftieth Legislature
1988 Regular Session
1988 First Special Session

DEMOCRATIC LEADERSHIP

Speaker	Joseph E. King
Speaker Pro Tempore	John L. O'Brien
Majority Leader	Brian Ebersole
Democratic Caucus Chair	Lorraine A. Hine
Majority Floor Leader	Marlin Appelwick
Majority Whip	Dennis Dellwo
Assistant Majority Whip	Grace Cole
Assistant Majority Whip	Jim Jesernig
Assistant Majority Whip	Ron Meyers
Democratic Caucus Vice Chair/Secretary	Doug Sayan

REPUBLICAN LEADERSHIP

Minority Leader	Clyde Ballard
Republican Caucus Chair	Eugene Prince
Minority Floor Leader	Jean Marie Brough
Minority Whip	Louise Miller
Assistant Minority Floor Leader	Fred May
Assistant Minority Floor Leader	Jim Lewis
Republican Organization Leader	Bob Williams
Republican Organization Leader	Shirley Hankins
Republican Caucus Vice Chair	Sally Walker
Assistant Minority Whip	Dick Schoon
Assistant Minority Whip	Steve Fuhrman

1988 — HOUSE ROSTER
FIFTIETH LEGISLATURE

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Allen, Katherine	21	R	Snohomish, part	21712 85th Place West Edmonds 98020
Amondson, Neil	20	R	Lewis Thurston, part	1104 Fieldcrest Avenue Centralia 98531
Anderson, Calvin B.	43	D	King, part	825 15th Avenue Seattle 98122
Appelwick, Marlin J.	46	D	King, part	14025 - 26th Avenue NE Seattle 98125
Armstrong, Seth	36	D	King, part	1715 Bigelow N. Seattle 98109
Ballard, Clyde	12	R	Chelan Douglas Grant, part Kittitas, part Okanogan, part	1790 N. Baker Street East Wenatchee 98801
Barnes, Richard O.	33	R	King, part	18118 - 6th Avenue SW Seattle 98166
Basich, Bob	19B	D	Pacific Wahkiakum, part Grays Harbor, part	510 Sumner Aberdeen 98520
Baugher, Forrest	15	D	Benton, part Yakima, part	Box 92 Parker 98939
Beck, John B.	21	R	Snohomish, part	405 5th Avenue South Edmonds 98020
Belcher, Jennifer	22	D	Thurston, part	323 Maple Park Olympia 98501
Betrozoff, John W.	45	R	King, part	11818 156th Avenue NE Redmond 98052
Braddock, Dennis	42	D	Whatcom, part	1800 Broadway Bellingham 98225
Brekke, Joanne	32	D	King, part	6525 Sycamore NW Seattle 98117
Bristow, Tom	7	D	Ferry Lincoln Pend Oreille Stevens Spokane, part Okanogan, part	P.O. Box 634 Colville 99114
Brooks, Peter T.	16	R	Walla Walla Benton, part Franklin, part	2491 Country Club Rd. Walla Walla 99362
Brough, Jean Marie	30	R	King, part Pierce, part	1118 S. 287th Place Federal Way 98003

Age	Birthplace	Occupation	Previous Sessions Served
62	Colorado	Legislator/ Homemaker	1983-1987
33	Washington	Properties Manager	1987
39	Washington	Legislator	Appt. 11/9/87
34	Minnesota	Attorney	1983-1987
46	California	Attorney	1981-1987
51	Arkansas	Property Management	1983-1987
66	Iowa	Systems Analyst Boeing (Retired)	1974 Ex.-1987
60	Washington	Retired Teacher	1985-1987
53	Washington	Electrician	1985-1987
43	Washington	Owner/President Funeral Home Corporation	1987
44	West Virginia	Management Consultant	1983-1987
53	Washington	Property Manager	1983-1987
44	Washington	Planning Consultant	1983-1987
53	Washington	Legislator	1979-1987
41	California	Farmer	1985-1987
71	Maine	Retired	1985-1987
46	Washington, D.C.	Legislator	1983-1987

JOURNAL OF THE HOUSE

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Bumgarner, Gary D.	5	R	Spokane, part	N. 4014 Indian Bluff Road Spokane 99204
Butterfield, Stan	18	R	Clark, part Cowlitz, part	P.O. Box 179 Ridgefield 98642
Cantwell, Maria	44	D	King, part Snohomish, part	23409 Lakeview Drive Mountlake Terrace 98043
Chandler, Glyn	13	R	Adams, part Grant, part Kittitas, part Yakima, part	1816 Dunn Street Moses Lake 98837
Cole, Grace	1	D	King, part Snohomish, part	3026 NE 163rd Street Seattle 98155
Cooper, David	18	D	Clark, part Cowlitz, part	P.O. Box 568 Battle Ground 98604
Crane, Ernest F.	31	D	King, part Pierce, part	220 1st Street NE Auburn 98002
Day, Bill	3	D	Spokane, part	P.O. Box 9161 Spokane 99205
Dellwo, Dennis A.	3	D	Spokane, part	SeaFirst Center #1900 Spokane 99201
Dorn, Randy	2	D	Pierce, part Thurston, part	P.O. Box 756 Eatonville 98328
Doty, Shirley L.	14	R	Yakima, part	4902 Englewood Yakima 98908
Ebersole, Brian	29	D	Pierce, part	3rd Floor Legis. Bldg. Olympia 98504
Ferguson, Roy A.	48	R	King, part	2955 - 162nd SE Bellevue 98008
Fisher, Ruth	27	D	Pierce, part	1922 N. Prospect #9 Tacoma 98406
Fox, Jim	40	D	San Juan Skagit, part Whatcom, part	P.O. Box 1188 Friday Harbor 98250
Fuhrman, Steve	7	R	Ferry Lincoln Pend Oreille Stevens Okanogan, part Spokane, part	Route 1 Box 320 Kettle Falls 99141
Gallagher, P. J. (Jim)	29	D	Pierce, part	125 South 72nd Tacoma 98408
Grant, William A.	16	D	Walla Walla Benton, part Franklin, part	111 Merriam Walla Walla 99362

1987 — HOUSE ROSTER—continued

Age	Birthplace	Occupation	Previous Sessions Served
49	Washington	Optometrist	1987
29	Washington	Small Business Owner	Appt. 1/6/88
29	Indiana	Consultant/ Public Affairs	1987
61	Arkansas	Farm Equipment Dealer (Retired)	1983-1987
61	Idaho	Home Economist	Appt. 1/11/82. 1985-1987
35	Oregon	Construction Business Owner	1987
66	Iowa	Attorney	1983-1987
32	Washington	Business	1985-1987
42	Washington, D.C.	Attorney	1983-1987
34	Washington	High School Principal	Appt. 12/18/87
58	Alaska	Teacher Rancher	1985-1987
40	Maryland	Education Administrator	1983-1987
54	Michigan	Retired Oil Company	1987
62	Washington	Retired	1983-1987
44	Illinois	Electronics Business Owner	Appt. 11/16/87
42	Washington	Grain Elevator Farm Supply	1983-1987
72	Washington	Retired	1961-1987
50	Washington	Wheat Farmer	1987

JOURNAL OF THE HOUSE

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Grimm, Daniel K	25	D	Pierce, part	P.O. Box 1046 Puyallup 98371
Hankins, Shirley	8	R	Benton, part	2120 Duportail #8 Richland 99352
Hargrove, James E.	24	D	Clallam Jefferson Grays Harbor, part	Route 3, Box 896 Hoquiam 98550
Haugen, Mary Margaret	10	D	Island Skagit, part Snohomish, part	1268 W. Olsen Road Camano Island 98292
Heavey, Michael	34	D	King, part	5954 Beach Drive SW Seattle 98136
Hine, Lorraine A.	33	D	King, part	1834 South 229th Des Moines 98198
Holland, J. Bruce	47	R	King, part	16216 133rd Place SE Renton 98058
Holm, Barbara J.	20	D	Lewis Thurston, part	10937 Crockett SW Olympia 98502
Jacobsen, Ken	46	D	King, part	7307 40th NE Seattle 98115
Jesernig, Jim	8	D	Benton, part	401 West 1st Kennewick 99336
Jones, Evan	24	D	Clallam Jefferson Grays Harbor, part	101 Lochow Road Sequim 98382
King, Joseph E.	49	D	Clark, part	703 Broadway #700 Vancouver 98660
King, Paul H.	44	D	King, part Snohomish, part	22804 57th Avenue W. Mountlake Terrace 98043
King, Richard	38	D	Snohomish, part	309 77th Place SW Everett 98203
Kremen, Pete	42	D	Whatcom, part	3283 Northshore Road Bellingham 98226
Leonard, June	11	D	King, part	12444 Beacon Avenue S. Seattle 98178
Lewis, Jim	14	R	Yakima, part	P.O. Box 2869 Yakima 98907
Locke, Gary F.	37	D	King, part	5150 S. Wildwood Lane Seattle 98118
Lux, Eugene V.	11	D	King, part	10850 Dixon Drive South Seattle 98178

1987 — HOUSE ROSTER—continued

Age	Birthplace	Occupation	Previous Sessions Served
38	Washington	Self-Employed, Housing Industry	1977-1987
56	Kansas	Communication Program Coordinator	1981-1987
34	Oregon	Forester	1985-1987
47	Washington	Beauty Salon Owner/Operator	1983-1987
41	Washington	Attorney	1987
57	South Dakota	Legislator	1981-1987
44	Washington	Internal Auditor Boeing	1983-1987
40	Washington	Small Business Owner	1987
42	Nebraska	Property Manager	1983-1987
31	Washington	Attorney	1987
40	California	Legislator	Appt. 11/9/87
42	Texas	Partner, Insurance Agency	1981-1987
38	Washington	Attorney	1983-1987
53	Washington	College Teacher	1965-1987
36	New York	News Director	1985-1987
61	Washington	Legislator	1985-1987
44	California	Owner, Public Relations Agency	1981-1987
38	Washington	Attorney	1983-1987
61	Nebraska	Building Contractor	1975-1987

JOURNAL OF THE HOUSE

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
May, Fred O.	41	R	King, part	15 Brook Bay Lane Mercer Island 98040
McLean, Alex W.	12	R	Chelan Douglas Grant, part Kittitas, part Okanogan, part	P.O. Box 246 Mansfield 98830
Meyers, Ron	26	D	Kitsap, part Pierce, part	4621 34th Ave. Ct. NW Gig Harbor 98335
Miller, Louise	45	R	King, part	17005 - 191st Avenue NE Woodinville 98072
Moyer, John A.	6	R	Spokane, part	P.O. Box 8436 Spokane 99203
Nealey, Darwin R.	9	R	Asotin Columbia Garfield Whitman Adams, part Franklin, part	Box 365 LaCrosse 99143
Nelson, Dick	32	D	King, part	518 N. 43rd St. #4 Seattle 98103
Nutley, Busse	49	D	Clark, part	409 West 37th Street Vancouver 98660
O'Brien, John L.	37	D	King, part	1305 Joseph Vance Bldg. Seattle 98101
Padden, Mike	4	R	Spokane, part	East 13021-9th Avenue Spokane 99216
Patrick, Michael E.	47	R	King, part	13232 SE 192nd Renton 98058
Peery, W. Kim	17	D	Klickitat Skamania Clark, part	1245 NE 6th Avenue Camas 98607
Prince, Eugene A.	9	R	Asotin Columbia Garfield Whitman Adams, part Franklin, part	P.O. Box 69 Thornton 99176
Pruitt, Wes	26	D	Kitsap, part Pierce, part	6215 55th Avenue Court Gig Harbor 98335
Rasmussen, Marilyn	2	D	Pierce, part Thurston, part	33419 Mountain Hwy East Eatonville 98328
Rayburn, Margaret	15	D	Benton, part Yakima, part	Route 3, Box 3799 Grandview 98930

1987 — HOUSE ROSTER—continued

Age	Birthplace	Occupation	Previous Sessions Served
68	California	Retired	1985-1987
52	Washington	Farmer	Appt. 4/22/86-1987
38	Washington	Attorney	1987
51	California	Private Music Teacher	1983-1987
66	Montana	Obstetrician/ Gynecologist	1987
68	Washington	Farmer	1983-1987
51	Washington	Technical Consultant	1977-1987
39	Washington	Land Use Planning Consultant	1985-1987
76	Washington	C.P.A.	Appt. 10/39 1941-1945; 1949-1987
41	Oregon	Attorney	1981-1987
47	Washington	Seattle Police Officer (Retired)	1981-1987
38	Washington	Insurance Agency	Appt. 1/11/85-1987
57	Washington	Farmer	1981-1987
41	Vermont	Attorney	1987
49	Washington	Farmer School Board Member	1987
60	Oregon	Retired Teacher	1985-1987

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Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Rust, Nancy S.	1	D	King, part Snohomish, part	18747 Ridgfield Road NW Seattle 98177
Sanders, Paul	48	R	King, part	2680-169th SE Bellevue 98008
Sayan, Doug	35	D	Mason Grays Harbor, part Kitsap, part Thurston, part	E. 211 Shore Drive Grapeview 98546
Schmidt, Karen	23	R	Kitsap, part	10805 Bill Point View Bainbridge Island 98110
Schoon, Dick	30	R	King, part Pierce, part	2669 S. 300th Street Federal Way 98003
Scott, Pat	38	D	Snohomish, part	7706 Rainier Drive Everett 98201
Silver, Jean	5	R	Spokane, part	N. 7102 Audubon Drive Spokane 99208
Smith, Curtis P.	13	R	Adams, part Grant, part Kittitas, part Yakima, part	Route 2 - 875 I NW Ephrata 98823
Sommers, Duane	6	R	Spokane, part	South 2812 Wall Spokane 99203
Sommers, Helen	36	D	King, part	2832 West Elmore Place Seattle 98199
Spanel, Harriet	40	D	San Juan Skagit, part Whatcom, part	901 Liberty Street Bellingham 98225
Sprenkle, Arthur C.	39B	D	Snohomish, part	14330 Tester Road Snohomish 98290
Sutherland, Dean	17	D	Klickitat Skamania Clark, part	23503 NE 108th Street Vancouver 98682
Taylor, Ren	4	R	Spokane, part	North 4710 Ella Road Spokane 99212
Todd, Mike	31	D	King, part Pierce, part	P.O. Box 1776 Auburn 98071
Unsoeld, Jolene	22	D	Thurston, part	6110 Buckthorn NW Olympia 98502
Valle, Georgette	34	D	King, part	1434 SW 137th Street Seattle 98166

1987 — HOUSE ROSTER—continued

Age	Birthplace	Occupation	Previous Sessions Served
59	Iowa	Legislator	1981-1987
60	Maine	Boeing Executive	1976 2nd Ex.-1987
59	Washington	Retired	1983-1987
42	California	Travel Agency, Owner	1981-1987
56	Indiana	Purchasing Agent Weyerhaeuser	1983-1987
49	Minnesota	Admin. Secretary to Everett Police Chief	Appt. 1/4/84-1987
61	Washington	C.P.A.	1983-1987
71	Nebraska	Farmer	1979-1987
55	Washington	Health Care Consultant	1987
55	New Jersey	Economist	1973-1987
49	Iowa	Legislator	1987
42	Pennsylvania	Physician	1987
33	Minnesota	Electrician	1983-1987
63	Washington	Retired School District Superintendent	1979-1987
40	Oregon	President, Northwest Energy Resources	1983-1987
56	Oregon	Legislator	1985-1987
63	Minnesota	Occupational Therapist	1965-1967, 1972-1982, 1985-1987

JOURNAL OF THE HOUSE

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Vekich, Max	35	D	Mason Grays Harbor, part Kitsap, part Thurston, part	200 Holly Lane/P.O. Box E Cosmopolis 98537
Walk, George W.	25	D	Pierce, part	11607-98th Avenue East Puyallup 98373
Walker, Sally W.	28	R	Pierce, part	4617 Bellview St. West Tacoma 98466
Wang, Art	27	D	Pierce, part	3319 N. Union Tacoma 98407
Williams, Bob	19A	R	Cowlitz, part Wahkiakum, part	111 Victoria Street Longview 98632
Williams, Joseph L.	41	R	King, part	4 Lindley Road Mercer Island 98040
Wilson, Karla	39A	D	Snohomish, part	11406-17th Place NE Lake Stevens 98258
Wilson, Simeon R. "Sim"	10	R	Island Skagit, part Snohomish, part	P.O. Box 145 Marysville 98270
Wineberry, Jesse	43	D	King, part	1812 E. Madison Suite 10 Seattle 98122
Winsley, Shirley J.	28	R	Pierce, part	539 Buena Vista Avenue Tacoma 98466
Zellinsky, Sr., Paul	23	D	Kitsap, part	P.O. Box 2107 Bremerton 98310
Thompson, Alan	18	D	Chief Clerk	191 Nob Lane Kelso 98626
Case, Sharon		D	Assistant Chief Clerk	7225 Bayview Drive NE Olympia 98506
Young, Ross		D	Sergeant at Arms	1381 Linwood Ave. Tumwater 98502

1987 — HOUSE ROSTER—continued

Age	Birthplace	Occupation	Previous Sessions Served
33	Washington	Longshoreman	1983-1987
38	Washington	Teacher	1977-1987
59	Illinois	Legislator	1985-1987
39	Massachusetts	Attorney	1981-1987
46	Pennsylvania	C.P.A.	1979-1987
56	California	Construction Consultant	1983-1987
53	Washington	Teacher	1985-1987
60	Oregon	Newspaper Publisher	1973-1987
33	Washington		1985-1987
53	Minnesota	Legislator	1974 ex., 1977-81, 1985-1987
55	Washington	Owner-Car Dealership	1983-1987
60	Iowa	Publisher	House: 1965-1982 Senate: Appt. 11/16/82 1983-1986 House Chief Clerk: 1987
41	Washington	Assistant Chief Clerk	1983-1987
58	Washington	Retired USAF	1975-1980; 1983-1987

**HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Fiftieth Legislature
1988 Regular Session
1988 First Special Session

House No.	Relating to:	Chapter No.	Effective Date	
S	46	Excise tax distrib/watrcraft	261	6/9/88
	254	Driver license renewal	88	6/9/88
	280	Drivers license/accident	8	6/9/88
2S	318	Insurance provisions	248	6/9/88
		Section 5		3/24/88
2S	537	Ferry advisory committees	100	6/9/88
S	608	Abuse-neglect reporting	142	6/9/88
S	657	Political ads/prhbt false	199	6/9/88
	662	Product liability/firearms	94	6/9/88
	668	Anesthesia use/dental board	217	6/9/88
S	692	Moral nuisance/definition	141	3/21/88
S	752	2nd degree assault/define	266 PV	7/1/88
S	791	Camping clubs/regs	159	3/21/88
		Section 7		6/20/88
S	932	Rental paymnts/public assist	264	7/1/88
S	1089	Employee benefits/B&O tax	67	3/15/88
S	1170	L&I physicians/requirements	114	3/18/88
	1270	Work training release	3	3/8/88
S	1271	DOC/revising provisions	143 PV	3/21/88
	1272	DOC/employee assault benefit	149	6/9/88
	1278	Weed control jurisdiction	133	6/9/88
S	1279	Offenders/financial obligtns	155 PV	6/9/88
	1280	Custodial assault crime	151	6/9/88
S	1285	Grain dealers/licensing	95	7/1/88
	1288	Liquor sales hours	101	6/9/88
	1292	Liquor licensees/minors	160	6/9/88
S	1295	Liquor licenses/fees	200	6/9/88
S	1297	Properties/foreclosure	134	6/9/88
	1300	Charter boat licenses	9	6/9/88
S	1302	Sex offenses/develop disabl	146	7/1/88
		Section 4		3/21/88
	1304	Marketing agreements/members	54	6/9/88
	1306	School employees/authority	2	6/9/88
S	1312	Budget/supplemental operatng	289 PV	3/26/88
S	1317	Notice of actions/publishing	168	6/9/88
	1318	21st century project/schools	1	3/8/88
S	1319	Leave standards/family care	236	9/1/88
S	1320	Insurance policies/renewals	249	9/1/88
	1325	Water pollutn agncy/authorhy	220	6/9/88
S	1329	Homestead exmption/provision	192	6/9/88
	1330	Public employees/classes of	110	6/9/88
	1332	State bond certs/pub printer	102	6/9/88
S	1333	Sexual offenses/revising	145	7/1/88
S	1336	Horticultural products/taxes	68	6/9/88
S	1339	Food stamps/illegal transfer	62	6/9/88
S	1340	Waste reduction/office of	177	6/9/88

House No.	Relating to:	Chapter No.	Effective Date
	1341 Write-in voting/procedures	181	6/9/88
	1346 Communicatn sites/state land	209	6/9/88
	1354 Veteran affairs dept/sunset	216	3/23/88
	1361 Comm college district/24th Section 2	77	7/1/88 3/16/88
S	1362 Weights & measures/revisions	63	6/9/88
S	1366 Judges retirement	109	7/1/88
S	1368 Judgments/enforcement	231	3/23/88
S	1369 Escrow/regulating	178	6/9/88
S	1370 Taxes/head of family exmptn *Pending voter approval of HJR 4222	10	1/1/89
	1371 Transfer tax provisions	64	3/15/88
S	1373 Property tax/exemption	131	6/9/88
S	1377 Precursor drugs/regs	147	3/21/88
S	1382 Sunset review/terminatn date Section 17	186	6/9/88 6/30/93
S	1383 Alcoholism treatment program	193	6/9/88
	1387 Housing deposits/homeless	237	6/9/88
S	1388 Lodging/excise tax	61	7/1/88
S	1389 Food & shelter program/acct	238	6/9/88
S	1392 Continuing care communities	20	6/9/88
	1396 Industrial insurance benefit Section 4 Sections 1-3 and 6	161	6/9/88 6/30/89 7/1/88
	1401 B&O tax/sheltered workshops	13	6/9/88
S	1404 Nurses licensure	211 PV	6/9/88
S	1416 Private ways of necessity	129	6/9/88
	1418 Motor freight hearings	58	6/9/88
S	1419 Criminal justice information	152	3/21/88
S	1420 Property taxes/provisions	274	6/9/88
S	1424 Community custody/provisions	153 PV	7/1/88
S	1429 Home detention	154 PV	6/9/88
S	1445 Drug activities/rentals	150	6/9/88
S	1450 Excise tax deferral program	41	6/9/88
S	1460 Jury selection & summoning Section 19	188	1/1/89 3/22/88
S	1465 Child support schedule Sections 4 and 8 Section 9	275 PV	7/1/88 3/24/88 6/9/88
S	1469 DOT property exchnge/authrty	135	6/9/88
	1470 Tandem-axle vehicles regs	6	6/9/88
	1471 Tonnage purchase laws	55	6/9/88
S	1472 Apiaries/provisions	4	6/9/88
S	1473 Food processors/provisions	5	6/9/88
	1482 MV license susp/drug-alcohol	148	6/9/88
	1492 Boards & commissns/revising	81	6/9/88
	1504 Trust & estate law/correctns	29	6/9/88
	1507 Sales & use tax/exemptions	103	6/1/88
S	1511 Water-sewer dists/prvsns	162	3/21/88
	1514 Water dists/fluoridate	11	6/9/88
	1515 State agncies/terminatn date Sections 18-706	288 PV	6/9/88 1/1/89
S	1525 Debenture companies Sections 1-16	244	6/9/88 7/1/88
S	1530 Nursing assts/certs & regs	267 PV	6/9/88

House No.	Relating to:	Chapter No.	Effective Date
	1531 Sunset review criteria	17	6/9/88
	1543 EMTs exam/recertificatn	111	6/9/88
	1558 Teachers retirement options	116	6/30/88
	1559 Teachers retirmnt/membr term	117	7/1/88
	1560 Retiremnt benefit/age 70 1/2	59	1/1/89
S	1562 Public land/auction sales	136	6/9/88
2S	1565 Alcoholism & drug treatment	163	3/21/88
S	1568 Excellence in educatn progrm	251	6/9/88
	1581 Gas-electric servcs/tariffs	166	3/21/88
	1585 Juvenile dependency proceeding Sections 3 and 4	232 PV	6/9/88 3/23/88
S	1586 Dependency proceedings/rules	194	6/9/88
	1588 Dependency proceedings	201	6/9/88
S	1592 Workers comp/asbestos Sections 15 and 18 Sections 6-8, 10-13 and 16	271 PV	6/9/88 3/24/88 1/1/89
S	1594 Water use efficiency study	45	3/15/88
S	1612 Disabled parking signs/post	74	6/9/88
	1616 State trust lands/purchase	79	6/9/88
S	1617 Court actions/cost	169	6/9/88
S	1618 Developmntal disabil servces	176	6/9/88
	1626 Emergency med service prvsns	104	3/16/88
	1629 Physicians assistant/define	113	6/9/88
S	1633 Improvemnt prjs/bids-wages	233	6/9/88
2S	1640 G. Robert Ross service award	125	6/9/88
	1649 Pension portability provsns	195	7/1/88
S	1652 Public funds investment	281 PV	3/24/88
S	1660 Motorcycle skills program	227	3/23/88
S	1672 Trucks/identification	56 PV	6/9/88
S	1673 Mobile home affairs/office of	280 PV	6/9/88
S	1680 Sales tax exempt/nonresident	96	7/1/88
S	1683 Mobile home landlord-tenant	126	6/9/88
S	1684 Solid waste management	184	6/9/88
	1686 State seal use	120	6/9/88
S	1690 Manufacturd homes/need review	239	6/9/88
	1693 Educ service dists/contract	65	6/9/88
	1694 Teaching cert/personal qualif	97	3/16/88
	1695 SPI evaluation standards	241	6/9/88
S	1701 Budget/transp supplemental	283 PV	3/24/88
	1710 Public works board projects	165	3/21/88
2S	1713 Trauma care systm/study cmte	183	6/9/88
S	1729 Corporate takeovers/provsns	225	3/23/88
S	1740 Highway signs/fatality markr	98	6/9/88
S	1745 School dirctr/term of office	187	6/9/88
S	1754 Taxes/admistrative provsions Sections 15, 17, 19-21, 28 and 30	222	6/9/88 1/1/89
	1760 Industrial loan companies	7	6/9/88
S	1783 Nursing pools/registration	243	6/9/88
	1796 Info-access phone services	123	6/9/88
	1813 Agric research facility/fund	57	6/9/88
S	1817 Transp improvements/funding	179	6/9/88
	1833 Mayor pro tem/provisions	196	6/9/88
2S	1835 Tri-cities econ diversifictn	42	3/15/88
	1836 Self-employment for families	170	6/9/88
S	1845 Pistol licenses/revoking	223	6/9/88

House No.	Relating to:	Chapter No.	Effective Date
S 1849	Long-term care ombudsman	119	7/1/89
S 1857	Transp improvemnt brd/create	167	6/9/88
S 1862	Beaches/local use plans	75	1/1/89
S 1883	Vehicle dealers regulations	287 PV	6/9/88
1884	Legal loads/border areas Sections 2-4	229	6/9/88 7/1/89
S 1915	School district levy bases	252	3/24/88
1951	Hospitals rate review	262	6/9/88
S 1952	Conservatin corps/handicapped	78	6/9/88
S 2038	WA health care authority Sections 13, 31-33 and 36(1)	107	10/1/88 3/16/88
2046	Hospital reimbursement	118	3/18/88
2057	Public facilities/providing	1 E1 PV	3/23/88

**HOUSE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH HOUSE AND SENATE**

Fiftieth Legislature
1988 Regular Session
1988 First Special Session

No. Subject:

HOUSE JOINT RESOLUTIONS

	4222	Taxes/head of family exmptn
	4223	Utility loan/energy consrvtn
S	4231	Disability/revise references

HOUSE CONCURRENT RESOLUTIONS

	4402	Pacific fisheries task force
S	4403	Gillnet fishing/daylight hrs
	4425	Reintroduction of bills
	4426	Cut-off dates established
	4427	Jt session/Governor's message
	4428	Notify Governor leg organized
	4441	Jt Session/medal of merit
	4446	Cut-off date for passage
	4452	Cut-off/HB 2046
	4453	Adjourn sine die
	4458	Adjourn sine die
	4459	Notify Governor/sine die
	4460	School construction/jt cmte

**SENATE BILLS PASSED BY BOTH HOUSE AND SENATE
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Fiftieth Legislature
1988 Regular Session
1988 First Special Session

Senate No.	Relating to:	Chapter No.	Effective Date	
	5016	Appellate procedure terms	202 PV	6/9/88
S	5036	Surplus salmon eggs	115	6/9/88
S	5147	Public util transp corridors	16	6/9/88
	5229	DSHS advisory committee	49	6/9/88
S	5333	St bd of education/voting	255	6/9/88
2S	5378	Prenatal test labs	276	6/9/88
		Section 5		12/31/89
	5451	Passenger charter	30	6/9/88
S	5558	Private college grants	210	6/9/88
S	5586	Hours of labor	121	6/9/88
S	5595	Self-storage liens	240	6/9/88
	5667	Dispose personal property	132	6/9/88
S	5669	Dietitians/nutritionists	277	6/9/88
2S	5720	Sch dists/cooperative agree	268	6/9/88
S	5844	Motor freight brokers	31	6/9/88
S	5943	Small claims dept/dist ct	85	6/9/88
	5953	Community college faculty	32	6/9/88
S	6024	Agri hydraulic projects	272 PV	6/9/88
	6093	Presentence rpts/sex offend	60	3/15/88
S	6096	Equity skimming/prohibiting	33	6/9/88
		Section 5		7/1/88
	6101	St bd community colleges	76	3/16/88
	6113	Quasi-comm property laws	34	3/11/88
S	6115	Parenting skills programs	278	3/24/88
S	6118	State child care policy	213	3/23/88
	6119	LPN licensure	212	4/1/88
S	6124	Rural hospital assistance	207	6/9/88
		Sections 1 and 2		3/23/88
S	6128	Park/rec serv areas provis	82	6/9/88
	6136	St park surcharges	80	6/9/88
	6143	Real estate contract forfeit	86	6/9/88
S	6147	Substantial bodily harm	158	7/1/88
S	6148	Concealed pistols	219	6/9/88
S	6157	Student learning objectives	256	6/9/88
S	6178	Vinifera growers' assoc	257	6/9/88
S	6181	Early childhood educ asst	174	3/22/88
	6182	Contractor registration	285	6/9/88
S	6195	Logging interference	224	3/23/88
S	6200	Utility rates/low income	44	6/9/88
S	6207	Child abuse/vict placment	189	6/9/88
	6210	CPA/municipal audits	52	6/9/88
	6211	CPA/state audits	53	6/9/88
S	6212	LEOFF retirement boards	164	6/9/88
S	6217	Prosser well DOE/WSU	137	3/18/88
S	6218	Physical therapy	185	6/9/88
S	6219	Adoption consent	203	6/9/88

Senate No.	Relating to:	Chapter No.	Effective Date
2S	6221 Sexually trans diseases Sections 916 and 917	206	3/23/88 7/1/88
	6227 Acknowledgments	69	6/9/88
2S	6235 Water pollution acct	284 PV	3/24/88
S	6238 Drinking water auth	279 PV	6/9/88
S	6240 Wild mushrooms	230	1/1/89
	6243 Labor dispute disqual	83	3/20/88
	6245 Bond proceeds investment	92	3/16/88
S	6252 Traffic infractions	38	6/9/88
S	6255 Interstate trip zone	138	3/18/88
	6260 Poisons	197	6/9/88
	6262 I-90 extension	22	3/11/88
S	6264 Infectious wastes	171	6/9/88
S	6266 Aquifer protection	258	6/9/88
	6271 Home for ill/disabled/infirm	245	7/1/89
S	6290 Ambassador program	35	6/9/88
	6291 Relocation asst	90	3/16/88
	6293 RN's	37	6/9/88
	6295 Model traffic ord	24	6/9/88
	6296 St Patrol/ports of entry	21	6/9/88
	6297 Invest L&I funds	130	6/9/88
S	6298 Submerged lands	124	3/18/88
S	6305 Sexual child abuse S/L	144	6/9/88
S	6308 Juven crt training	234	6/9/88
	6313 Resource management acct	70	6/9/88
S	6316 Drug cases assets	282 PV	6/9/88
S	6332 Unclaimed prop/museums	226	6/9/88
	6338 DSHS abuse reports	39	6/9/88
	6339 Adoption	14	6/9/88
S	6342 PUD/customer billings	228	1/1/89
S	6344 Agri revisions	254	6/9/88
S	6350 Guide dog killing	89	6/9/88
	6354 Wages/indust insur		Vetoed
S	6357 Contractor bonds/securities	139	6/9/88
	6362 Antique vehicles	15	6/9/88
	6370 Dept of conserv/obsolete	127 PV	6/9/88
	6371 MV excise tax/double amend	18	6/9/88
	6372 Nat res/obsolete references	128	6/9/88
	6373 Obsolete references	25	6/9/88
	6374 Boxing comm/references	19	6/9/88
	6375 Wildlife dept/references	36	6/9/88
S	6376 Ferry operations/MV tax	191	6/9/88
	6396 Apprentices assumed wages	140	6/9/88
	6397 Forest fires	273 PV	6/9/88
S	6399 Fuel report/farmers/loggers	51	6/9/88
S	6402 Venue/civil actions	71	6/9/88
S	6404 Emergency public works	93	6/9/88
	6408 Energy code	204	6/9/88
	6412 MV contracts/interest rate	72	3/15/88
	6418 Senior development program	105	6/9/88
S	6419 Port district contracts	235	6/9/88
S	6433 Phenylketonuria	173	3/22/88
S	6435 Contractor disclosure	182	6/9/88
S	6437 Nursing home/invest allow	208	6/9/88
S	6438 Banded tariffs		Vetoed

SENATE BILLS PASSED BY BOTH HOUSES

1571

Senate No.	Relating to:	Chapter No.	Effective Date
	6440 Hazardous waste cleanup	112	*3/1/89
	*Pending voter approval of Init. 97 or Init. 97A		
S	6446 Recovered mat/purchasing	175	7/1/88
	6447 Custodial interference		Vetoed
S	6452 Sign lang/sch/foreign lang	172	6/9/88
S	6462 Sentencing corrections	157	6/9/88
S	6466 Retire calculation co emply	269	6/9/88
S	6470 Health profess substan abuse	247	6/9/88
S	6474 Real estate continuing ed	205	6/9/88
	6480 Obstructing taking game	265 PV	7/1/88
S	6486 St firearm range committee	263	6/9/88
	6494 MV license fees	12	6/9/88
S	6498 Indigent/counsel for	156	6/9/88
S	6512 Fed conserv reserve program	253	6/9/88
2S	6513 Water supply emergencies	46	3/15/88
	6516 Rural bridge replacement	26	6/9/88
	6519 Nursing homes/depreciation	221	6/9/88
	6523 Naturopathic manipulation	246	6/9/88
S	6530 Explosives	198	6/9/88
S	6534 Catheterization/students	48	6/9/88
S	6536 Catastrophe benefits	27	6/9/88
	6537 Unemploy claims admin rule	28	6/9/88
S	6548 Targeted jobs/tx crdt approp	84	3/16/88
	6556 Birth cert fee/chld trst fnd	40	6/9/88
	6563 Uniform fed lien regis	73	7/1/88
S	6569 Construction liens	270	7/1/89
	6578 Nonliquor items wholesalers	50	3/15/88
	6600 Child abuse reports by govt	87	6/9/88
S	6603 Air quality opacity	106	6/9/88
	6608 Livestock theft	218	6/9/88
S	6631 Dental care plan alternative	259	6/9/88
	6638 Nursing studen scholarship	242	6/9/88
	6641 Armed force ship populations	260	6/9/88
	6647 Salmon production 100%	214	6/9/88
	6667 Special fuel filing	23	1/1/89
	6668 Special fuel bonding	122	6/9/88
S	6670 Trench excavations	180	6/9/88
	6671 Housing trust funds	286	3/24/88
	6675 Family independence program	43	3/15/88
S	6703 Underground facilities	99	6/9/88
	6705 Offender removed from home	190	6/9/88
	6720 Tires/management waste	250	6/9/88
2S	6724 Water resources	47	3/15/88
S	6736 Chehalis/Swinomish juris	108	6/9/88
S	6741 Underground storage tanks	215	3/23/88
S	6742 Yakima county judge	66	6/9/88
	6745 Alternate operator services	91	6/9/88
S	6763 Sch const/cap proj/WSU	2 E1 PV	3/26/88

**SENATE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH SENATE AND HOUSE**

Fiftieth Legislature

1988 Regular Session
1988 First Special SessionNo. Subject:

SENATE JOINT MEMORIALS

	8026	Tuition waivers
S	8027	Plastics in Pacific Ocean
	8028	Columbia Gorge spoil sites
	8030	Grand Coulee Dam/lighting

SENATE CONCURRENT RESOLUTIONS

	8428	Julia Butler Hansen
S	8429	Higher ed master plan
S	8430	POW/MIA flag
	8434	Elmer Huntley
	8441	Sine Die/Gov notified
	8442	Senate org/Gov notified

**GOVERNOR'S MESSAGES ON HOUSE BILLS
SIGNED AFTER ADJOURNMENT**

Fiftieth Legislature
1988 Regular Session
1988 First Special Session

March 15, 1988

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

I have the honor to advise you that on March 15, 1988, Governor Gardner approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 1089: Relating to the business and occupation tax on amounts received for employee benefits;

HOUSE BILL NO. 1304: Relating to marketing agreements;

SUBSTITUTE HOUSE BILL NO. 1336: Relating to retail sales and use tax exemptions for receiving, washing, sorting, and packing horticultural products;

SUBSTITUTE HOUSE BILL NO. 1339: Relating to the illegal transfer of food stamps;

SUBSTITUTE HOUSE BILL NO. 1362: Relating to weights and measures;

HOUSE BILL NO. 1371: Relating to estates and estate tax;

SUBSTITUTE HOUSE BILL NO. 1388: Relating to excise taxation on lodging;

HOUSE BILL NO. 1418: Relating to the location of hearings on motor freight carrier applications;

SUBSTITUTE HOUSE BILL NO. 1450: Relating to excise tax deferrals and credits for manufacturing and research and development activities;

HOUSE BILL NO. 1471: Relating to purchase of additional tonnage for motor vehicles;

HOUSE BILL NO. 1560: Relating to retirement benefits for persons who have attained age seventy and one-half and are still employed;

SUBSTITUTE HOUSE BILL NO. 1594: Relating to the water use efficiency study;

HOUSE BILL NO. 1693: Relating to authorizing educational services districts to contract with the school for the deaf and the school for the blind;

HOUSE BILL NO. 1813: Relating to the Washington State University agricultural research facility at the Rainier school farm;

SECOND SUBSTITUTE HOUSE BILL NO. 1835: Relating to economic diversification in the Tri-Cities region.

Sincerely,
Terry Sebring, Counsel.

March 16, 1988

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

I have the honor to advise you that on March 16, 1988, Governor Gardner approved the following House Bills entitled:

HOUSE BILL NO. 254: Relating to drivers' license renewals;

SECOND SUBSTITUTE HOUSE BILL NO. 537: Relating to ferry advisory committees;

HOUSE BILL NO. 662: Relating to products liability actions involving firearms or ammunition;

SUBSTITUTE HOUSE BILL NO. 1285: Relating to grain dealers;

HOUSE BILL NO. 1288: Relating to regulation of hours for Washington state liquor control board outlets;

HOUSE BILL NO. 1332: Relating to the printing of bond certificates;
 HOUSE BILL NO. 1361: Relating to the creation of the twenty-fourth community college district;
 HOUSE BILL NO. 1492: Relating to state boards and commissions;
 HOUSE BILL NO. 1507: Relating to sales or use tax exemptions on food products sold by vendors required to have a worker's permit under RCW 69.06.010;
 SUBSTITUTE HOUSE BILL NO. 1612: Relating to signing of parking places for disabled persons;
 HOUSE BILL NO. 1616: Relating to purchase of certain state trust lands for park and outdoor recreation purposes;
 HOUSE BILL NO. 1626: Relating to emergency medical services;
 SUBSTITUTE HOUSE BILL NO. 1680: Relating to the taxation of sales to nonresidents;
 HOUSE BILL NO. 1694: Relating to the personal qualifications of applicants for certificates issued by the superintendent of public instruction;
 SUBSTITUTE HOUSE BILL NO. 1740: Relating to highway fatality markers;
 SUBSTITUTE HOUSE BILL NO. 1862: Relating to the Seashore Conservation Area;
 SUBSTITUTE HOUSE BILL NO. 1952: Relating to the conservation corps;
 SUBSTITUTE HOUSE BILL NO. 2038: Relating to state-funded health care for state employees' insurance benefits.

Sincerely,
 Terry Sebring, Counsel.

March 18, 1988

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

I have the honor to advise you that on March 18, 1988, Governor Gardner approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 1170: Relating to medical examinations on behalf of the department of labor and industries;
 HOUSE BILL NO. 1278: Relating to the removal of weeds from lakes;
 SUBSTITUTE HOUSE BILL NO. 1297: Relating to irrigation district foreclosure of property with delinquent assessments;
 HOUSE BILL NO. 1330: Relating to changing statutory references to classes of public employees;
 SUBSTITUTE HOUSE BILL NO. 1366: Relating to retirement benefits for judges of the state supreme court, court of appeals and superior courts;
 SUBSTITUTE HOUSE BILL NO. 1373: Relating to property tax exemptions;
 SUBSTITUTE HOUSE BILL NO. 1416: Relating to private ways of necessity;
 SUBSTITUTE HOUSE BILL NO. 1469: Relating to exchange of property by the department of transportation;
 HOUSE BILL NO. 1543: Relating to emergency medical technicians;
 HOUSE BILL NO. 1558: Relating to actuarially equivalent options for public retirement allowances;
 HOUSE BILL NO. 1559: Relating to termination of membership for members of the teachers' retirement system plan II;
 SUBSTITUTE HOUSE BILL NO. 1562: Relating to direct sales of valuable materials from public lands;
 HOUSE BILL NO. 1629: Relating to physicians' assistants;
 SECOND SUBSTITUTE HOUSE BILL NO. 1640: Relating to higher education;
 SUBSTITUTE HOUSE BILL NO. 1683: Relating to civil remedies for violation of the mobile home landlord-tenant act;
 HOUSE BILL NO. 1686: Relating to the seal of the state of Washington;
 HOUSE BILL NO. 1796: Relating to telecommunications;
 SUBSTITUTE HOUSE BILL NO. 1849: Relating to the state long-term care ombudsman;

HOUSE BILL NO. 2046: Relating to hospital reimbursement.

Sincerely,
Terry Sebring, Counsel.

March 21, 1988

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

I have the honor to advise you that on March 21, 1988, Governor Gardner approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 608: Relating to malicious reporting of child abuse or neglect;

SUBSTITUTE HOUSE BILL NO. 692: Relating to controlled substances;

SUBSTITUTE HOUSE BILL NO. 791: Relating to camping resorts;

HOUSE BILL NO. 1272: Relating to department of corrections employee assault benefits;

HOUSE BILL NO. 1280: Relating to custodial assault;

HOUSE BILL NO. 1292: Relating to employees of liquor-licensed premises who are eighteen to twenty-one years of age;

SUBSTITUTE HOUSE BILL NO. 1302: Relating to sexual offenses;

SUBSTITUTE HOUSE BILL NO. 1317: Relating to requirements for publishing notice of actions or proposed actions of counties, cities and towns;

SUBSTITUTE HOUSE BILL NO. 1333: Relating to creating sexual offenses with age differentials between victims and perpetrators;

SUBSTITUTE HOUSE BILL NO. 1377: Relating to certain substances that may be used to produce controlled substances;

HOUSE BILL NO. 1396: Relating to industrial insurance disability benefits;

SUBSTITUTE HOUSE BILL NO. 1419: Relating to criminal justice information;

SUBSTITUTE HOUSE BILL NO. 1445: Relating to evicting persons for drug activities in rental dwellings;

HOUSE BILL NO. 1482: Relating to alcohol or drug violations by juveniles;

SUBSTITUTE HOUSE BILL NO. 1511: Relating to water districts and sewer districts;
SECOND SUBSTITUTE HOUSE BILL NO. 1565: Relating to alcoholism and drug addiction treatment;

HOUSE BILL NO. 1581: Relating to authorization for the utilities and transportation commission to approve tariffs for gas companies and electrical companies that include banded rates;

SUBSTITUTE HOUSE BILL NO. 1617: Relating to court costs;

HOUSE BILL NO. 1710: Relating to projects recommended by the public works board;

HOUSE BILL NO. 1836: Relating to economic development;

SUBSTITUTE HOUSE BILL NO. 1857: Relating to transportation.

Sincerely,
Terry Sebring, Counsel.

March 22, 1988

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

I have the honor to advise you that on March 22, 1988, Governor Gardner approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 657: Relating to political advertising;

SUBSTITUTE HOUSE BILL NO. 1295: Relating to fees for liquor licenses;

SUBSTITUTE HOUSE BILL NO. 1329: Relating to homesteads;

SUBSTITUTE HOUSE BILL NO. 1340: Relating to waste reduction;

HOUSE BILL NO. 1341: Relating to write-in voting;

SUBSTITUTE HOUSE BILL NO. 1369: Relating to escrow;

SUBSTITUTE HOUSE BILL NO. 1382: Relating to termination and sunset review;

SUBSTITUTE HOUSE BILL NO. 1383: Relating to alcoholism treatment;
 SUBSTITUTE HOUSE BILL NO. 1460: Relating to jury selection and summoning;
 SUBSTITUTE HOUSE BILL NO. 1586: Relating to dependency;
 HOUSE BILL NO. 1588: Relating to dependency proceedings;
 SUBSTITUTE HOUSE BILL NO. 1618: Relating to reorganization and clarification
 of the laws governing developmental disabilities;
 HOUSE BILL NO. 1649: Relating to clarifying the administration of public
 employment retirement portability benefits;
 SUBSTITUTE HOUSE BILL NO. 1684: Relating to solid waste management;
 SECOND SUBSTITUTE HOUSE BILL NO. 1713: Relating to trauma care;
 SUBSTITUTE HOUSE BILL NO. 1745: Relating to the beginning of the terms of
 school directors;
 SUBSTITUTE HOUSE BILL NO. 1817: Relating to the funding of local
 improvements;
 HOUSE BILL NO. 1833: Relating to town officials.

Sincerely,
 Terry Sebring, Counsel.

March 23, 1988

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

I have the honor to advise you that on March 23, 1988, Governor Gardner
 approved the following House Bills entitled:

HOUSE BILL NO. 668: Relating to the administration of sedation and general
 anesthesia by practitioners licensed under chapter 18.32 RCW;

HOUSE BILL NO. 1325: Relating to the authority to administer federal clean
 water act programs;

HOUSE BILL NO. 1346: Relating to leasing communication sites on state lands for
 emergency and public service communications;

HOUSE BILL NO. 1354: Relating to the department of veterans affairs;

SUBSTITUTE HOUSE BILL NO. 1368: Relating to enforcement of judgments;

SUBSTITUTE HOUSE BILL NO. 1633: Relating to neighborhood self-help projects;

SUBSTITUTE HOUSE BILL NO. 1660: Relating to motorcycle skills education;

SUBSTITUTE HOUSE BILL NO. 1729: Relating to corporations;

SUBSTITUTE HOUSE BILL NO. 1754: Relating to tax administration;

SUBSTITUTE HOUSE BILL NO. 1845: Relating to the forfeiture of handguns and
 concealed pistol licenses;

HOUSE BILL NO. 1884: Relating to motor vehicles.

Sincerely,
 Terry Sebring, Counsel.

March 25, 1988

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

I have the honor to advise you that on March 24, 1988, Governor Gardner
 approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 46: Relating to the marine patrol excise tax;

SECOND SUBSTITUTE HOUSE BILL NO. 318: Relating to insurance;

SUBSTITUTE HOUSE BILL NO. 932: Relating to rental payments to landlords from
 public assistance;

SUBSTITUTE HOUSE BILL NO. 1319: Relating to notice to employees of employer
 leave policies, use of employer-granted leave to care for minor children with
 health conditions, and leave from employment for maternity disability;

SUBSTITUTE HOUSE BILL NO. 1320: Relating to cancellation and renewal of
 insurance policies;

HOUSE BILL NO. 1387: Relating to guaranteed security deposits for qualified homeless persons;

SUBSTITUTE HOUSE BILL NO. 1389: Relating to the federal emergency management agency's emergency food and shelter program;

SUBSTITUTE HOUSE BILL NO. 1420: Relating to property taxes;

SUBSTITUTE HOUSE BILL NO. 1525: Relating to debenture companies;

SUBSTITUTE HOUSE BILL NO. 1568: Relating to excellence in education;

SUBSTITUTE HOUSE BILL NO. 1690: Relating to manufactured homes;

HOUSE BILL NO. 1695: Relating to minimum standards for the evaluation of certified personnel;

SUBSTITUTE HOUSE BILL NO. 1783: Relating to nursing pools;

SUBSTITUTE HOUSE BILL NO. 1915: Relating to specification of school district levy bases and levy reduction funds;

HOUSE BILL NO. 1951: Relating to exemption from hospital rate review and approval.

Sincerely,
Terry Sebring, Counsel.

**GOVERNOR'S MESSAGES ON HOUSE BILLS
PARTIALLY VETOED**

Fiftieth Legislature
1988 Regular Session
1988 First Special Session

March 24, 1988

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

I am returning herewith, without my approval as to section 1, Substitute House Bill No. 752 entitled:

"AN ACT Relating to assault in the second degree."

This measure attempts to create a statutory definition of assault and adds a standard of liability for assault in the second degree.

There has been widespread agreement, since the enactment of the sentencing reform act, that assault statutes have needed redefinition. In 1986 and 1987, the Legislature enacted measures which would clarify sentencing directions for these crimes, and allowed review by delaying the effective dates of those acts until July of this year. Substitute House Bill No. 752 is a further attempt at clarifying these statutes.

I believe this measure fails to achieve the ends sought when the assault statutes were originally addressed. The definition contained in section 1 is unclear and eliminates a standard of assault that has been accepted throughout the criminal justice system. That is, mere contact, without the consent of the victim, can be construed as an assault irrespective of any bodily harm that may result. When the Sentencing Guidelines Commission convened a meeting of interested parties to address the problems evident in the assault statutes, all members agreed that an in-depth, long-term review of the assault definition was needed. That discussion has not taken place and I urge all involved members to again pursue that course.

Section 2 of this act adds an element of culpability to the harm caused by an assault. Historically, an offender's intention has been an element in defining the seriousness of a criminal act. Our criminal justice system punishes persons who realize the consequences of their unlawful acts to a greater degree than those who act in ignorance. On the other hand, we should prohibit persons from preying on defenseless victims and then hiding their crimes behind a contrived veil of ignorance.

The standard of strict liability that will take effect on July of this year would provide greater penalties for those individuals who assault and harm children but claim that the resulting injury was unforeseen. At the same time, there is a possibility that unintended actions will be prosecuted as second degree assaults where a truly regrettable and unforeseen circumstance results. The Legislature has decided that a "recklessness" standard of liability will offer protection against such unwarranted charges while still allowing for successful prosecution of truly assaultive persons.

I do not agree with this view, and continue to believe that we must do more to protect children who suffer abuse at the hands of adults. Although I am signing section 2 into law, I strongly urge the Legislature to consider measures next year that would provide for stricter liability in the case of children, or provide other charges under which these abusers can be appropriately prosecuted in cases where substantial bodily injury results. I believe the Sentencing Guidelines Commission can be the starting point for this discussion in the interim.

With the exception of section 1, Substitute House Bill No. 752 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 21, 1988

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

I am returning herewith, without my approval as to section 22, Substitute House Bill No. 1271 entitled:

"AN ACT Relating to the department of corrections."

Section 22 of this bill clarifies language relating to the tolling of sentences when offenders have absented themselves from supervision or are confined for violations of sentence conditions. Similar language is contained in Engrossed Substitute House Bill No. 1424, section 9, which establishes a program of community placement. The language of that bill is more comprehensive and includes elements of the newly authorized program. In order to avoid confusion, I have vetoed section 22 of this bill.

With the exception of section 22, Substitute House Bill No. 1271 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 21, 1988

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

I am returning herewith, without my approval as to section 1, Substitute House Bill No. 1279 entitled:

"AN ACT Relating to financial and legal obligations for victims of crime."

Section 1 of this bill amends a subsection of RCW 9.94A.120 relating to payment schedules for monetary obligations of offenders. Similar language is contained in Engrossed Substitute House Bill No. 1424, section 2. In order to avoid confusion, I am vetoing section 1 of this measure.

With the exception of section 1, Substitute House Bill No. 1279 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 26, 1988

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

I am returning herewith, without my approval as to section 306(10) and a portion of section 401(5), Engrossed Substitute House Bill No. 1312 entitled:

"AN ACT Relating to fiscal matters."

Section 306(10) provides \$125,000 solely to develop a salmon and steelhead rehabilitation plan for the Stillaguamish River. In 1985, the Legislature directed the Department of Fisheries to develop comprehensive resource restoration and enhancement plans for watersheds throughout the state, including the Stillaguamish River. Efforts funded under this section would be duplicative of ongoing and completed efforts under that watershed planning program. Therefore, I am vetoing this section. By separate letter I will be asking the Department of Fisheries to return the appropriation to the General Fund.

The phrase "to establish a separate unit" on line 8, section 401(5), establishes a major crimes investigation unit within the Washington State Patrol for the purposes of developing a computerized database and record system for crime scene information and to provide investigative expertise and assistance to local law enforcement agencies. There is currently a study project being conducted by the Patrol which will assess the level of assistance and technical expertise that is appropriate

for the Patrol to provide to local law enforcement agencies. Consequently, it is premature to establish a separate unit within the Patrol until the study and pilot project is completed. It should be noted that during the 1988 and 1987 legislative sessions, the Legislature did consider, but failed to enact, the legislation which would have created, in statute, a separate unit dedicated to major crimes investigation within the Patrol. My veto allows the Patrol funding to work on this project without the requirement of establishing a separate dedicated unit.

With the exception of section 306(10) and a portion of section 401(5), Engrossed Substitute House Bill No. 1312 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 23, 1988

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

I am returning herewith, without my approval as to sections 6 and 7, Engrossed Substitute House Bill No. 1404, entitled:

"AN ACT Relating to nursing."

Sections 6 and 7 contain identical language to sections 1 and 2, Engrossed Senate Bill No. 6119. To avoid confusion in the law, I have vetoed sections 6 and 7.

With the exception of sections 6 and 7, Engrossed Substitute House Bill No. 1404 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 21, 1988

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

I am returning herewith, without my approval as to section 13, Engrossed Substitute House Bill No. 1424 entitled:

"AN ACT Relating to community placement."

Section 13 amends RCW 9.94A.330, the offender score matrix, to include an additional one point sentencing enhancement for offenders who commit crimes while on community placement. This same provision is amended by section 12 into RCW 9.94A.360 which establishes offender scoring procedures.

Substitute Senate Bill No. 6462, section 6, repeals RCW 9.94A.330. This measure is intended to clarify statutes relating to sentencing, and repeals the offender score matrix on the grounds that it is redundant and potentially confusing. I agree that this statute should be repealed for clarification purposes. Because the sentencing enhancement will be included in RCW 9.94A.360, there will be no effect on the substance of Engrossed Substitute House Bill No. 1424.

With the exception of section 13, Engrossed Substitute House Bill No. 1424 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 21, 1988

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

I am returning herewith, without my approval as to section 1, Substitute House Bill No. 1429 entitled:

"AN ACT Relating to home detention under the sentencing reform act."

Section 1 of this bill contains legislative findings regarding population overcrowding in local jails. Reasons for these conditions have not been fully determined

but are attributable to myriad causes and it is inappropriate to codify what appear to be only conclusions.

I support the use of home detention as an alternative, due to pressure of jail overcrowding. This bill contains reasonable provisions preventing the use of home detention for persons who committed violent crimes and other offenses where the court feels the public or victims would be at risk. I view this as an experiment worth trying.

With the exception of section 1, Substitute House Bill No. 1429 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 24, 1988

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

I am returning herewith, without my approval as to sections 17(1) through (4) Substitute House Bill No. 1465, entitled:

"AN ACT Relating to child support."

Substitute House Bill No. 1465 establishes a statewide schedule for determining child support payments. This legislation is in the best interest of children, for it will result in support payments which more closely reflect the cost of raising children.

A veto of section 17(1) through (4), will retain language adopted in 1987 at the request of the Department of Social and Health Services and upon the recommendation of the Governor's Executive Task Force on Support Enforcement. It makes access to court easier for correcting unintended and unforeseen inequities in child support orders. This section was included in the legislation based on a fear that improved access to the courts would result in an unmanageable increase in the number of actions brought to the court. The Office of the Administrator for the Courts has determined that this increase has not occurred in Washington to date or in other states which have had similar laws for a longer time.

With the exception of section 17(1) through (4), Substitute House Bill No. 1465 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 25, 1988

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

I am returning herewith, without my approval as to sections 701(32), 702, and a portion of section 202(3), House Bill No. 1515, entitled:

"AN ACT Relating to state government."

I have vetoed section 701(32), which repeals a section of law that is also amended in section 409 of the bill. To allow section 701(32) to become law could create confusion regarding the validity of the amendatory language in section 409.

I am also vetoing section 702. Under the current public disclosure law, agencies may waive the requirement to maintain an index of a variety of records if doing so would be "unduly burdensome." Section 702 amends that law by deleting this waiver option for all final opinions, orders, and statements of policy and interpretations of policy. This amendment would, in effect, require agencies and institutions to maintain indexes that provide identifying information on these kinds of records, regardless of cost or the significance of the indexed records.

I recognize that these indexes, if prepared in sufficient detail, could be useful to both the public and agency officials. However, agencies report that preparation and maintenance of the indexes would be costly. Since it is unlikely that necessary additional appropriations will be made available for indexing, I reluctantly cannot

approve this new requirement. I would, however, be willing to work with the Legislature to devise an indexing requirement that would be both prudent from the standpoint of cost and useful in content.

In vetoing section 702, it is also necessary to veto a portion of section 202(3), which stipulates that final orders cannot be relied upon as precedent until they have been indexed. This partial veto is necessary to achieve consistency between the two sections.

With the exception of sections 701(32), 702, and a portion of section 202(3), House Bill No. 1515 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 24, 1988

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

I am returning herewith, without my approval as to section 7(4) and 10(3), Engrossed Substitute House Bill No. 1530 entitled:

"AN ACT Relating to nursing assistants."

Section 7(4) and section 16 both give authority to determine which states have credentialing requirements equivalent to those in this state, and to issue certificates, by endorsement without examination, to those individuals credentialed in those states. Section 7(4) gives this authority to the Board of Nursing and section 16 gives this authority to the Department of Licensing.

Section 10(3) and section 14 both give authority to determine what constitutes adequate proof of meeting the criteria for certification. Section 10(3) gives this authority to the Board of Nursing and section 14 gives this authority to the Department of Licensing.

Giving similar authority to two separate regulatory entities will result in confusion. Since these functions are primarily administrative in nature and the department has all other administrative functions, I am vetoing the sections which give these authorities to the Board of Nursing.

With the exception of sections 7(4) and 10(3), Engrossed Substitute House Bill No. 1530 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 23, 1988

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

I am returning herewith, without my approval as to section 2, House Bill No. 1585, entitled:

"AN ACT Relating to juvenile dependency proceedings."

This legislation requires that all children in contested dependency proceedings have a court-appointed guardian ad litem or attorney. In uncontested hearings, the court would have discretion in making such an appointment.

The effort to make the dependency and the child abuse and neglect statutes similar to each other in this regard would put the state out of compliance with federal requirements under the Child Abuse Prevention and Treatment Act. The result will be to disqualify the state from eligibility to receive federal funds under the act. Therefore, a veto of this section is necessary to assure continued receipt of federal funds for child abuse and neglect prevention. Return of the child abuse and neglect statute to its original status still ensures that all children in contested dependency proceedings have a court-appointed guardian ad litem or attorney.

With the exception of section 2, House Bill No. 1585 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 24, 1988

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

I am returning herewith, without my approval as to sections 3, 9, 14, and 17, Substitute House Bill No. 1592 entitled:

"AN ACT Relating to industrial insurance benefits for occupational diseases."

Section 3 of this bill is similar to, and serves the same purpose as, section 5 of Engrossed House Bill No. 1396, which I have signed into law. To avoid confusion, I have vetoed section 3.

Section 9 would mandate weekly safety meetings for asbestos projects. There is no flexibility for projects that might deserve more frequent or less frequent meetings. Requirements established by rule can better address the variety of different situations that would necessitate meetings. I am directing the Department of Labor and Industries to establish appropriate requirements through its rule-making authority. For this reason, I have vetoed section 9.

Section 14 would require the owners of all buildings and facilities public or private to inventory their property to identify all materials containing asbestos. Records of this inventory would have to be maintained and made available for inspection by the Department of Labor and Industries and other parties.

These inventories may be of value to companies. I would encourage the state's employers to undertake such surveys. The section is so broadly worded, however, that it is unworkable. The bill would technically require every citizen of the state who owns a building to conduct an inventory. It is not reasonable to expect homeowners to conduct an inventory in order that it be available whenever they plan remodeling or other work on their house. I feel that section 14 would create difficulties for individuals that it was not intended to affect.

I am asking the Department of Labor and Industries to review the issue and to suggest appropriate requirements for asbestos inventories. For these reasons, I have vetoed section 14.

Section 17 would require workers who are currently certified for a two-year period to be recertified after only one year. I do not feel that this is necessary, since these individuals will begin annual recertification when their current certification expires. Therefore, I have vetoed section 17.

With the exception of sections 3, 9, 14, and 17, Substitute House Bill No. 1592 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 24, 1988

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

I am returning herewith, without my approval as to section 8, Substitute House Bill No. 1652, entitled:

"AN ACT Relating to investment of public funds."

Section 8 of Substitute House Bill No. 1652 would amend existing law to allow public transportation benefit area authorities to appoint their own treasurers, without prior approval of the county treasurer. Under current law, the county treasurer must approve such an appointment.

I understand that the problem giving rise to this amendment has been resolved, and that there is no statewide concern about the existing approval requirement. Indeed, county treasurers have in most instances granted this authority when asked. In those instances where the authority to appoint a treasurer has been denied, there were reportedly good operational reasons for the denial. As operations improved, authorities were granted the power to hire their own treasurers. The current system seems to work.

Further, from a public policy perspective, it makes sense for the chief financial officer of a county, who is an elected official directly accountable to the citizens, to exercise some control over the appointment of those individuals who will be managing and investing public funds.

With the exception of section 8, Substitute House Bill No. 1652 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 15, 1988

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

I am returning herewith, without my approval as to section 1, Substitute House Bill No. 1672, entitled:

"AN ACT Relating to identification of trucks."

Section 1, if signed, would place an additional burden on owners of trucks. All trucks and truck-trailer combinations weighing over 26,000 lbs. would be required to display identification in four-inch high letters. This includes recreational and farm trucks. Currently, non-farm commercial trucks display identification in two- to three-inch high letters. These trucks would be required to remove or paint over existing identification to display the larger letters. This is an unnecessary regulatory burden on owners of recreational, farm and commercial vehicles. The larger numbers are not needed for law enforcement officers to do their jobs.

With the exception of section 1, Substitute House Bill No. 1672 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 24, 1988

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

I am returning herewith, without my approval as to sections 1 and 2(2), Substitute House Bill No. 1673 entitled:

"AN ACT Relating to an office of mobile home affairs."

Substitute House Bill No. 1673 establishes an office of mobile home affairs within the Department of Community Development to coordinate state services related to mobile homes and to provide an ombudsman service. The office is to be supported through a fee on mobile home lots within mobile home parks. A new advisory committee on mobile home and manufactured housing affairs is created. Finally, mobile home park owners who wish to be licensed as mobile home dealers are exempted from certain licensing requirements.

I agree that a point of coordination in state government for mobile home and manufactured housing issues is needed. In light of the limited state resources available to support new programs, I am pleased to see that the potential clients of this service have agreed to support the office through an annual user fee. Last year, the Department of Community Development began collecting information on mobile home issues and providing technical assistance to mobile home park tenants and park owners. Establishment of an office to coordinate these activities is a logical next step.

Section 2(2) would establish a narrowly-focused advisory committee in statute. Boards, commissions, committees, task forces and similar entities have proliferated in this state, and now number over 400. The director of the Department of Community Development has authority to create ad hoc advisory committees as the need arises. This authority makes it unnecessary to create advisory committees in statute.

Section 1 amends the Unfair Motor Vehicle Business Practices Act to exempt mobile home park owners from certain dealer licensing requirements. I am vetoing this section because I support the consumer protection provisions included in

the law and required of all dealers. Existing law allows the director of the Department of Licensing to waive place of business requirements if this is warranted. In addition, mobile home park owners are able to sell up to five units each year without applying for a dealer license. This should provide enough flexibility for park owners to continue to provide this invaluable assistance to tenants. Finally, in approving this language, the Legislature has not indicated the reasons one group of dealers should be treated differently from others. Failure to outline this distinction creates the basis for a legal challenge.

With the exception of sections 1 and 2(2), Substitute House Bill No. 1673 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 24, 1988

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

I am returning herewith, without my approval as to section 26, Engrossed Substitute House Bill No. 1701 entitled:

"AN ACT Relating to transportation appropriations."

This section creates a committee to study the state motor vehicle excise tax. The same provision was included in Substitute Senate Bill No. 6376, section 2, with the exception that the senate bill included an appropriate sunset date for the committee. I am vetoing this section in order to provide for clarity in the record and to avoid duplicative provisions in the statute.

With the exception of section 26, Engrossed Substitute House Bill No. 1701 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 25, 1988

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

I am returning herewith, without my approval as to section 3, Substitute House Bill No. 1883, entitled:

"AN ACT Relating to vehicle dealer regulation."

This bill was presented to the Legislature to amend a 1986 exemption in the statute which allowed financial institutions to sell vehicles. Prior to this 1986 amendment, financial institutions had been authorized to sell only vehicles which had been foreclosed upon or repossessed. Sections 1 and 2 of this Act amend the prior law and prohibit financial institutions from brokering vehicles. Apparently, the concern was that some financial institutions were brokering vehicles which resulted in cars being sold that were not under the new Washington State "lemon law," even though new car warranties were provided.

Section 3, however, would inadvertently prohibit leasing companies and new car dealers who wish to lease other makes of cars outside their franchise agreements from leasing those new cars with an option to purchase. These leasing companies would not be able to meet the requirements of having a "current service agreement with a manufacturer, or distributor of a foreign manufacture." If the law was signed as written, the leasing operations would cease. This would reduce competition in the new car marketplace and harm the consuming public.

In addition, section 3 would prohibit the practice of "buyer's agents." Typically, "buyer's agents" are employed by consumers, not dealers, to negotiate car purchases on behalf of the consumer. This practice provides a consumer service of shopping and negotiating a car purchase at a competitive price. Further, the Executive has no record of consumers being harmed from the activities of buyer's

agents employed by the consumer. At this point, it does not appear that this practice places the consumer at any disadvantage relative to the "lemon law" or warranty provisions allowed under state and federal law. This business provides a consumer option for those interested in paying for the service.

With the exception of section 3, Substitute House Bill No. 1883 is approved.

Respectfully submitted,
Booth Gardner, Governor

March 23, 1988

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

I am returning herewith, without my approval as to section 22(5), Engrossed House Bill No. 2057 entitled:

"AN ACT Relating to public facilities."

With the exception of section 22(5), I fully endorse House Bill No. 2057. The principal objectives of sections 1 through 10 of this bill (originally an executive request) relate to the Washington State Convention and Trade Center now under construction in Seattle. Substantive changes have been enacted to current law modifying its provisions on facility design, state bond financing and the state-imposed hotel tax supporting the construction and operation of the Center. These changes are clearly in the best interest of the state, and credit must be given to the Joint Legislative Committee which recommended their adoption after careful study.

Sections 11 through 19 of this bill provide for the creation of a public facilities taxing district encompassing Spokane County for the purpose of siting, constructing and financing public assembly facilities that will meet the needs of the local community. This is a unique and resourceful approach in which the state is providing a significant new local tool to help a community to meet its needs. I fully support this approach where appropriate.

Similarly, sections 20, 21, 24 and 25 of the bill authorize certain communities to levy a local option hotel tax to fund tourism-related public facilities, and to pledge revenues from the tax to retire financial obligations incurred to fund such public facilities. I also support these provisions.

A third part of the bill, section 22, is another local option taxing authority provided to Pierce County expressly for the purpose of constructing and operating an indoor aquatic facility, and to Thurston County solely for the purpose of constructing and operating an Olympic academy facility. These are both worthwhile projects.

However, section 22(5) would restrict Pierce County from including specific recreation-scale aquatic features in its proposed competition pool facility. This sets an inappropriate state restriction on the ability of Pierce County to responsibly plan, construct, finance and operate the aquatic facility that is expressly authorized in the other subsections of section 22. Proponents of this restriction claim the proposed public aquatic facility will have a potentially negative impact on a commercial aquatic attraction operating in the area. Opponents of this restriction point out that the modest aquatic recreation features being planned as part of the project are necessary for attracting the level of community patronage required for a fiscally responsible operation and pose no competitive threat to commercial enterprises. Further, backers of the Pierce County pool have stated that there are no plans for developing any additional commercial-scale features for the proposed aquatic complex.

The issue here is one of possible unfair public sector competition with private sector activities, and it has been debated widely in the Pierce County community and before the Legislature. From this debate, and my own review of this issue, I have concluded this restriction is inappropriate, and I am vetoing subsection 5 for the following reasons:

1. Assurances on the record from the Park District and the City of Tacoma state that the proposed project will not include commercial-scale aquatic attractions which would compete with the private sector.

2. Retaining this provision would unduly hamper Pierce County's ability to develop a facility that is versatile enough to accommodate high level competitive aquatic sports, as well as general community use.

3. Subsection 5 is inconsistent with the purpose of the local option approach, which provides for the discussion and resolution of this and other issues connected with the proposed project at the local community level rather than through pre-emption by state law.

4. Subsection 5 is also overly broad, in that its language refers to all taxes levied and collected under this entire act rather than just section 22.

Accordingly, with the exception of section 22(5), House Bill No. 2057 is approved.

Respectfully submitted,
Booth Gardner, Governor

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
2. (Sub.)					40,41	
12. (Sub.)			35	35	35	
13. (Sub.)				53	36	
20. (Sub.)		19				
22. (Sub.)				54	36	
23. (Sub.)				54	36	
25. (Sub.)					40,41	
26. (Sub.)					40,41	
36.			430	430	410	
46. (Sub.)				259	937 985,1008	1576 CH. 261
48. (Sub.)					40,41	
53. (Sub.)				36		
64.		20,65	112	112		
88. (Sub.)					39,41	
90.		228	489		489	
90. (Sub.)			489	489		
115. (Sub.)				55	36	
129. (Sub.)					40,41	
134. (Sub.)					39,41	
135.					39,41	
140. (Sub.)		20				
144. (Sub.)					631	
152. (Sub.)				346	346	
164. (2nd Sub.)					40,41	
171.					39,41	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Fincl Passage	Other Action	Action by Gov.
178.		268	469	470	468	
196. (2nd Sub.)					39,41	
210. (2nd Sub.)		20				
240. (Sub.)		20,88	181	181	132,180	
243. (Sub.)				55	36	
254.				56,1015	36,1015 1268,1401	1573 CH. 88
264. (Sub.)				56	36	
280.				36	937 985,1008	1397 CH. 8
281. (Sub.)		20				
294.				37		
314.		20				
318.		20,106	257			
318. (2nd Sub.)			257	257,1520	1519-1520 1528,1529	1576 CH. 248
327. (Sub.)					40,41	
332. (Sub.)				430	260	
366. (Sub.)		20				
402. (Sub.)		20				
414. (Sub.)		20				
421.		20				
425. (Sub.)					40,41	
427. (Sub.)		21				
429.		151				
435.					40,41	
439. (Sub.)				37		
448. (2nd Sub.)					40,41	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
449. (Sub.)		21				
451. (Sub.)		21				
456. (2nd Sub.)					40,41	
462.					40,41	
478.		128				
498. (Sub.)					40,41	
509. (Sub.)		107,268				
511. (Sub.)		21,107				
516.				56		
537. (Sub.)		21,188	299			
537. (2nd Sub.)			299	299,1016	1016 1268,1401	1573 CH. 100
538.		202	356			
538. (Sub.)			356	356		
543. (Sub.)		21			435	
554. (Sub.)		21				
567. (Sub.)			57	57,58	57	
586. (2nd Sub.)					40,41	
608. (Sub.)				260 1515	1067-1070 1212,1323- 1324,1412 1514-1515 1528,1529	1575 CH. 142
616.		269				
622. (Sub.)		21				
624. (Sub.)		21				
630. (Sub.)					40,41	
635.					631	
638. (Sub.)		21				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
645. (Sub.)				67	70 94-95	
648. (Sub.)					40,41	
655.			428		410	
655. (Sub.)			428	429		
657. (Sub.)				67	1194- 1196,1323 1528,1529	1575 CH. 199
662.	21,53		113	114	1213 1268,1401	1573 CH. 94
668.				68 1016	1016 1268,1401	1576 CH. 217
684. (2nd Sub.)					40,41	
692. (Sub.)				68 1254	1252-1254 1490,1518	1575 CH. 141
709.			1481		1480	
709. (Sub.)			1481-1485	1485		
725.	203		442		442	
725. (Sub.)			442	442		
744.					631	
747.	151					
752.	269		470		96,468	
752. (Sub.)			470	470,1142	1142 1400,1411	1578 PV CH. 266
758. (2nd Sub.)					40,41	
767. (Sub.)					39,41	
777. (Sub.)	22					
791.	203		357			
791. (Sub.)			357	357,1143	1143 1400,1411	1575 CH. 159

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
802.		107	215	215	37	
804. (Sub.)		22				
813. (2nd Sub.)					40,41	
832. (Sub.)				68		
836.			193			
836. (Sub.)			193	193		
840.			377		357,377	
854.		22,65	115	115		
859. (Sub.)		22				
868. (Sub.)		22				
873. (Sub.)				69		
877. (Sub.)			69	69,70	69	
927. (Sub.)					40,41	
929. (Sub.)				71		
932. (Sub.)				71 1018	1017-1018 1268,1402	1576 CH. 264
972.		166			631	
974.		229	418	418	417	
980. (Sub.)		22				
995. (Sub.)					40,41	
1003.		229				
1006. (2nd Sub.)					40,41	
1010.		65	115			
1010. (Sub.)			115	115		
1018.		229				
1037. (Sub.)		22				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1089.		151	514		514	
1089. (Sub.)			514	514	987 1075,1214	1573 CH. 67
1093.		22,65	138	139	116,132	
1099.		22				
1109.				260		
1115.		229	368			
1115. (Sub.)			368	368		
1126.		22				
1155.		166			119	
1167.		230				
1170.		230,289	471		468	
1170. (Sub.)			471	471,1150	1150 1400,1411	1574 CH. 114
1175. (Sub.)		22,89	181	182	132	
1205.					40,41	
1221. (Sub.)					40,41	
1226.		269				
1228.					40,41	
1239.					39	
1240.		151				
1265.	6	203	463	463	463	
1266.	6					
1267.	6	230	490			
1267. (Sub.)			490	490		
1268.	6	269			631	
1269.	7	107	175			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1269. (Sub.)			175	175		
1270.	7	89	132	132	852 883,938	1248 CH. 3
1271.	7	107	300			
1271. (Sub.)			300	300,1469	1018,1247 1324-1328 1469,1529	1579 PV CH. 143
1272.	7	108	176	176	1213 1268,1402	1575 CH. 149
1273.	7	151	300,431	431		
1274.	7					
1275.	7					
1276.	7					
1277.	7					
1278.	8	152	301	301,1019	1019 1268,1402	1574 CH. 133
1279.	8	108	176			
1279. (Sub.)			176	177,1020	1019-1020 1268,1402	1579 PV CH. 155
1280.	8	89	133	133	1213 1268,1402	1575 CH. 151
1281.	8					
1282.	8	129				
1283.	8					
1284.	8	129,203	547		547	
1284. (2nd Sub.)			547-563	563	1070- 1076,1212	
1285.	8	230	369			
1285. (Sub.)			369	369,1155	1155 1400,1411	1573 CH. 95

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1286.	8					
1287.	8					
1288.	9	89	133	133,1020	1020 1268,1402	1573 CH. 101
1289.	9					
1290.	9	166	301	301		
1291.	9	65	116			
1291. (Sub.)			116	116		
1292.	9	66	116	116,1255	1255 1490,1518	1575 CH. 160
1293.	9	66	117	117		
1294.	9	66	117	117		
1295.	9	66	118			
1295. (Sub.)			118	118,1258	1255-1258 1490,1518	1575 CH. 200
1296.	9	66	118			
1296. (Sub.)			118	119		
1297.	9	129	177			
1297. (Sub.)			177	177,1060	1060 1400,1411	1574 CH. 134
1298.	10					
1299.	10					
1300.	10	152	302	302	937 985,1008	1397 CH. 9
1301.	10	89,289	532		532	
1301. (2nd Sub.)			532-535	536		
1302.	10	230	424		418,423	
					1229-1230 1319,1328- 1330,1469-	1575

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1302. (Sub.)			424	424.1470	1470.1529	CH. 146
1303.	10	108,289	596		596	
1303. (2nd Sub.)			596	597		
1304.	10	108	177	178	993 1075.1214	1573 CH. 54
1305.	10					
1306.	10	109	302	302	852 883.938	1248 CH. 2
1307.	11					
1308.	11					
1309.	16	152	302	432		
1310.	16					
1311.	16					
1312.	16	643	694.697		694	
1312. (Sub.)			697-705	705.1523	1086- 1135.1213 1412-1465 1523.1529	1579 PV CH. 289
1313.	17	204				
1314.	17					
1315.	17					
1316.	17	109	303			
1316. (Sub.)			303	303		
1317.	17	188	303			
1317. (Sub.)			303	303.1263	1258-1262 1490.1518	1575 CH. 168
1318.	17	53	95	95	852 883.938	1248 CH. 1
1319.	18	188	355		304	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1319. (Sub.)			355	355,1264	1263-1264 1490,1518	1576 CH. 236
1320.	18	129	178			
1320. (Sub.)			178	178,1021	1021 1268,1402	1576 CH. 249
1321.	18	188				
1322.	18	109	179	179		
1323.	18	189	356		304	
1323. (Sub.)			356	356		
1324.	18	109	179			
1324. (Sub.)			179	179		
1325.	18	89	134	134,1156	1155 1400,1411	1576 CH. 220
1326.	18	231			37,631	
1327.	19	90	134	134		
1328.	19					
1329.	19	231	418			
1329. (Sub.)			418	418	987 1075,1214	1575 CH. 192
1330.	19	90	135	135	937 985,1008	1574 CH. 110
1331.	19	152	304			
1331. (Sub.)			304	304		
1332.	19	90	180	180,1022	1021-1022 1268,1402	1574 CH. 102
1333.	19	90,189	358			
1333. (Sub.)			358	358 1061,1372	1061,1246- 1247,1372 1490,1518	1575 CH. 145
1334.	29	167	369			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1334. (Sub.)			369	369		
1335.	29	167	358	358		
1336.	30	204	359		73	
1336. (Sub.)			359	359	937 985,1008	1573 CH. 68
1337.	30	152				
1338.	30	167			58	
1339.	30	231	385			
1339. (Sub.)			385	385	993 1075,1214	1573 CH. 62
1340.	30	90	135			
1340. (Sub.)			135	135,1225	1224-1225 1490,1518	1575 CH. 177
1341.	30	129	305	305,1267	1265-1267 1490,1518	1575 CH. 181
1342.	30	204	362			
1342. (Sub.)			362	362		
1343.	30					
1344.	30	167				
1345.	31	204				
1346.	31	153	363	363,1157	1156 1400,1411	1576 CH. 209
1347.	31	231				
1348.	31	130	306	306		
1349.	31	153			631	
1350.	31					
1351.	31	109	180	180		
1352.	31	269			1480	
1353.	31	189,289	419			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1353. (2nd Sub.)			419	419		
1354.	32	231	528	528	528,937 985,1008	1576 CH. 216
1355.	32	852	887		887	
1355. (Sub.)			887	887,909	909,1200	
1356.	32	204,290	419			
1356. (Sub.)			419	419		
1357.	32	153				
1358.	32	153				
1359.	32					
1360.	32	189				
1361.	32	153	306	306	937 985,1008	1574 CH. 77
1362.	32	232	370			
1362. (Sub.)			370	370	993 1075,1214	1573 CH. 63
1363.	33	90	136			
1363. (Sub.)			136	136		
1364.	33	130	307			
1364. (Sub.)			307	307		
1365.	33					
1366.	33	205	363			
1366. (Sub.)			363	363,1268	1267-1268 1490,1518	1574 CH. 109
1367.	33	91	316		215 299,316	
1367. (Sub.)			316-345	345		
1368.	33	109	193			
					1161-1177 1372-1373	1576

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1368. (Sub.)			193	193,1476	1476,1529	CH. 231
1369.	33	167	364			
1369. (Sub.)			364	364,1270	1490,1518	1270 1575 CH. 178
1370.	33	232	529		529	
1370. (Sub.)			529	529	937 985,1008	1398 CH. 10
1371.	34	154	530	530	530,987 1075,1214	1573 CH. 64
1372.	34					
1373.	34	205	370			
1373. (Sub.)			370	370	1059 1075,1214	1574 CH. 131
1374.	34					
1375.	34	168	308			
1375. (Sub.)			308	308		
1376.	34					
1377.	34	189	371			
1377. (Sub.)			371	371	993 1075,1214	1575 CH. 147
1378.	34	205	471		468	
1378. (Sub.)			472	472		
1379.	41				73	
1380.	41					
1381.	41					
1382.	41	110	194			
1382. (Sub.)			194	194,1160	1157-1160 1400,1411	1575 CH. 186
1383.	41	205	585		585	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1383. (Sub.)			585-588,594	595	588. 594,1022- 1025,1033 1400,1411	1576 CH. 193
1384.	41	205	407		407	
1384. (Sub.)			407,432	407,433	412,432	
1385.	41					
1386.	41	232				
1387.	42	91,290	433	433	433,1197- 1199,1250 1490,1518	1577 CH. 237
1388.	42	91,168	455			
1388. (Sub.)			455	455	987 1075,1214	1573 CH. 61
1389.	42	91,290	456			
1389. (Sub.)			456	456,1271	1271 1490,1518	1577 CH. 238
1390.	42	205				
1391.	42	270	420		420	
1391. (Sub.)			420	420		
1392.	42	270	421			
1392. (Sub.)			421	421	937 985,1008	1541 CH. 20
1393.	42	168	364			
1393. (Sub.)			364	364		
1394.	42	232				
1395.	42					
1396.	43	270	491	492,1086	1076-1086 1400,1411	1575 CH. 161
1397.	43	168	308	308		
1398.	43					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1399.	43					
1400.	43					
1401.	43	130	195	195	937 985,1008	1541 CH. 13
1402.	43					
1403.	43	233				
1404.	43	154	359		308,356	
1404. (Sub.)			359-361	361,1065	1062-1065 1400,1411	1580 PV CH. 211
1405.	44	168				
1406.	44	169			631	
1407.	44					
1408.	44					
1409.	44	169	352		308,352	
1410.	44					
1411.	44					
1412.	44	270	479		479	
1412. (Sub.)			479	479		
1413.	44					
1414.	44					
1415.	44					
1416.	45	270	407		96,371	
1416. (Sub.)			407,606	606,1026	606,1026 1400,1411	1574 CH. 129
1417.	45					
1418.	45	169	530	530	530 1400,1489	1573 CH. 58
1419.	45	233	515		514	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1419. (Sub.)			515	515	1213 1268,1402	1575 CH. 152
1420.	45	206,290	524		524	
1420. (Sub.)			524-528	528,1471	1187- 1190,1213 1319-1323 1470-1471 1529,1530	1577 CH. 274
1421.	45	190	365	365		
1422.	45					
1423.	45	271				
1424.	45	169,291	512		512	
1424. (Sub.)			512	512,1272	1272 1490,1518	1580 PV CH. 153
1425.	45					
1426.	46					
1427.	46					
1428.	46	154				
1429.	46	190	386			
1429. (Sub.)			386	386,1144	1144,1199 1400,1411	1580 PV CH. 154
1430.	46	169	386	386		
1431.	46					
1432.	46	271	387			
1432. (Sub.)			387	387		
1433.	46					
1434.	47					
1435.	47					
1436.	47	91	136			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1436. (Sub.)			136	136		
1437.	47	154				
1438.	47	233				
1439.	47	110	515	515	515	
1440.	47	233	516			
1440. (Sub.)			516	516		
1441.	47	206				
1442.	47	206	447		268,447	
1442. (Sub.)			447-452	452		
1443.	48					
1444.	48					
1445.	48	190	423		421,423	
1445. (Sub.)			423	423,1474	1214-1217 1248,1330- 1331,1474 1529,1530	1575 CH. 150
1446.	48	110,233	516			
1446. (Sub.)			516	516		
1447.	48	110	195	195		
1448.	48	170,291	517	517	73	
1449.	48					
1450.	48	110,291	541		492,541	
1450. (Sub.)			541- 543,589	589,1161	543 588,1160 1401,1411	1573 CH. 41
1451.	49	190,291	517			
1451. (Sub.)			517,521	522	518,521	
1452.	49	234				
1453.	49	190				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1454.	49	206	597	597	597	
1455.	49	852	881		881	
1455. (Sub.)			881-883	883		
1456.	49	154	492			
1456. (Sub.)			492	493		
1457.	50	234	518			
1457. (Sub.)			518	518		
1458.	50	154	518	518	518	
1459.	50	234	503		73 421,503	
1459. (Sub.)			503	503		
1460.	50	206	365			
1460. (Sub.)			365	365,1149	1145-1149 1401,1411	1576 CH. 188
1461.	50	191				
1462.	50	170				
1463.	50	110	196	196		
1464.	50	111	215	215		
1465.	50	130	218		216,218	
1465. (Sub.)			218- 225,258	258,1220	225 1217-1220 1490,1518	1581 PV CH. 275
1466.	51	191				
1467.	51	191				
1468.	51	271	421	421		
1469.	51	155	493			
1469. (Sub.)			493	494,1273	1272-1273 1490,1518	1574 CH. 135

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1470.	51	111	216	216	937 985,1008	1398 CH. 6
1471.	51	111	216	216	1213 1268,1402	1573 CH. 55
1472.	51	111	217			
1472. (Sub.)			217	217	937 985,1008	1398 CH. 4
1473.	51	92	137			
1473. (Sub.)			137	137	937 985,1008	1398 CH. 5
1474.	52					
1475.	52					
1476.	52					
1477.	52					
1478.	52	207				
1479.	52	92	137	137		
1480.	52					
1481.	59	207				
1482.	59	170	366	366,1014	1012-1014 1268,1402	1575 CH. 148
1483.	59					
1484.	60					
1485.	60	207				
1486.	60	155	309			
1486. (Sub.)			309	309		
1487.	60	207	523		523	
1487. (Sub.)			523	523		
1488.	60					
1489.	60					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1490.	60	170			182	
1491.	60					
1492.	60	170	371	371,1066	1066 1401,1411	1574 CH. 81
1493.	60	111			96,159	
1494.	61	191	372			
1494. (Sub.)			372	372		
1495.	61					
1496.	61					
1497.	61					
1498.	61				96	
1499.	61	234	372			
1499. (Sub.)			372	373		
1500.	61					
1501.	61	208				
1502.	61	208	366	366		
1503.	62					
1504.	62	208	387	387	937 985,1008	1541 CH. 29
1505.	62					
1506.	62					
1507.	62	292	520	521,1061	520,1060 1401,1411	1574 CH. 103
1508.	62					
1509.	62					
1510.	62	271	609		609	
1510. (Sub.)			609	609		
1511.	62	271	609		609	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1511. (Sub.)			609	610,1026	1026 1268,1402	1575 CH. 162
1512.	62					
1513.	63	272	388			
1513. (Sub.)			388	388		
1514.	63	191	310	310	937 985,1008	1398 CH. 11
1515.	63	171	519	519,1472	519 1212,1227 1335-1364 1471,1529	1581 PV CH. 288
1516.	63	111,292	494			
1516. (2nd Sub.)			494	494		
1517.	63					
1518.	63	171,272	422		96,422	
1518. (Sub.)			422,440	440	440	
1519.	63					
1520.	63	208				
1521.	63	208				
1522.	64					
1523.	64	234	479		479	
1523. (Sub.)			479 480-482	482		
1524.	64	209	367	367		
1525.	64	209	483		483	
1525. (Sub.)			483	483	1213 1268,1402	1577 CH. 244
1526.	64					
1527.	74	209,292		631		
1528.	74					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1529.	75					
1530.	75	155,272	483			
1530. (Sub.)			484	484,1279	1273-1279 1490,1518	1582 PV CH. 267
1531.	75	155	311	311	937 985,1008	1541 CH. 17
1532.	75					
1533.	75	130	311			
1534.	75	272	477		477	
1534. (Sub.)			477	478		
1535.	75					
1536.	75	171	373			
1536. (Sub.)			373-374	375		
1537.	75	234				
1538.	76					
1539.	76	155	367	367		
1540.	76					
1541.	76					
1542.	76					
1543.	76	131	217	217,1028	1028 1268,1402	1574 CH. 111
1544.	76	156	261-266	353	353	
1545.	76	131	519	519		
1546.	76	131	375	375		
1547.	77					
1548.	77					
1549.	77					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1550.	77	171				
1551.	77	235				
1552.	77	171	600-603	603	368	
1553.	77	235,292	456	456		
1554.	77	235	598	598	597	
1555.	77					
1556.	77	293				
1557.	78					
1558.	78	209	531	531	531,1400 1401,1489	1574 CH. 116
1559.	78	209	531	531	1213 1268,1402	1574 CH. 117
1560.	78	209	532	532	1075,1214	1573 CH. 59
1561.	78	273				
1562.	78	172	375			
1562. (Sub.)			375	375	1213 1268,1402	1574 CH. 136
1563.	78	273				
1564.	78	192,293	457			
1564. (2nd Sub.)			457,458	459,489	457 458,489	
1565.	78	172,293	495			
1565. (2nd Sub.)			495	495,1269	1177- 1178,1269 1490,1518	1575 CH. 163
1566.	79	273				
1567.	79	131				
1568.	79	112	311			
					1220-1222 1296,1400	1577

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1568. (Sub.)			311	311,1400	1529,1530	CH. 251
1569.	79	273				
1570.	79	172				
1571.	79					
1572.	79	156	312			
1572. (Sub.)			312	312		
1573.	79					
1574.	79	273				
1575.	80					
1576.	80					
1577.	80	274				
1578.	80	274	388	388		
1579.	80	274	544	544	544	
1580.	80					
1581.	80	156	312	312	937 985,1008	1575 CH. 166
1582.	80	235				
1583.	81					
1584.	81					
1585.	81	235	408,605	408 605,1472	408,605 1222-1223 1248,1365- 1366,1472 1529,1530	1582 PV CH. 232
1586.	81	236	408			
1586. (Sub.)			408	408,1279	1279 1490,1518	1576 CH. 194
1587.	81	236	409	409		
1588.	81	236	409	409,1280	1280 1490,1518	1576 CH. 201

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Finc'l Passage	Other Action	Action by Gov.
1589.	81	274,293	410			
1589. (2nd Sub.)			410	410		
1590.	81	210	544			
1590. (Sub.)			544	544		
1591.	81					
1592.	81	131	313			
1592. (Sub.)			313	313,1205	1200-1205 1401,1411	1583 PV CH. 271
1593.	82	210,294	588	588	545,588	
1594.	82	210,294	513		495,513	
1594. (Sub.)			513	513,1473	1190- 1192,1213 1377-1379 1473,1529	1573 CH. 45
1595.	82	236				
1596.	82					
1597.	82	236		422,631		
1598.	82					
1599.	82					
1600.	82					
1601.	82	274	457			
1601. (Sub.)			457	457		
1602.	83					
1603.	83					
1604.	83	210,347			545,631	
1605.	83					
1606.	83					
1607.	83	237				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1608.	83	237			119	
1609.	83					
1610.	83					
1611.	83					
1612.	84	275	607		607	
1612. (Sub.)			607	607,1029	1028-1029 1268,1402	1574 CH. 74
1613.	84	237	484	484		
1614.	84					
1615.	84					
1616.	84	172	376	376	1213 1268,1402	1574 CH. 79
1617.	84	237,294	538		537	
1617. (Sub.)			538	538	1213 1268,1402	1575 CH. 169
1618.	84	172	545			
1618. (Sub.)			545	545,1030	1029-1030 1268,1402	1576 CH. 176
1619.	84					
1620.	84	237	422			
1620. (Sub.)			422	422		
1621.	85					
1622.	85	156	546	546		
1623.	85					
1624.	85					
1625.	85					
1626.	85	131	218	218	1213,1268 1402	1574 CH. 104
1627.	85	238,294	464		463	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1627. (Sub.)			464	464		
1628.	85	275				
1629.	85	238	424	425,1030	424,1030 1268,1402	1574 CH. 113
1630.	85	238	608	608	1237- 1239,1297	
1631.	86	210,295	416			
1631. (Sub.)			416	416		
1632.	86	211,295	504		417,504	
1632. (Sub.)			504	504		
1633.	86	275	608			
1633. (Sub.)			608	608,1281	1281 1490,1518	1576 CH. 233
1634.	86					
1635.	86					
1636.	86	239	598	598	598	
1637.	86					
1638.	86					
1639.	86					
1640.	87	172,295	495			
1640. (2nd Sub.)			495	495,1478	1192- 1194,1213 1374-1377 1477,1529	1574 CH. 125
1641.	87					
1642.	87					
1643.	97					
1644.	97	240				
1645.	97					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1646.	97					
1647.	97					
1648.	97	240			546,631	
1649.	97	275	511	511	496 511,1213 1268,1402	1576 CH. 195
1650.	98	156				
1651.	98					
1652.	98	240	599			
1652. (Sub.)			599	599,1284	1282-1284 1490,1518	1583 PV CH. 281
1653.	98	240				
1654.	98	157				
1655.	98	240,295	466			
1655. (Sub.)			466	466	1239- 1241,1373	
1656.	98	241				
1657.	98					
1658.	98					
1659.	98	275				
1660.	99	276	425			
1660. (Sub.)			425	425,1284	1284 1490,1518	1576 CH. 227
1661.	99					
1662.	99					
1663.	99					
1664.	99					
1665.	99					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1666.	99					
1667.	99					
1668.	99					
1669.	99	157	389	607	606	
1670.	99	276	468		468	
1670. (Sub.)			468	468		
1671.	100					
1672.	100	192	485			
1672. (Sub.)			485	485	937 985,1008	1584 PV CH. 56
1673.	100	211	376		282	
1673. (Sub.)			376	376,1288	1285-1287 1490,1518	1584 PV CH. 280
1674.	100					
1675.	100	241				
1676.	100	276	599			
1676. (Sub.)			599	599		
1677.	100					
1678.	100					
1679.	100	241				
1680.	100	296	536		536	
1680. (Sub.)			536	536	1213 1268,1402	1574 CH. 96
1681.	100					
1682.	101					
1683.	101	276	546		546	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1683. (Sub.)			546	546.1288	1288 1490.1518	1574 CH. 126
1684.	101	173	314			
1684. (Sub.)			314	314.1290	1289-1290 1490.1518	1576 CH. 184
1685.	101	296	540		540	
1685. (Sub.)			540	540	1178-1181	
1686.	101	211	389	389	1213 1268.1402	1574 CH. 120
1687.	101					
1688.	101					
1689.	101	276	600		347	
1689. (Sub.)			600	600		
1690.	101	241	425			
1690. (Sub.)			426	426.1032	1031-1032 1268.1402	1577 CH. 239
1691.	101	173	564	565	564	
1692.	102	241				
1693.	102	157,241	496	496	993 1075.1214	1573 CH. 65
1694.	102	242	566	566	987 1075.1214	1574 CH. 97
1695.	102	157	566	566	1400 1401.1489	1577 CH. 241
1696.	102	211	427		410,427	
1696. (Sub.)			427	427		
1697.	102				139	
1698.	102				139	
1699.	102	242				
1700.	102	242				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1701.	103	707	707		707,715	
1701. (Sub.)			715	715,1394	1386-1394 1490,1518	1585 PV CH. 283
1702.	103	277	415		410,415	
1702. (Sub.)			415	415		
1703.	103	242				
1704.	103					
1705.	103				139	
1706.	103	277			566,631	
1707.	103					
1708.	103					
1709.	103					
1710.	104	242	496	496	993 1075,1214	1575 CH. 165
1711.	104					
1712.	104					
1713.	104	173,277	497			
1713. (2nd Sub.)			497	497,1291	1290-1291 1490,1518	1576 CH. 183
1714.	104					
1715.	104				140	
1716.	104					
1717.	104	243	497			
1717. (Sub.)			497	497		
1718.	104	296	498	498		
1719.	104					
1720.	104					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1721.	105					
1722.	105	243	567		566	
1722. (Sub.)			567	567		
1723.	105					
1724.	105					
1725.	105					
1726.	105	211	392		392	
1726. (Sub.)			391-396	396		
1727.	105	243				
1728.	105	173,277	604		604	
1728. (Sub.)			604	604		
1729.	105	243	567			
1729. (Sub.)			567	567,1405	1150- 1155,1405 1529,1530	1576 CH. 225
1730.	106	173				
1731.	106					
1732.	106					
1733.	106	174,296	538		538	
1733. (2nd Sub.)			538	538		
1734.	120	174	537	537	537	
1735.	120	277,296	539		539	
1735. (Sub.)			539	539		
1736.	120	174				
1737.	120					
1738.	121					
1739.	121	243	568			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1739. (Sub.)			568	568		
1740.	121	278	426			
1740. (Sub.)			426	426	1213 1268,1402	1574 CH. 98
1741.	121				159	
1742.	121					
1743.	121					
1744.	121	243				
1745.	121	244	568			
1745. (Sub.)			568	568	1245-1246 1297,1397 1490,1518	1576 CH. 187
1746.	121	244				
1747.	122					
1748.	122	278				
1749.	122					
1750.	122					
1751.	122					
1752.	122	244	569			
1752. (Sub.)			569	569	1246,1297	
1753.	122					
1754.	122	297	604		604	
1754. (Sub.)			604	604	1298- 1310,1412 1490,1518	1576 CH. 222
1755.	122					
1756.	123					
1757.	123					
1758.	123					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1759.	123					
1760.	123	211	397-406	406	368 397,937 985,1008	1398 CH. 7
1761.	123					
1762.	123					
1763.	123					
1764.	123					
1765.	123					
1766.	124					
1767.	124	278				
1768.	124					
1769.	124	244				
1770.	124	245				
1771.	124					
1772.	124					
1773.	124					
1774.	124					
1775.	125					
1776.	125					
1777.	125					
1778.	125	278			159	
1779.	125				159	
1780.	125	245				
1781.	125	212				
1782.	125					
1783.	125	174	314			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1783. (Sub.)			314	314,1293	1291-1293 1490,1518	1577 CH. 243
1784.	125	245,297	469		468	
1784. (Sub.)			469	469		
1785.	126					
1786.	126	245	383	383	377,382	
1787.	126					
1788.	126	246				
1789.	126					
1790.	126					
1791.	126					
1792.	126					
1793.	126					
1794.	127					
1795.	127					
1796.	127	278	390	391,1294	390 1293-1294 1490,1518	1574 CH. 123
1797.	127	246				
1798.	127					
1799.	127					
1800.	127	246,297	488		485,488	
1800. (Sub.)			488	488		
1801.	127	157	467		368,467 468,631	
1802.	141	174	368	368		
1803.	141	279				
1804.	141	246				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1805.	141					
1806.	142				182	
1807.	142	246			631	
1808.	142					
1809.	142	247				
1810.	142					
1811.	142					
1812.	142	247				
1813.	143	247	377	377	987 1075.1214	1573 CH. 57
1814.	143	247				
1815.	143					
1816.	143					
1817.	143	279	487		485.487	
1817. (Sub.)			487	487.1475	1181- 1186.1213 1379.1475 1529.1530	1576 CH. 179
1818.	143					
1819.	143	212	383.411	383.411	383.407 411.1230- 1231.1248	
1820.	143					
1821.	143	279				
1822.	143	279				
1823.	144	279				
1824.	144					
1825.	144					
1826.	144	247				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1827.	144					
1828.	144					
1829.	144					
1830.	144					
1831.	144					
1832.	144					
1833.	145	248	569	569	1213 1269.1402	1576 CH. 196
1834.	145					
1835.	145	212.297	453			
1835. (2nd Sub.)			454	454.1522	1135- 1141.1213 1380-1386 1522.1529	1573 CH. 42
1836.	145	175	391	391.1232	1232 1490.1518	1575 CH. 170
1837.	145					
1838.	145					
1839.	145					
1840.	145					
1841.	145					
1842.	145					
1843.	145	246	498	498		
1844.	146	246				
1845.	146	246	570			
1845. (Sub.)			570	570.1313	1310-1313 1490.1518	1576 CH. 223
1846.	146					
1847.	146					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1848.	146	175				
1849.	146	192	315			
1849. (Sub.)			315	315	1234- 1236,1489 1529,1530	1574 CH. 119
1850.	146					
1851.	146	280	611	611	610,1223- 1224,1249	
1852.	147	248	571		571	
1852. (Sub.)			571	571		
1853.	147					
1854.	147					
1855.	147	212	407		368,406	
1855. (Sub.)			407	407		
1856.	147				182	
1857.	147	249	499			
1857. (Sub.)			499	499	1237,1399 1490,1518	1575 CH. 167
1858.	147	280	460		410,460	
1858. (Sub.)			460	461		
1859.	148	249				
1860.	148	280	485			
1860. (Sub.)			485	485		
1861.	148					
1862.	148	249	468		427,468	
1862. (Sub.)			468	468	938 985,1008	1574 CH. 75
1863.	148					
1864.	148	249				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1865.	148					
1866.	148					
1867.	148					
1868.	148	212,298	499			
1868. (Sub.)			499-501	501		
1869.	149					
1870.	149	249				
1871.	149	280				
1872.	149					
1873.	149					
1874.	149					
1875.	149					
1876.	149	250	571			
1876. (Sub.)			571-579	579		
1877.	160					
1878.	160					
1879.	160	280	460		459	
1879. (Sub.)			460	460		
1880.	160					
1881.	160	250	584	584	540,584	
1882.	161					
1883.	161	281	502			
1883. (Sub.)			502	502,1314	1314 1490,1518	1585 PV CH. 287
1884.	161	281	396	397,1252	396,1196- 1197,1252 1490,1518	1576 CH. 229

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1885.	161	250	579,580	580	579,580	
1886.	161					
1887.	161					
1888.	161	250	580	580		
1889.	161					
1890.	161					
1891.	161					
1892.	161	250	581			
1892. (Sub.)			581	581	1231,1249	
1893.	162					
1894.	162					
1895.	162					
1896.	162					
1897.	162					
1898.	162	250	581	581		
1899.	162					
1900.	162					
1901.	162					
1902.	162				226	
1903.	163	281	596	596	596	
1904.	163	251	502			
1904. (Sub.)			502	502		
1905.	163	212				
1906.	163					
1907.	163	251				
1908.	163					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1909.	163	213				
1910.	163	251				
1911.	163	281				
1912.	163					
1913.	163					
1914.	164					
1915.	164	251,298	465		465	
1915. (Sub.)			465	466,1401	1250- 1251,1401 1490,1518	1577 CH. 252
1916.	164					
1917.	164					
1918.	164					
1919.	164					
1920.	164					
1921.	164	253				
1922.	164					
1923.	164				226	
1924.	165					
1925.	165	253				
1926.	165					
1927.	165					
1928.	165					
1929.	165	253	384	384		
1930.	165					
1931.	184					
1932.	184					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1933.	184					
1934.	184	253				
1935.	184					
1936.	185	213	390	390	384,390	
1937.	185	281				
1938.	185					
1939.	185					
1940.	185					
1941.	185					
1942.	185					
1943.	185					
1944.	185					
1945.	185					
1946.	185					
1947.	186				347	
1948.	186					
1949.	186					
1950.	186					
1951.	186	254	503	503,1032	1032 1269,1402	1577 CH. 262
1952.	186	254	582		582	
1952. (Sub.)			582	582,1315	1314-1315 1490,1518	1574 CH. 78
1953.	186					
1954.	298	539		532,539		
1954. (Sub.)			539	540		
1955.	186					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1956.	186					
1957.	187					
1958.	187					
1959.	187					
1960.	197					
1961.	197					
1962.	197					
1963.	197	254				
1964.	197	254				
1965.	198					
1966.	198	282			631	
1967.	198	282				
1968.	198					
1969.	198	254	486	486		
1970.	198	255			631	
1971.	198					
1972.	198					
1973.	198					
1974.	199					
1975.	199					
1976.	199					
1977.	199					
1978.	199					
1979.	199					
1980.	199					
1981.	199					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1982.	199					
1983.	200					
1984.	200					
1985.	200					
1986.	200					
1987.	200					
1988.	200					
1989.	200					
1990.	200	255	427	427		
1991.	200					
1992.	200					
1993.	201	282	384			
1993. (Sub.)			384	384		
1994.	201					
1995.	201					
1996.	201					
1997.	201					
1998.	201					
1999.	201					
2000.	201					
2001.	227					
2002.	227	298	543	543	543	
2003.	227					
2004.	227					
2005.	228					
2006.	228					

NO.	Intro. & Committee 1st Rdg. Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
2007.	228				
2008.	228				
2009.	228				
2010.	228				
2011.	228				
2012.	285				
2013.	285				
2014.	285				
2015.	285				
2016.	285				
2017.	286				
2018.	286				
2019.	286				
2020.	286				
2021.	286				
2022.	286				
2023.	286				
2024.	286				
2025.	286				
2026.	286				
2027.	286				
2028.	287				
2029.	287				
2030.	287				
2031.	287				
2032.	349				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
2033.	349					
2034.	379					
2035.	477					
2036.	590	853	880		880	
2036. (Sub.)			880	880		
2037.	627					
2038.	643	888	907		716,907	
2038. (Sub.)			907-908 922-924	924,1486	922,1399 1402-1403 1465-1466 1486,1529	1574 CH. 107
2039.	643					
2040.	706					
2041.	706		1492-1507	1507	1492	
2042.	706					
2043.	706					
2044.	706		1507-1512	1512	1492	
2045.	707					
2046.	707		1395- 1397	1397	1395,1408 1490,1518	1575 CH. 118
2047.	707					
2048.	707					
2049.	707					
2050.	707					
2051.	707					
2052.	716	853	883		883	
2052. (Sub.)			883-886	886		
2053.	716	853	880		880	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
2053. (Sub.)			880	880		
2054.	716	853	888		887	
2054. (Sub.)			888	888		
2055.	1530					
2056.	1534		1535	1535-1536	1534	
			1535	1536	1535	1586
			1536	1537	1542	PV
2057.	1534		1537	1542	1549	CH. I E1
2058.	1534		1535,1538	1539	1535,1539	
2059.	1534		1535		1535	
2060.	1543				1543	

HISTORY OF HOUSE JOINT MEMORIALS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4005.		23				
4029.	11					
4030.	52	92	214	214	138	
4031.	52	255				
4032.	87	158				
4033.	106	213	465	465	465	
4034.	106					
4035.	106	255	486	486	140	
4036.	127	175	385			
4036. (Sub.)			385	385		
4037.	127	255				
4038.	149					
4039.	149					
4040.	150	213				
4041.	150		159	159	158	
4042.	187					
4043.	201					
4044.	201					
4045.	201	256	392	392	391	
4046.	612					
4047.	1543					

HISTORY OF HOUSE JOINT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4204. (Sub.)		23				
4207. (Sub.)		23				
4210. (Sub.)				72	892	
4222.	34	256	529	529	938 985,1008	
4223.	52	92	138	138,1316	1316 1490,1518	
4224.	64					
4225.	87					
4226.	87	192,347			631	
4227.	87	213,298	417	417		
4228.	127					
4229.	128					
4230.	150					
4231.	150	256	583		582	
4231. (Sub.)			583	583,1316	1316 1490,1518	
4232.	202					
4233.	202					
4234.	414				414-415	

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Fincl Passage	Other Action	Action by Gov.
4402.				72	1400 1401,1489	
4403. (Sub.)				346,1317	1317 1490,1519	
4409.		23				
4411.		23				
4425.	5		5	5	16 28,59	
4426.	5		5	6	16 28,59	
4427.	6		6	6	16 28,59	
4428.	5		5	5	16 28,59	
4429.	53					
4430.	64	282	441		441	
4430. (Sub.)			441	441		
4431.	64	192	352	353		
4432.	64				96	
4433.	128	158	259	259		
4434.	150	214				
4435.	165	214	583	583	583	
4436.	165	256				
4437.	165					
4438.	187					
4439.	187					
4440.	202					
4441.	287		288	288	288,379 472,507	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4442.	350					
4443.	414					
4444.	935					
4445.	966					
4446.	993		993	993	1041 1075,1214	
4447.	1199					
4448.	1199					
4449.	1398		1398	1398	1398	
4450.	1398		1398	1398	1398	
4451.	1398,1478		1478	1479-1480	1478	
4452.	1395		1395	1395	1403 1490,1519	
4453.	1478		1524	1524	1524 1528,1529	
4454.	1478					
4455.	1492		1492	1492		
4457.	1543					
4458.	1548		1548	1548	1548 1549,1550	
4459.	1548		1548	1548	1548 1549,1550	
4460.	1546		1547	1547	1549,1550	

HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER AND SUBJECT	Introduced	Other Action	Adopted
4710 Notify Senate/House organized	5		5
4711 House Rules amendment	11		12
4712 Dr. M.L. King, Jr. birthday	72		73
4714 Puyallup Vikings football team	93		94
4715 Robert Charette remembrance	92		93
4716 Legislative Fitness Day	140		140
4717 AARP honored	225		225
4718 World Expo/WA performing groups	354		355
4719 Elizabeth Blackwell recognition	225		226
4720 Susan B. Anthony	511		511
4722 C.P. Johnson/remembrance	710		711
4723 W.R. Hundley honored	*Rules		2/4(R)
4724 Boy Scouts of America	284		285
4725 Ella T. Grasso recognition	267		268
4726 Korean Veterans Memorial fund	413		413
4727 Filipino Alaskeros honored	257		258
4728 President Reagan/birthday	267		267
4729 Dr. Robert Waldo/commendation	872		872
4730 Materials, Science & Tech program	925		926
4731 March of Dimes Day	708		708
4732 Teacher Exchange/China	955		955
4733 Snohomish/China Visit	955		956
4734 Momentum 88/economic development	630		631
4735 Mahbub Majundar honored	*Rules		2/22(R)
4736 Sister Peter Claver honored	694		695
4737 Mountlake Terrace HS girls' soccer	695		696
4738 Future Farmers of America week	716		716
4741 Parent-Teacher Association	910		911
4742 U.S. Constitution essayists	911		911
4743 Morton Christmas Tree	1295		1296
4744 Ed Munro memorium	956		956
4745 Friendship One record flight	1200		1200
4746 Grandview HS boys' basketball	926		926
4747 Bainbridge Island water polo team	*Rules		3/2(R)
4748 Auburn HS marching band	*Rules		3/2(R)
4750 Museum of flight	947		948
4752 Barber Shop Quartet/50 years	1011		1011
4753 National Assn Utility Comnr	*Rules		3/5(R)
4755 Dr. Buster Brouillet/SPI emeritus	1226		1227
4756 USS Missouri/Bremerton base	1242		1242
4757 Arch McDonald/honoring	1318		1318
4758 Ambassador Lane/Australia	1141		1142
4760 Bethel Schneebeck honored	997		998
4762 Teacher training/special education	1547		1547
4765 Skagit Valley Tulip Festival	1265		1265
4768 Hazel Wolf/90th Birthday	1236		1236
4769 Lions' "Vision WA Project"	1295		1295
4772 Cindy Barnes recognized	1269		1270
4773 Leonard A. Sawyer honored	1368		1369
4774 Morton HS Huskies	1280		1281
4776 Fireworks use/4th of July	1513		Failed
4778 Legislative Fellowship/O'Brien	1370		1371
4779 Notify Senate/sine die	1527		1527
4781 Angelo Pelligrini honored	1369		1370

* - Adopted by Rules (R) Committee.

NUMBER AND SUBJECT	Introduced	Other Action	Adopted
4785 Employees/thank you	1545		1546
4786 Cafeteria staff/thank you	1527		1528
4788 Notify Senate/House organized lx	1532		1532
4789 Notify Senate/sine die lx	1548		1548
4790 Keller/Saul rotunda wedding	1547		1547

HISTORY OF SENATE BILLS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
5016.	228	643	871	871	227 871,1207 1241,1269	PV CH. 202
5020. (Sub.)	128	669			120	
5036. (Sub.)	380	717	939	939	379 939,1207 1403,1408	CH. 115
5076. (Sub.)	228	717			227	
5103.	228				227	
5117.	350	718			349	
5147. (Sub.)	287	669	878	878	284 940,985	CH. 16
5156. (Sub.)	618				617	
5171.	150				141	
5229.	350	632	873	873	349 872,1207 1242,1269	CH. 49
5307.	150				141	
5333. (Sub.)	128	722	980	981	120,1207 1403,1408	CH. 255
5334. (Sub.)	128				120	
5364. (Sub.)	473				472	
5378. (2nd Sub.)	612	670,854	1056-1058	1058	611,981 1056,1227 1402,1408	CH. 276
5436. (Sub.)	612				611	
5451.	350	670	927	927	349 992,1075	CH. 30
5475.	350	633			349	
5480. (Sub.)	350				349	
5500. (Sub.)	350				349	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
5516. (Sub.)	435	670			434	
5538. (2nd Sub.)	590				590	
5558. (Sub.)	618	634	927	927	617,1271 1402,1408	CH. 210
5586. (Sub.)	350	624	972	973	349,1207 1242,1269	CH. 121
5595. (Sub.)	380	722	899-903	903,1477	379 898,1233 1249,1331- 1334,1476- 1477,1489 1518,1530	CH. 240
5653. (Sub.)	350				349	
5667.	128	627	870	870	120 708,1207 1242,1269	CH. 132
5669. (Sub.)	618	673	981	981	617,850 1059,1075	CH. 277
5708. (Sub.)	380				379	
5718. (Sub.)	435				434	
5720. (2nd Sub.)	380	673,854	928	928	379 992,1075	CH. 268
5726. (Sub.)	473				472	
5775. (Sub.)	507				506	
5840. (2nd Sub.)	473				472	
5844. (Sub.)	380	627	708	708	379,708 938,985	CH. 31
5886. (Sub.)	187				184	
5943. (Sub.)	380	725	1047	1047	379 1044,1046 1214,1269	CH. 85
5953.	380	628	709	709	379 938,985	CH. 32
					506,623 982,987	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6024. (Sub.)	507	726	982 987,989	990	989,1207 1403,1408	PV CH. 272
6093.	380	673,854	982	982	379 1059,1075	CH. 60
6094. (Sub.)	380				379	
6096. (Sub.)	150	628	874	874	141,872 940,985	CH. 33
6100.	473				472	
6101.	435	635	983	983	434,1208 1403,1408	CH. 76
6102.	473				472	
6103. (Sub.)	150	674			141	
6106.	507	726			506	
6108.	165	628			160	
6109. (Sub.)	350				349	
6113.	166	628	709	709	160 938,986	CH. 34
6115. (Sub.)	435	726	1050	1050	434 1050,1227 1402,1408	CH. 278
6117.	612	726			611	
6118. (Sub.)	473	727,888	946	946	472,1208 1403,1408	CH. 213
6119.	435	729	983	983	434 1059,1075	CH. 212
6124. (Sub.)	435	729	948	949,1467	434 948,1233 1249,1368 1467,1489 1518,1530	CH. 207
6128. (Sub.)	435	731	1045	1045	434,631 1044,1227 1402,1408	CH. 82

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6136.	166	733	984	984	160 1059,1075	CH. 80
6139. (Sub.)	287				284	
6143.	507	733	892,893	893	506 892,893 940,986	CH. 86
6145. (Sub.)	351	628			349	
6147. (Sub.)	591	676	1047	1047	590 1038,1047 1214,1269	CH. 158
6148. (Sub.)	351	678	985	985	349,984 985,1208 1403,1409	CH. 219
6151.	591				590	
6156.	287	679			284	
6157. (Sub.)	166	733	940	940,1466	160 940,1232 1249,1366 1466,1489 1518,1530	CH. 256
6160. (Sub.)	473	733	1005	1005	472,1005 1233-1234 1249,1367- 1368,1491	
6162. (Sub.)	435				434	
6166.	473				472	
6167. (Sub.)	473				472	
6171.	591				590	
6172. (Sub.)	435	734			434	
6173. (Sub.)	618				617	
6174. (Sub.)	435	734			434	
6176. (Sub.)	351	735			349	
6178. (Sub.)	351	635	928	928	349,1208 1403,1409	CH. 257

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6179. (Sub.)	436				434	
6181. (Sub.)	507	742	949	949	506,949 1059,1075	CH. 174
6182.	618	635	912,935	935	617,911 935,1208 1403,1409	CH. 285
6184.	187				184	
6188.	474				472	
6190. (Sub.)	187	742			184	
6191. (Sub.)	618				617	
6192.	507	742			506	
6195. (Sub.)	380	742	1003	1004	379 1003,1208 1403,1409	CH. 224
6197.	287				284	
6200. (Sub.)	287	743	929	929	284,412 992,1075	CH. 44
6201.	612				511	
6203. (Sub.)	613	743			511	
6206. (Sub.)	436	743			434	
6207. (Sub.)	436	743	929	929	434,1208 1403,1409	CH. 189
6209. (Sub.)	287				284	
6210.	351	679	892	892	349 940,986	CH. 52
6211.	351	679	894	894	349 940,986	CH. 53
6212. (Sub.)	436	628	711	711	434,1208 1403,1409	CH. 164
6216. (Sub.)	613				611	
					506 1050,1228	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6217. (Sub.)	507	743	1052	1053	1402,1409	CH. 137
6218. (Sub.)	474	744	915	916	472 915,1208 1403,1409	CH. 185
6219. (Sub.)	591	679	1053	1054,1373	590 1050,1373 1518,1530	CH. 203
6220. (2nd Sub.)	474	745,854	963	964	472 930,963	
6221. (2nd Sub.)	613	746	895-897 1406-1408	897 1408	611 895,1406 1480,1487- 1489,1490 1528,1529	CH. 206
6222. (Sub.)	202	679			197	
6227.	591	758	984	984	590 1059,1075	CH. 69
6232. (Sub.)	507	759			506	
6234.	436	759			434	
6235. (2nd Sub.)	381	863	950	950,1513	379 850,950 1234,1249 1404-1405 1512,1518 1528,1529	PV CH. 284
6238. (Sub.)	618	759	988	988,1468	617 1234,1271 1374,1467- 1468,1489 1518,1530	PV CH. 279
6239. (Sub.)	381				379	
6240. (Sub.)	618	759	930	930	617,1208 1403,1409	CH. 230
6243.	202	382	905	905	197 905,1208 1242,1269	CH. 83
6244. (Sub.)	474	761			472	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6245.	436	866	1045	1045	434,1044 1214,1269	CH. 92
6246. (Sub.)	436				434	
6247. (Sub.)	436				434	
6252. (Sub.)	619	761	904	904	617 631,904 940,986	CH. 38
6255. (Sub.)	474	635	874	874	472 872,1209 1403,1409	CH. 138
6259.	613				611	
6260.	613	761	904	904	611,1209 1403,1409	CH. 197
6262.	288	636	712	712	284 938,986	CH. 22
6263. (Sub.)	619,624 627,632				617,632	
6264. (Sub.)	381	629	898	898	379,898 940,986	CH. 171
6265.	619	762			617	
6266. (Sub.)	381	762	951	951	379,1209 1403,1409	CH. 258
6269.	508				506	
6271.	188	681,866	988	988	184,1209 1403,1409	CH. 245
6272.	202	762			197	
6275. (2nd Sub.)	613				611	
6276. (Sub.)	228	689			227	
6277. (2nd Sub.)	619	762			617	
6284. (Sub.)	613	766			611,623	
6290. (Sub.)	229	689	989	989	227 1059,1075	CH. 35

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6291.	508	766	992	992	506 623,1228 1402,1409	CH. 90
6292.	288	866			284,1199	
6293.	202	689	875	875	197,872 940,986	CH. 37
6294. (Sub.)	508	773,867	993- 997,1038	1039	506,1038	
6295.	508	624	712	712	506 938,986	CH. 24
6296.	436	624	713	713	434 938,986	CH. 21
6297.	619	777	997	997,1404	617 1232,1249 1371-1372 1404,1468 1518,1530	CH. 130
6298. (Sub.)	508	777	1048	1048	506 1047,1228 1402,1409	CH. 124
6299.	351				349	
6305. (Sub.)	202	689	964	965	197,951 964,1209 1403,1409	CH. 144
6308. (Sub.)	436	689	1049	1049	434 1047,1228 1402,1409	CH. 234
6309. (Sub.)	437	780			434,1199	
6310.	437	782			434	
6313.	613	782	952	952	611,631 1059,1075	CH. 70
6316. (Sub.)	591	783,867	933	934	590 933,1249 1402,1409	PV CH. 282
6318. (Sub.)	619	690			617	
6319. (Sub.)	619	691			617	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6320.	619	786			617,1199	
6321.	619	786			617,1199	
6322. (Sub.)	437				434	
6332. (Sub.)	437	787	906	906	434,1209 1403,1409	CH. 226
6338.	437	636	714	714	434 713,714 938,986	CH. 39
6339.	619	636	952	952	617 1059,1075	CH. 14
6340.	620				617	
6342. (Sub.)	591	787	952	953	590,1209 1403,1409	CH. 228
6344. (Sub.)	508	787,890	998- 1001,1043	1043	506,998 1043,1251- 1252,1397 1518,1530	CH. 254
6346. (Sub.)	437				434	
6349.	381	793			379	
6350. (Sub.)	620	794	912	912	617,912 992,1075	CH. 89
6354.	613	794	913,973	973	611,973 1059,1075	Vetoed
6357. (Sub.)	613	636	953	953	611,1209 1403,1409	CH. 139
6362.	437	691	875	875	434 940,986	CH. 15
6363. (Sub.)	591				590	
6366.	229	794			277	
6369.	437	691			434	
6370.	288	691	954	954	284,1209 1403,1409	PV CH. 127

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6371.	288	629	954	954	284 1059,1075	CH. 18
6372.	288	794	957	957	284,1209 1403,1409	CH. 128
6373.	351	629	876	876	349 940,986	CH. 25
6374.	351	796	957	957	349 1059,1075	CH. 19
6375.	351	796	958	958	349 1059,1075	CH. 36
6376. (Sub.)	613	796	958-961	961,1244	611 1244,1271 1402,1409	CH. 191
6379. (Sub.)	614				611	
6380. (2nd Sub.)	508	796			506,1199	
6388.	474				472	
6391. (Sub.)	437				434	
6394. (Sub.)	620				617	
6396.	508	798	913	913	506,1209 1403,1409	CH. 140
6397.	381	799	1006	1006	379,961 1006,1210 1403,1409	PV CH. 273
6399. (Sub.)	508	625	713	713	506 938,986	CH. 51
6402. (Sub.)	591	801	914	914	590 992,1075	CH. 71
6404. (Sub.)	509	802	1046	1046	506,1044 1214,1269	CH. 93
6405.	614				612	
6408.	591	802	919	919	590,914 919,1210 1403,1409	CH. 204
6410. (Sub.)	620	803			617	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6411. (Sub.)	352	803			349,1199	
6412.	620	692	1001	1001	617 1059,1075	CH. 72
6418.	614	804	1051	1051	612,1050 1214,1269	CH. 105
6419. (Sub.)	509	804	914	914	506,1210 1403,1409	CH. 235
6430. (Sub.)	620				617	
6432. (Sub.)	620				617	
6433. (Sub.)	614	692,867	1002	1002	612,850 1059,1075	CH. 173
6435. (Sub.)	614	805	915	915	612,1210 1403,1409	CH. 182
6437. (Sub.)	620	867	961	961	617,1210 1403,1409	CH. 208
6438. (Sub.)	591	692	876	876	590 940,986	Vetoed
6439. (Sub.)	614	806	916	916	612,916 1241,1364	
6440.	437	625	878	879	343,696 876,1210 1403,1409	CH. 112
6441. (Sub.)	614	807			612	
6446. (Sub.)	351	807	1009	1009	349,917 1008,1210 1403,1409	CH. 175
6447.	614	808	931	931	612 931,1210 1403,1409	Vetoed
6449.	509				506	
6451. (Sub.)	592				590	
6452. (Sub.)	620	808	1002	1002	617,1210 1403,1409	CH. 172
6460.	620	808			617,1199	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6462. (Sub.)	620	809	917	917	617 992,1075	CH. 157
6466. (Sub.)	621	890	962	962	617,1210 1403,1409	CH. 269
6470. (Sub.)	614	809,868	1037	1037	612 1034,1210 1403,1409	CH. 247
6474. (Sub.)	621	637	963	963	617 850,1211 1403,1409	CH. 205
6476.	621	809			617,1199	
6480.	381	810	917	917	379,1228 1402,1409	PV CH. 265
6486. (Sub.)	509	811	974	974	506 974,1211 1403,1409	CH. 263
6491. (Sub.)	614				612,623	
6492.	509	814			506	
6493. (Sub.)	615				612	
6494.	509	692	877	877	506 940,986	CH. 12
6495. (Sub.)	621				617	
6498. (Sub.)	592	868	1050	1050	590,626 1038,1214 1047,1269	CH. 156
6501.	474	814			472	
6503. (Sub.)	437	815			434 1055,1199	
6505. (Sub.)	509				506	
6506. (Sub.)	438				434	
6508. (Sub.)	474				472	
6511.	381				379	
					506 696,1038	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6512. (Sub.)	509	891	1041	1041	1214,1269	CH. 253
6513. (2nd Sub.)	509	815	975	975	506,1211 1403,1409	CH. 46
6515.	592	817			590,1038 1055,1199	
6516.	438	625	714	714	434 938,986	CH. 26
6518. (Sub.)	615				612	
6519.	621	891	1005 1033	1005 1033	617 975,1004 1033,1211 1403,1409	CH. 221
6520. (Sub.)	509				506	
6523.	615	817	1035	1035	612 1034,1211 1404,1409	CH. 246
6526. (Sub.)	510				506	
6530. (Sub.)	615	817	918	918	612,1211 1404,1409	CH. 198
6531.	621	825			617	
6534. (Sub.)	621	825	975	975	617 1059,1075	CH. 48
6536. (Sub.)	474	625	894 966-969	969	472,894 895,966 1059,1075	CH. 27
6537.	475	629	969-971	971	472 1059,1075	CH. 28
6538. (Sub.)	615	825			612	
6546. (Sub.)	592	826,868			590,1199	
6548. (Sub.)	615	629,868	1046	1046	612,1044 1214,1269	CH. 84
6551. (Sub.)	475	692			472,850	
6556.	475	693	877	877	472 940,986	CH. 40

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6561. (Sub.)	475	630			472	
6562.	621	826			617	
6563.	592	693	877	877	590 940,986	CH. 73
6565. (Sub.)	592	826			590,631	
6568. (Sub.)	615				612	
6569. (Sub.)	510	826	1034	1034	506,976 1034,1211 1404,1409	CH. 270
6571.	381				379	
6572.	381				379	
6574.	621	827	918	918	617,1244	
6575. (Sub.)	621	827			617,1199	
6578.	615	827	1035	1035	612,1034 1212,1269	CH. 50
6591. (Sub.)	475	640			472	
6600.	438	827	919	919	434,476 992,1075	CH. 87
6601. (Sub.)	592				590	
6602. (Sub.)	475	630			472	
6603. (Sub.)	510	828	1048	1048	506 1047,1228 1402,1409	CH. 106
6605. (Sub.)	615				612	
6608.	510	829	976	976	506,626 1059,1075	CH. 218
6613.	438				434	
6614. (Sub.)	510	829			506,1200	
6623. (2nd Sub.)	622				617	
6625. (Sub.)	475				472	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6631. (Sub.)	510	829,868	991	991	506 976,991 1059,1075	CH. 259
6638.	615	829	938	938	612 623,626 938,1211 1404,1409	CH. 242
6641.	475	831	920	920	472 920,1211 1404,1409	CH. 260
6643. (Sub.)	622				617	
6647.	381	831	1010	1010	379 1010,1211 1404,1409	CH. 214
6650.	438				434	
6653. (Sub.)	622				618	
6656. (Sub.)	592				590	
6661. (Sub.)	438				434	
6667.	510	694	920	920	506 992,1075	CH. 23
6668.	510	832	921	921,1374	506 1373-1374 1518,1530	CH. 122
6670. (Sub.)	616	832	1051	1051	612 1050,1228 1402,1409	CH. 180
6671.	616	832,869	976-979	979	612,976 1247,1271 1402,1409	CH. 286
6672. (Sub.)	616	832	1055-1056		612 1055,1200	
6674.	622				618	
6675.	438	833	931- 933,1243	933,1243	434,931 1243,1314 1402,1409	CH. 43
6676. (Sub.)	592				590	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
6684.	475	630			472	
6693. (Sub.)	622	835			618	
6695.	592				590	
6703. (Sub.)	622	694	1052	1052	618,1228 1402,1409	CH. 99
6705.	438	835	921	921	434,1228 1402,1409	CH. 190
6711. (Sub.)	438				434,711	
6712.	438				434,711	
6717.	622	838			618	
6720.	382	840	1036,1042	1043	379,1034 1042,1250 1402,1409	CH. 250
6723.	510				506	
6724. (2nd Sub.)	592	841	940 941-945	945	590,940 941,1228 1402,1409	CH. 47
6736. (Sub.)	616	844	925	925	612,925 992,1075	CH. 108
6741. (Sub.)	622	844	979	979	618,1228 1402,1409	CH. 215
6742. (Sub.)	510	846,869	980	980	507 1059,1075	CH. 66
6745.	593	641	1036	1036	590 1034,1229 1402,1409	CH. 91
6763.	1543		1543	1543	1541,1543 1549	PV CH. 2 E1

HISTORY OF SENATE JOINT MEMORIALS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
8007.					120	
8019. (Sub.)	382	846			379	
8022.	382	846			379	
8026.	475	630	869	869	473,869 940,986	
8027. (Sub.)	382	625	1010	1010	379,927 1212,1269	
8028.	382	847	1044	1044	379 1044,1250 1402,1409	
8029.	288	848			284	
8030.	352,382	849	906	907	349 906,937	
8031.	622				618	

HISTORY OF SENATE JOINT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
8228. (Sub.)	593				590	
8230. (Sub.)	622				618	

HISTORY OF SENATE CONCURRENT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
8403. (Sub.)	510	849			507,623	
8425.	87				74,87- 88,182	
8428.	188		895	895	184,895 940,986	
8429. (Sub.)	476	641	873	873	473 872,1229 1402,1409	
8430. (Sub.)	1212		1242	1243	1211,1242 1402,1409	
8431.	616	849			612	
8432. (Sub.)	616				612	
8434.	706		941	941	706,941 1059,1075	
8441.	1530		1530	1530	1531	
8442.	1533		1533	1533	1533 1541,1542	

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Anesthetics or analgesics, alleviate pain of viable unborn children: HB 1979
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 Criminal abortion: HB 2019
 Fetal death, person from time of fertilization: HB 2032
 Fetal death, vital statistics: HB 2032
 Health insurance coverage: HB 2017
 Legal protection for unborn children: HB 1411
 Medical treatment to born child, denial based on disabilities prohibited: HB 2015
 Minors, parental notification or court order: HB 1976
 Prohibited based on sex, race, or color of unborn child: HB 2029
 Public funds may not be used for abortions: HB 1975
 Unborn quick child, assault and homicide statutes revised: HB 1980
 Unborn quick child, substantial bodily harm, second degree assault: HB 752

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 Reports of abuse, case planning with consultants: *SB 6338, CH 39

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 State auditor, contracts for municipal audits: HB 1421, *SB 6210, CH 52

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 *SB 6245, CH 92

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 College savings bond act: 2SHB 1356, SSB 6591, *2SHB 1640, CH 125
 Continuing care retirement community act: SSB 5854
 Economic development act of 1988: HB 1981, HB 1982
 Endangered species conservation act: 2SHB 210, SHB 1451
 Firearms civil rights act of 1988: HB 2016
 Freedom from government competition act: HB 1793
 Homeless self-sufficiency act: 2SHB 1564
 Judicial retirement account act: *SHB 1366, CH 109
 Manufactured home conversion act: SHB 1561
 Partnership for innovation act: HB 1960
 Professional wrestling act: HB 2007
 Regulatory relief and reform act of 1987, DTED to study and recommend: HB 1018
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 Rental assistance housing allowance act of 1988: SHB 1386
 Rental housing allowance act of 1988: SHB 1386
 Self-service storage facility act: *SSB 5595, CH 240
 Single rate business tax act: HB 1956

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- Smoking pollution control act: SHB 13
- State health care reform act of 1988: *SHB 2038, CH 107
- Urban and community forest act: SHB 1551
- Washington award for excellence in teacher preparation program act: SB 5246
- Washington state camping resort act: HB 791
- Workplace clean air act: SHB 13

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- New APA enacted: SHB 1367, *HB 1515, CH 288
- Revisions: HB 1431

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- Water filtration devices: HB 1832

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- Study claims of veterans: HJM 4035

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- Agriculture local fund created: *SSB 6344, CH 254
- Commodities, revisions: *SSB 6344, CH 254
- Community colleges, agricultural financial and management counseling and instruction: HB 1337
- Conservation reserve program, tax exemptions: SHB 1696, *SSB 6512, CH 253
- Controlled atmosphere warehouse fee, revisions: *SSB 6344, CH 254
- Crop lien time period extended for filing: SSB 5168
- Farm equipment purchases between farmers, use tax exempt: HB 1785
- Farm-worker housing: 2SHB 1301
- Food processors, sanitary certificates, fee to agriculture local fund: *SSB 6344, CH 254
- Frozen shellfish or fish, disclosure required: *SSB 6344, CH 254
- Grain dealers, bonding: *SHB 1285, CH 95
- Horticultural pest and disease board: *SSB 6344, CH 254
- Horticulture receiving, sales and use tax exemption extended to agents and independent contractors: *SHB 1336, CH 68
- Hydraulic permits, stream stabilization projects, revisions: HB 1996, *SSB 6024, CH 272
- Immigration, worker documentation certification: HB 1777, SSB 6294
- IMPACT sunset, revised: *HB 1515, CH 288
- IMPACT, Tri-Cities diversification: *2SHB 1835, CH 42
- Labor, day care project, Prescott area: HB 1934
- Labor, minimum wage, exemptions revised: HB 1544
- Labor, solicitation by the apple commission prohibited: HB 1699
- Labor, unemployment compensation, agriculture employees: HB 655
- Labor, unemployment coverage, aggregate fruit: HB 1772

AGRICULTURE—cont.

Labor market, information collection: SHB 1727

Pesticides, market agreements, regulation process: *HB 1304, CH 54

Pollution from nonpoint sources, procedures to investigate and remedy: SHB 543

Seeds, uniform seed law: SSB 6176

Special fuel reporting requirements, farmers, loggers exempt: HB 1500, *SSB 6399, CH 51

Tax exemptions revised, federal conservation reserve program: SHB 1696, *SSB 6512, CH 253

Tri-cities, development program, IMPACT, WSU, industrial council: *2SHB 1835, CH 42

Tri-cities, wine industry evaluated: *2SHB 1835, CH 42

Water supply emergencies: HB 1732, 2SSB 6513

Water use efficiency study: 2SSB 6380, *SHB 1594, CH 45

Wine commission, assessment implemented: *SSB 6178, CH 257

Wine commission, ex officio member: *SSB 6344, CH 254

AIDS

Assault in the 2nd degree: *2SSB 6221, CH 206

Center for voluntary action, information: 2SHB 1527, *2SSB 6221, CH 206

Clearinghouse for educational information: 2SHB 1527, *2SSB 6221, CH 206

Colleges, postsecondary students, AIDS education: 2SHB 1527, *2SSB 6221, CH 206

Community residential care studied: 2SHB 1527, *2SSB 6221, CH 206

Counseling and testing regulated: 2SHB 1527, *2SSB 6221, CH 206

Day care, foster care, and schools, AIDS victims may not attend or work in facilities: HB 1973

Discrimination protection for disabilities not extended to AIDS victims: HB 2022

Discrimination regulated: 2SHB 1527, *2SSB 6221, CH 206

Drug treatment program participants, counseling: SHB 1527, *2SSB 6221, CH 206

Drugs, testing for persons convicted of syringe offenses: *2SSB 6221, CH 206

DSHS, office on AIDS: 2SHB 1527, *2SSB 6221, CH 206

DSHS, supplemental budget: *SHB 1312, CH 289

Emergency service personnel, training and education rules: 2SHB 1527, *2SSB 6221, CH 206

Governor's AIDS advisory committee: 2SHB 1527, *2SSB 6221, CH 206

Gross misdemeanor to infect another person: 2SHB 1527

Health care facilities, testing of persons admitted: HB 1974

Infecting a minor, damages, fees: HB 1709

Insurance discrimination regulated: *2SSB 6221, CH 206

Interviews of AIDS/STD victims authorized: 2SHB 1527, *2SSB 6221, CH 206

Knowingly exposing another, class C felony: HB 1716

Law enforcement/public safety officers exposed to fluids: *2SSB 6221, CH 206

Mandatory testing of those believed to be infected or exposed: HB 1527, *2SSB 6221, CH 206

Marriage license issuance conditioned on AIDS test: HB 2021

Minors, consent of parents unnecessary for treatment: 2SHB 1527, *2SSB 6221, CH 206

Notice to persons residing with person who tests positive for AIDS: HB 2020

Pregnant women, counseling: SHB 1527, *2SSB 6221, CH 206

Prisoners: 2SHB 1527, *2SSB 6221, CH 206

Professions that contact public: HB 1972

Prostitutes: 2SHB 1527, *2SSB 6221, CH 206

Quarantine provisions of persons with STD: 2SHB 1527, *2SSB 6221, CH 206

Regional AIDS service network: 2SHB 1527, *2SSB 6221, CH 206

Regulation of various licensed professionals by appropriate disciplinary authority: 2SHB 1527, *2SSB 6221, CH 206

Reporting procedures: *2SSB 6221, CH 206

School employee training: 2SHB 1527, *2SSB 6221, CH 206

AIDS—cont.

- Schools, prevention education limited to AIDS spread and prevention: 2SHB 1527, *2SSB 6221, CH 206
- Sex offenders, convicted offenders tested: 2SHB 1527, *2SSB 6221, CH 206
- SPI, K-12 health education program: *SHB 1312, CH 289
- STD treatment, AIDS counseling: *2SSB 6221, CH 206
- Students with AIDS may not attend school: HB 1973
- Teachers with AIDS may not attend school: HB 1973
- UW, center for education, not intended for research: 2SHB 1527, *2SSB 6221, CH 206
- UW, provide DSHS AIDS office with materials and training: 2SHB 1527, *2SSB 6221, CH 206

AIR POLLUTION (See also INCINERATION)

- Air contaminant sources: SHB 478
- Incinerator siting, new solid waste burners and energy recovery facilities: SHB 1569
- Incinerators, record retention: HB 1636
- Incinerators, report on air quality, ash residue, recycling, siting moratorium: HB 1623
- Opacity limitations revised: *SSB 6603, CH 106
- Toxic emission control plans for new or existing source: SHB 414

ALCOHOL (See also BEER; DRUNK DIVING; LIQUOR; WINE)

- Beer retailers license fee increased: SSB 5070
- Case management protective payee system: *2SHB 1565, CH 163
- Chemical dependency, health care contracts: SSB 5070
- Concealed weapons permits revoked from certain persons: *SHB 1845, CH 223
- Driving under the influence, urine tests: SHB 1577
- Drunkenness, voluntary drunkenness is not criminal defense: HB 1408
- DSHS alcohol program, liquor revolving fund: SSB 5070
- Housing assistance for alcoholics, county tax on spirits and beer: HB 1806
- Involuntary commitment standards, privileged communications, length of stay: HB 1483
- Keg registration: SSB 5070
- Minors, drivers' license revocation for certain violations: HB 1343, SSB 6410, *HB 1482, CH 148
- Minors, unlawful to supply alcohol to minor: SSB 5070
- Minors, use, consumption, or possession, arrest: SSB 5070
- Shelter definitions provided: *2SHB 1565, CH 163
- Treatment program, competency of personnel: *SHB 1383, CH 193
- Treatment program, shelter provision, within DSHS available funds: *2SHB 1565, CH 163
- Vacant beds of alcohol/drug programs used by homeless: *2SHB 1565, CH 163
- Wine and grape research, liquor revolving fund: SSB 5070
- Workplace testing limited: HB 1876, SHB 1876

ALTERNATE OPERATOR SERVICES

- Regulating: *SB 6745, CH 91

AMBASSADOR PROGRAM

- Extended and broadened: *SSB 6290, CH 35

ANIMAL ABUSE

- Livestock, caring for, lien upon proceeds or accounts receivable: SSB 6432
- Trapping prohibited on private property without written permission: SB 5938

ANIMALS (See also ANIMAL ABUSE; GAME, DEPARTMENT OF; LIVE-STOCK; WILDLIFE)

- Endangered species conservation act: 2SHB 210, SHB 1451
- Hunting of game animals, economic benefits, trophy hunting stressed: SHB 1226

ANNEXATIONS (See also specific subject)

Adjustments to avoid common boundary lines within street right of way: SHB 1702, HB 1724

Fire district annexation of city or town, subsequent annexation by city of another service area: SHB 1702

Islands: SHB 1702

Municipal, petition: SHB 1702

Public utility districts, service areas redefined: SSB 6058

Unincorporated areas, procedure: SHB 1702

APARTHEID (See SOUTH AFRICA/NAMIBIA)**APIARIES**

Honey bee commission: HB 1995

Inspection program, budget: *SHB 1312, CH 289

Revisions: *SHB 1472, CH 4

APPEALS

Small claims court: *SSB 5943, CH 85

APPELLATE PROCEDURE

Terminology revised: *SB 5016, CH 202

APPLE COMMISSION

Agriculture worker solicitation prohibited by commission: HB 1699

APPLE CUP

Live coverage requested: HJM 4041

APPRENTICES

Disability compensation payments, use apprentices' actual wage rate: HB 1591, *SB 6396, CH 140,

AQUACULTURE (See also AQUATIC LANDS)

Experimental aquaculture: SHB 616

Fisheries department, economic impacts of salmon net pen aquaculture: SHB 616

Guidelines for aquacultural uses adopted: SHB 616

Harvesting of products raised and cultured as food crop, excise tax: HB 1958

Local governments to amend shoreline management plans to reflect statute revisions: SHB 616

Monitoring, operational and baseline, requirements: SHB 616

Moratorium on fish net pens pending programmatic EIS: HB 1635

Regulation and study of floating aquaculture on state-owned lands: HB 1635

Saltwater net pens, demonstration and study by DNR: SSB 5122

Shoreline permit review procedures, floating aquaculture: HB 1449

Substantial development permit, site characterization study: HB 616, SHB 616

Water quality standards, minimum standards adopted: SHB 616

AQUATIC LANDS

Appeal of actions on state-owned aquatic lands: SSB 5443

Historic preservation, priority on state-owned lands: SSB 5075

Indian shellfish claims, mediation process: SSB 5158

Indian tideland and river bed claims: SSB 5973

Sunken treasure, ownership of abandoned property on submerged lands: HB 1638, SSB 6298

AQUIFER PROTECTION DISTRICTS

Authority enlarged: *SSB 6266, CH 258

ARBITRATION (See also MEDIATION)

Sheriffs in third class counties, binding arbitration: HB 1933

ARTS COMMISSION

Director selected by governor: *HB 1492, CH 81

ASBESTOS

Workers' compensation authorized: *SHB 1592, CH 271

ASIAN-AMERICAN AFFAIRS COMMISSION

Sunset revised: *HB 1515, CH 288

ASSAULT

Adult dependent persons, witnesses to report: SSB 5065

Child assault, reporting revised: SSB 5065

Corrections' employees, performing official duties, reimbursement: *HB 1272, CH 149

Custodial assault, includes community corrections officers and volunteers: *HB 1280, CH 151

Redefined, intentionally assaults person under 12: HB 1711

Second degree, AIDS: *2SSB 6221, CH 206

Second degree, revisions: *SHB 752, CH 266, *SSB 6147, CH 158

ATHLETICS (See also HOUSE FLOOR RESOLUTION INDEX)

Joint advisory committee on women in athletics: HCR 4431

Olympics, compensated leave for athletes and officials: SSB 6216

ATTORNEY GENERAL (See also CONSUMER PROTECTION)

Ballot titles, legislature to provide title, AG to supply summary, complaint process: SHB 243

Commence term, 2nd Monday of January: HB 1335

MWBE, AG may bring action against violators: SHB 20

Supplemental operating budget, legal services revolving fund program split: *SHB 1312, CH 289

Supplemental operating budget, restriction on moving co-located attorney: *SHB 1312, CH 289

ATTORNEYS

Indigents, counsel appointment, study: SHB 1312, *SSB 6498, CH 156

AUCTIONS

State lands, auction sale requirements of low-valued sand, gravel, exempt: *SHB 1562, CH 136

BALLOTS (See also ELECTIONS)

Ballot titles, legislature to title, AG to summarize, complaint process: SHB 243

Double-sided ballot cards: HB 1126

Secret ballots prohibited at open public meetings: HB 974

BANKS

Acquisition, approval or disapproval by supervisor: HB 1736

Check deposits and fund availability, reduce fund availability delay: SHB 622

Construction liens, consumer information for real property lenders: *SSB 6569, CH 270

Equity skimming: *SSB 6096, CH 33

Escrow regulated: *SHB 1369, CH 178

Holding companies: HB 1736

Industrial development corporations, revisions: 2SSB 5398

Insurance agents, authority of banks to act as: HB 1600

Mortgages, monthly repayments in two installments: HB 1837

Motor vehicle purchases, service charge on retail installment sales limited: SHB 366

BEACON ROCK TRUST PROPERTY

DNR land, transferred to parks and recreation commission: *HB 1616, CH 79

BEER (See also ALCOHOL; LIQUOR)

Keg registration, state preemption: SSB 5070

Kegs, transactions to unlicensed purchasers, recordkeeping process: SSB 5070

Retailer license fee increased: SSB 5070

BELFAIR STATE PARK

Capital budget, supplemental: *SSB 6763, CH 2 E1

BEVERAGE CONTAINERS (See also RECYCLING)

Approval required, biodegradable or recyclable: HB 1657

Metal beverage tabs on metal containers prohibited: SHB 1456, HB 1532

Plastic ring connectors prohibited: HB 1415, SHB 1456, HB 1532

BIRTH CERTIFICATES

Suitable for display, fees to children's trust fund: HB 1760, *SB 6556, CH 40

BIRTH DEFECTS

Insurance coverage study, congenital anomalies of infant children: SHB 1722

Prenatal testing, insurance coverage: *2SSB 5378, CH 276

BLIND PERSONS

Bond authorization for regional and community facilities: HB 1385

Capital budget, supplemental: *SSB 6763, CH 2 E1

Educational service districts, contracts with school for blind: *HB 1693, CH 65

Guide dogs, killing or injuring, penalties: *SSB 6350, CH 89

BOATS

Charter boats, redefined: *HB 1300, CH 9

Marine patrol services, distribution of watercraft tax, arbitration: *SHB 46, CH 261

Oil dump and holding tank information: SHB 1391

Registration, fraudulent failure to register: SHB 1860

Vessel dealer registration, deposit in-lieu of surety bond: SSB 6614

BONDS

Capital projects, general obligation bonds: SHB 1355

Capitol campus, general obligation bonds for state-owned office buildings: HB 2037

Certificates, printing by state printer requirement removed: *HB 1332, CH 102

College savings bond program: SSB 6591, 2SHB 1356, *2SHB 1640, CH 125

Handicapped persons, bonds for regional and community facilities, care, rehabilitation, and training: HB 1385

Investment of proceeds, excess earnings account created: HB 1349, *SB 6245, CH 92

Sale of general obligation bonds at discount authorized: HB 1554

State and local governments: HB 1397, SB 6405

BORDER AREAS

Legal loads from other states: *HB 1884, CH 229

Liquor revolving fund, distribution to border areas: 2SHB 1303

Supplemental resources for border impact: *HB 1884, CH 229

BOXING COMMISSION

Boxer license applicants to submit sworn report on bout records: SSB 5364

Boxer license applicants to submit to medical exam: SSB 5364

Name changed to state athletic commission: SSB 5364

Professional wrestling act: HB 2007

References corrected: *SB 6374, CH 19

Violations and penalties: SSB 5364

BREMERTON (See also MILITARY)

Armed forces population, enrollment forecasts: *SB 6641, CH 260

Battleship USS Missouri, base in Bremerton: HJM 4046

BRIDGES

Elmer Huntley, bridge no. 10 renamed: HCR 4443, SCR 8434

Rural arterials, bridge replacement: *SB 6516, CH 26

BRITISH COLUMBIA

College tuition and fee reciprocity: SB 5821

BUDGET

- Balanced budget, referendum for federal constitutional amendment: HB 1869
- Biennial requests, anticipated general fund revenues reduced due to debt service: SHB 1556
- Capital budget plan reviews: SSB 6055
- Capital projects, OFM standards, space, costs: SHB 1556
- Capital, statement of funding source: HB 1555
- Darrington, school construction: *SSB 6763, CH 2 E1
- Higher education coordinating board, review supplemental budget requests of colleges: HB 1864
- Operating budget, annual ongoing/routine maintenance: SHB 1556
- Supplemental capital budget: SHB 1455, *SSB 5763, CH 2 E1
- Supplemental operating budget: *SHB 1312, CH 289
- Supplemental transportation budget: SHB 427, *SHB 1701, CH 283
- Transportation funding, appropriation to alleviate negative impact of no federal funding: SSB 6020

BUILDING CODES/PERMITS

- Energy code revised, state supersession date delayed: HB 1761, *SB 6408, CH 204
- Threshold increased for permit: SB 6321

BUSES

- Passenger charter carriers, revisions, certificate required: *SB 5451, CH 30
- Private school students, public buses: SSB 5334

BUSINESSES (See also SMALL BUSINESSES; TAXES - BUSINESS AND OCCUPATION)

- BIDCO, formation of corporations authorized: SHB 1358, HB 1981, HB 1982, 2SSB 6220
- Business and job retention program, DTED: SHB 1438, HB 1891, HB 1892
- Business assistance center, delivery of environmental and hazardous waste programs: HB 1687
- Closure, economic stabilization matching fund for industrial facilities: HB 1827
- Closure, federal legislation requiring advance notice urged: HJM 4044
- Competition by government in commercial activity, freedom from government competition act: HB 1793
- Dislocated workers, funding program to assist: HB 1920
- Employee buyouts, credits and deferrals authorized: HB 1826
- Employee involvement programs: HB 1828
- Hanford plant closure disaster plan: SJM 8029
- Industrial development corporations, major revisions: 2SSB 5398
- Joint select committee on commercial activities: SHB 1909
- Layoffs and closures, study and monitor: HB 1981, HB 1982
- Local marketplace programs: 2SHB 1516, HB 1891, HB 1892
- Minority and women's businesses, small business requirements: SHB 20
- Private enterprise review board, competition between government and private business evaluated: HB 1789
- Relocation, termination, or sale, employer obligations established: HB 1552
- Seed capital, city and county seed capital pool act: HB 1582
- Tax credits for hiring military reservists and national guards: HB 1738

BUTTER

- Nonstandard specialty items: *SHB 1362, CH 63

CAMPAIGNS (See also ELECTIONS; PUBLIC DISCLOSURE COMMISSION)

- Charitable organization's contributions regulated: SHB 1679
- Expenditure and contribution limits, requesting an amendment: HJM 4005
- Finance reporting laws revised: HB 1350, SB 6151
- Financing, limitations on contributions, matching funds: 2SHB 1284
- Grass roots lobbyist, reporting requirements: HB 1905
- Lobbying, campaign laws, public office funds, revisions: SSB 6451
- Political advertising, false advertising prohibited: *SHB 657, CH 199

CAMPAIGNS—cont.

Public office funds, quarterly reports required: SB 6369
 State election campaign account established: 2SHB 1284

CAMPING CLUBS

Regulated: *SHB 791, CH 159

CAPITAL BUDGET (See also BUDGET)

Debt-financed pass-through money to local government, capital budget: SHB 1556

Statement of funding source: HB 1555

Supplemental budget: *SSB 6763, CH 2 E1

CAPITAL PROJECTS OFFICE

Created, major urban and rural development projects: SSB 6284

Pilot project within DTED to assist businesses in international competition: SB 5832

CAPITOL CAMPUS

Capitol campus office development account: *SSB 6763, CH 2 E1

East campus supplemental: *SSB 6763, CH 2 E1

General obligation bonds for state-owned office buildings: HB 2037

CAREER EXECUTIVE PROGRAM

Sunset, revised: *HB 1515, CH 11

CASCADE ISLAND TRUST PROPERTY

DNR land, transferred to parks and recreation commission: *HB 1616, CH 79

CATHETERIZATION

School employees authorized to perform: *SSB 6534, CH 48

CENTENNIAL CELEBRATION

Centennial document preservation act: HB 1737

Citizen councilors: HB 1522

CENTRALIA COMMUNITY COLLEGE

District 24 created: *HB 1361, CH 77

CHEHALIS INDIANS

Criminal jurisdiction by tribe reestablished: SHB 1394, *SSB 6736, CH 108

CHILD ABUSE

Assault, second degree redefined, person under 12: HB 752

Background checks of teachers, exemptions: *HB 1694, CH 97

Clearinghouse, state-wide data base, council for the prevention of child abuse and neglect: SB 5757

Corrections officers trained to identify and prevent: *SHB 1312, CH 289

Discipline: HB 1968, SSB 6363, SSB 6441

Homicide by abuse, bail jumping class A felony: HB 1265

Law enforcement response: *SB 6705, CH 190

Malicious reporting, penalties imposed: *SHB 608, CH 142

Parenting plans, visitation prohibited if parent has been abusive: HB 1547

Parenting skills, early parenting education program: *SSB 6115, CH 278

Pilot project, children and family services, comprehensive system state-wide: 2SSB 5553

Placement of victims: *SSB 6207, CH 189

Removal of offender from home so that child can safely remain: *SB 6705, CH 190

Reporting by DSHS to law: SSB 6174

Reporting by public employees, employer to provide legal defense: *SB 6600, CH 87

Reports, case planning, consultants as designated by DSHS: HB 1546, *SB 6338, CH 39

Sexual abuse, infecting a minor, 60 months additional time, damages, fees: HB 1709

Sexual abuse, policies considered by judges, attorneys, courts: SSB 6506

CHILD ABUSE—cont.

- Sexual abuse, statute of limitations: SHB 1494, *SSB 6305, CH 144
- Sexual abuse, training, evidence, recognition, budget: *SHB 1312, CH 289
- Sexual abuse, trial must not be delayed: SSB 6322
- Sexual offenses, claims not barred by imputed knowledge of custodian or guardian tolling statute: *SSB 6305, CH 144
- Sexual offenses, definitions, classifications, sentencing matrix: *SHB 1333, CH 145
- Sexual offenses, offenders to pay victims mental health treatment: HB 1605
- Sexual offenses, persons convicted prohibited from working in the public schools: HB 1743, SSB 6503
- Sexual offenses, revisions: SB 6171
- Teen parents, counseling, survey to identify victims: HB 1345
- Testimony by child regarding sex offenses: SHB 1534, SSB 6506
- Visitation restricted: HB 1523, SHB 1523
- Witnesses, reporting requirements revised: SSB 5065, SSB 6172

CHILD CUSTODY

- Abuse victims, out-of-home placement, available family members listed: *SSB 6207, CH 189
- Custodial interference law strengthened, vetoed: SB 6447
- Lesbians, bisexuals, or homosexuals may not have custody or live with children: HB 2023
- Parenting plans, visitation prohibited if parent has been abusive: HB 1523, HB 1547, SSB 6179
- Residential provisions, parental compliance order: HB 1463
- Sexually abused children, policies considered by judges, attorneys, courts: SSB 6506

CHILD DEPENDENCY/CPS

- Alternative residential placement: SHB 1911
- Appropriations, priority for children's services established: HJR 4225
- Counties, obligation to pay: HB 2003
- Crisis residential centers, contracts with service clubs or charitable organizations: HB 1863
- Dependency, maintained for 2 years: SSB 6309, *SHB 1586, CH 194
- Dependency, no abuse or neglect, parent willing and able to care for child: SHB 1911
- Guardian ad litem, appointment provisions: *HB 1585, CH 232
- High-risk youth, procedures: 2SHB 1589
- Intervention by state, primary purpose stated: HB 1584
- Notice to natural or legal guardian, publication requirements: SB 6310, *HB 1588, CH 201
- Petition, hearing: SSB 6309, *SHB 1586, CH 194
- Removal of abuse offender from home: *SB 6705, CH 190
- Removal of child, agency plan for child's placement, elements: SSB 6309, *SHB 1586, CH 194
- Testimony, sex abuse cases, child under 10: SHB 1534
- Writ of mandamus to compel court action on inactive petition: SHB 1911

CHILD SUPPORT

- State-wide child support schedule: *SHB 1465, CH 275
- Workers' compensation, support owing, lien, calculation modified: HB 1574

CHILDREN/MINORS (See also DAY CARE)

- Abortions, parental notification or court order: HB 1976
- Abortions, use of public funds prohibited without written parental consent: HB 2027
- Alcohol use: SSB 5070
- Birth control, use of public funds prohibited without written parental consent: HB 2027

CHILDREN/MINORS—cont.

- Children and family services pilot project, comprehensive system state-wide: 2SSB 5553
- Children's trust fund, birth certificate fees for certificates suitable for display: HB 1760, *SB 6556, CH 40
- Discipline, parents' right to discipline and control their children: HB 1968
- Discipline, reasonable and moderate force permitted: SSB 6363
- Driver's license revocation, drug or alcohol violations: HB 1343, SSB 6410, *HB 1482, CH 148
- Drug and alcohol prevention programs, liquor revolving fund: SSB 5070
- Early childhood education and assistance program, voluntary grants and contributions: *SSB 6181, CH 174
- Firearms, unlawful possession, count equivalent juvenile offenses: HB 1957
- Insurance coverage study of congenital anomalies of infant children: SHB 1722
- Juvenile code, task force on permanency planning: HCR 4409
- Juvenile court training curriculum: HB 1539, *SSB 6308, CH 234
- Juvenile detention standards: SHB 1384
- Juvenile disposition standards revisions requested: HJM 4039
- Juvenile offenders, charges, disposition amended: HB 1462
- Juvenile offenders, job search and employment skills prior to release: HB 1360
- Juvenile offenders, supreme court requested to shorten time limits, speedy trial: HJM 4038
- Juveniles, chronic offenders: HB 1787
- Juveniles, diversion agreements with law enforcement agencies: SHB 1461
- Juveniles, school districts included in definition of juvenile justice or care agency: HB 1790, HB 1791
- Medical treatment, denial prohibited: HB 2015
- Missing children, flagging requests for birth and school records: HB 1425
- Phone-sex services, limit access to minors: *HB 1796, CH 123
- Residential provisions, parental compliance orders: HB 1463
- Sexual exploitation of minors, major revisions: SB 6712
- Substitute care, revisions, local citizen review board: 2SSB 6191
- Suicide, study on teenage suicides authorized: SHB 873
- Unborn, legal protection provided, time of fertilization: HB 1411
- Unborn quick child is a child for criminal mistreatment purposes: HB 1978

CHIROPRACTORS

- Practice rights clarified and described: HB 1751

CHORE SERVICES

- Hourly unit rate increased: HB 1583

CHURCHES

- Private schools, church-approved private school is an approved private school, filing requirements modified: SB 6695
- Tax exemption for property revised, expanded: HB 2018, SB 5387

CIGARETTES

- Free sample distribution prohibited: HB 1452
- Marketing standards, unfair and deceptive practices: HB 1935, HB 1977
- Schools, students or staff may not use on school property: SB 6460

CITIES (See also LAND USE PLANNING)

- Admission tax repealed: HB 1931
- Citizens' committee to review local governments: SHB 1632
- Electrical facilities and lines construction, authority of governing body where activity is located: HB 1991
- Fire protection of state-owned buildings, financing: HB 1010
- Mayor pro tempore, term: *HB 1833, CH 196
- Personal service contracts, resources unavailable, time or money are an issue: HB 1758
- Publication of legal notice, requirements revised: *SHB 1317, CH 168

CITIES—cont.

- Sales and use tax, additional tax authorized for cities not imposing a certain B & O tax: HB 1756
- Solid waste management, cities and their counties to have a single authority: SHB 115
- Spouses, no spouses on same governing body: HB 1890
- Street and sidewalk improvement and maintenance, tax authorized: HB 1757
- Trees, urban and community forest act: SHB 1551

CIVIL ACTIONS AND PROCEDURES (See also COURTS)

- Marriage, wrongful interference with a marriage: HB 1971
- Venue, district court, place of employment may substitute for residence: *SSB 6402, CH 71

CIVIL DISORDERS

- Gun demonstrations for civil disorder purposes prohibited: SB 5744
- Select committee, study groups that advocate and teach furtherance of civil disorders: SB 5744

CIVIL INFRACTIONS

- Misdemeanors, system of civil infractions established: SSB 5083
- Task force established: SSB 5083

CIVIL RIGHTS

- Right to bear arms, firearms civil rights act of 1988: HB 2016

CODE REVISER

- Motor vehicle installment contracts, maximum rate of interest published: HB 1622, *SB 6412, CH 72

COLLECTIVE BARGAINING (See also LABOR RELATIONS)

- Courts, district and municipal court employees: HB 1309
- References revised and clarified: *HB 1330, CH 110
- Schools, school district director authority under basic education act is not subject to bargaining: HB 1742
- Sheriffs in 3rd class counties, binding arbitration: HB 1933
- Successor clauses, binding and effective until expiration date of agreement: HB 1669

COLLEGES AND UNIVERSITIES (See also individual institutions)

- Admissions standards, sign language meets language requirement: *SSB 6452, CH 172
- AIDS education, post-secondary education students: 2SHB 1527, *2SSB 6221, CH 206
- Collaborative projects between higher education and common schools: SSB 6145
- Community service activities encouraged, community service corps program: SHB 1520
- Deferred annuities: HB 802
- Disabled parking: SHB 1115
- Donated property, use tax exemption repealed: HB 1830
- Donations of modern equipment: SHB 1490, SSB 6602
- Early outreach programs, pilot project, middle or high school students: SB 6684
- Equipment, intergovernmental loan or transfer, use tax exempt: HB 1814, SSB 6561
- Financial aid, reject reductions: SJM 8009
- Future teachers conditional scholarship program, grade-point criteria waiver: *2SHB 1640, CH 125
- Higher education master plan, budget: *SHB 1312, CH 289
- Library use by private college students, reimbursement: HB 1721
- Master plan approved, study group established: HCR 4433, SSCR 8429
- Minority recruitment, budget: *SHB 1312, CH 289
- National science fellows program established: HB 1428
- Nurses, conditional scholarship program: SHB 1357, SHB 1404, *SB 6638, CH 242
- Residency revisions: HB 1344

COLLEGES AND UNIVERSITIES—cont.

- Ross, G. Robert public service award: SHB 1640
 Savings bonds program: 2SHB 1356, SSB 6591, *2SHB 1640, CH 125, SSB 6591
 Science foundation grant program, established: HB 1989
 Senior development program: *SB 6418, CH 105
 Student exchange program with other state's public colleges: HB 1809
 Student loan eligibility revised: HB 1885
 Teachers, loan program for prospective teachers and teachers getting more endorsements: SB 5937
 Teachers, pilot program to enhance student teaching: SB 5152
 Teachers, preparation program, award for excellence: SB 5246
 Tuition and fees, cannot exceed average tuition at peer institutions: HB 1519
 Tuition and fees, exemptions, nonresident differential for certain full-time governmental employees: HB 1282
 Tuition and fees, exemptions, nonresidents employed by Washington entities: HB 1992
 Tuition and fees, reciprocal programs, continuing: SB 5821
 Tuition and fees, reciprocal programs with Idaho contingent on Idaho's income tax treatment of Washington residents: SB 5821
 Tuition and fees, resident, head of household received permanent job transfer: SHB 1595
 Tuition waivers, foreign students, limited number: SB 5958
 Tuition waivers, national guard members: HB 1781
 Tuition waivers, requesting exemption from federal income tax: SJM 8026
 Washington fund for excellence in higher education program, grants to encourage improvements: SB 5475
 Washington scholar's award: SHB 1800, *SSB 5558, CH 210

COLUMBIA BASIN PROJECT

- Water availability study committee, sunset: SHB 1382

COLUMBIA COUNTY COURTHOUSE

- Capital budget, supplemental: *SSB 6763, CH 2 E1

COLUMBIA RIVER

- Columbia river gorge, sites designated for spoils to improve recreational value: SJM 8028

COMMODITIES

- Agricultural commodities redefined: *SSB 6344, CH 254
 Grain dealers: *SHB 1285, CH 95
 Marketing agreements, participation in pesticide regulation process: *HB 1304, CH 54

COMMON CARRIERS (See also TRUCKS/TRUCKING)

- Idaho requested to exempt nonresident common carriers employees from income tax: SSJM 8013
 Identification on certain large trucks: *SHB 1672, CH 56
 Tax revisions for those who cross state lines: SSJM 8012

COMMUNITY COLLEGES

- Business and job retention program duties: 2SSB 6277
 Capital budget, supplemental: *SSB 6763, CH 2 E1
 Deferred annuities: HB 802
 District 24 created from district 12, Centralia community college and South Puget Sound community college: *HB 1361, CH 77
 Faculty members, reduced work load options for tenured faculty members: *SB 5953, CH 32
 Farm foreclosure mediation: SSB 6344
 Part-time faculty salary increase: *SHB 1312, CH 289
 Retirement provisions modified, supplemental pension benefits eliminated: SHB 53

COMMUNITY COLLEGES—cont.

- State board, membership eligibility revised: *SB 6101, CH 76
- Tuition and fees, reciprocity, British Columbia and Idaho: SB 5821
- Tuition and fees, cannot exceed average tuition at peer institutions: HB 1519
- Tuition and fees, exemption from nonresident differential for certain full-time governmental employees: HB 1282
- Tuition waiver, agricultural financial and management counseling and instruction: HB 1337
- Washington fund for excellence in higher education program, grants to encourage improvements: SB 5475

COMMUNITY DEVELOPMENT, DEPARTMENT OF

- Business and job retention program, advisory committee, service delivery regions, survey: SHB 1438, HB 1891, HB 1892
- Capital budget, supplemental: *SSB 6763, CH 2 E1
- Development loan fund, additional funding: HB 1844, HB 1891, HB 1892
- Development loan fund committee, sunset: *SHB 1382, CH 186
- Earthquake information dissemination and surveys: SSB 5885
- Economic development board, sunset: *SHB 1382, CH 186
- Economic stabilization matching fund, prevent closure of industrial facilities: HB 1827
- Employee involvement programs: HB 1828
- Employee ownership advisory panel, sunset: *SHB 1382, CH 186
- Farm-worker housing, grants: 2SHB 1301
- Indian tideland and river bed claims, impact of claims on employment, investment, and tax revenues: SSB 5973
- Investment opportunities office: 2SSB 5398
- Local education and enterprise development program: HB 1891, HB 1892, SHB 1925
- School children, health and assessment services, pilot program: HB 725, SSB 5625
- Seismic safety council created: SSB 5885
- Self-help housing program: SHB 1563
- Underemployment, study: HB 1155

COMMUNITY PROPERTY (See also RETIREMENT AND PENSIONS)

- Military benefits, community property distribution, modification of judgments: SHB 538
- Military retirement pay: SSB 5278
- Quasi-community property, technical corrections: *SB 6113, CH 34

COMPETITIVE BIDDING

- Neighborhood improvement projects exempt: *SHB 1633, CH 233
- Public purchases, contract with individuals or entities: HB 1794
- Voc-tech institutes exempt, sole source suppliers: HB 1786

CONCURRENT RESOLUTIONS (See also HOUSE OF REPRESENTATIVES)

- Contra aid opposed, normalize trade with Nicaragua: HCR 4437
- Disability, minority group for affirmative action purposes: SSCR 8403
- Eating disorders awareness week: HCR 4445
- Fraser river sockeye panel: *SHCR 4403
- Gillnet fishing during daylight hours, rule development: *SHCR 4403
- Higher education master plan, study group: HCR 4433, *SSCR 8429
- Huntley, Elmer, commemoration: HCR 4443, *SCR 8434
- Hydroelectric development plan, need affirmed: HCR 4434
- International trade, tourism, and investment, joint legislative study: SSCR 8432
- Julia Butler Hansen commendation: *SCR 8428
- Juvenile code, task force on permanency planning, continuation of effort: HCR 4409
- Korean veterans memorial, construction: HCR 4442
- Labor-management relations, joint-select committee: HCR 4447
- Liquor law reviews, joint select committee: HCR 4429

CONCURRENT RESOLUTIONS—cont.

Mature industries, joint select committee: HCR 4436

Nuclear affairs, joint select committee: SHCR 4430

Nuclear waste board and nuclear advisory council, continued: HCR 4440

Optometric association and lions sight conservation foundation recognized: HCR 4444

Pacific fisheries task force: *HCR 4402

POW and MIA flags, display: HCR 4439, *SSCR 8430

School construction, joint select committee: *HCR 4460

Schools, nonemployee related costs, task force: HCR 4438

Small business conference: SCR 8410

State convention and trade center, joint select investigative committee: SSCR 8412

Technology transfer, joint select committee: HCR 4432

Transportation in the future symposium: HCR 4411

Transportation considered in policy development: HCR 4435

Women in athletics, joint legislative advisory committee: HCR 4431

Workforce training and retraining, joint select committee: SCR 8431

CONDOMINIUMS

Homestead exemption not for debts arising from covenant: SSB 6162, *SHB 1329, CH 192

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Appliance energy conservation code, adoption urged: SSJM 8002

Dangerous wastes, waste exchange between industries: SHB 332

CONSERVATION, DEPARTMENT OF

Devolution of power, obsolete references corrected: *SB 6370, CH 127

CONSTITUTIONAL AMENDMENTS (See JOINT RESOLUTION INDEX)**CONSUMER PROTECTION**

Equity skimming, prohibitions: *SSB 6096, CH 33

Insurance commissioner duties: *2SHB 318, CH 248

Telecommunications, alternate operator services, services without disclosure: *SB 6745, CH 91

Unfair practice suits, actual costs of suit to be recovered: HB 1753

Water filtration devices: HB 1832

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Oppose: HJM 4042, HCR 4437

CONTRACTORS (See also GENERAL ADMINISTRATION; PUBLIC WORKS)

Bonds and securities, claims against clarifications: *SSB 6357, CH 139
 Disclosure, lien claim: *SSB 6435, CH 182
 Liens, consumer information for real property lenders: *SSB 6569, CH 270
 Materialmen's liens, contractors or subcontractors supplying mixed labor/materials for single job: HB 2031
 Notice to customers, status of contractor's bond: HB 1342, *SSB 6435, CH 182
 Notice to customers, status of contractor's registration: SHB 1342
 Public works projects, contractors must be registered in state: SHB 1364
 Registration denied for unsatisfied judgments: *SB 6182, CH 285
 Registration information and personal homeowner data posted at jobsite: HB 635, SHB 635
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Motor vehicle purchases, service charge on retail installment sales limited: SHB 366
 Neighborhood improvement projects, exemptions: *SHB 1633, CH 233
 Real estate contract forfeitures, revisions: *SB 6143, CH 86
 State contracts with individuals or entities not prohibited: HB 1795
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Acquisitions and transfers of real property, OFM and legislative approval: HB 1801, HB 2035, HB 2039, SB 6757, *HB 2057, CH 1 E1
 Credit cards honored for goods and services: *HB 2057, CH 1 E1
 Eagles building cleanup and repair: HB 1801, HB 2035, HB 2039, SB 6757, *HB 2057, CH 1 E1
 General obligation bonds, modifications: HB 2035, HB 2039, SB 6757, *HB 2057, CH 1 E1
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 Lease and sublease contracts authorized: HB 1801
 Lease and sublease, OFM and legislative approval: HB 2035, HB 2039, SB 6757, *HB 2057, CH 1 E1
 Lease of individual retail space, meeting rooms, facilities, no OFM approval required: HB 2035, HB 2039, SB 6757, *HB 2057, CH 1 E1
 Marketing and promotion, use additional tax revenue: HB 2035, HB 2039, SB 6757, *HB 2057, CH 1 E1
 McKay parcel purchase: HB 1801, HB 2035, HB 2039, SB 6757, *HB 2057, CH 1 E1
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 Seattle-King county convention and visitors bureau, contracts authorized for marketing: HB 1801, HB 2035, HB 2039, SB 6757, *HB 2057, CH 1 E1
 Spokane county, trade, sports, and convention center, public nonprofit corporation authorized to construct: HB 2035, HB 2039, SB 6757
 Supplemental operating budget: *SHB 1312, CH 289
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Child discipline, reasonable and moderate force permitted: SSB 6363
 Parents' right to discipline and control their children: HB 1968
 Schools, prohibited: HB 840
 Substantially interfering with a child's breathing is unreasonable: HB 1968

CORPORATIONS

BIDCO, formation of corporations authorized: SHB 1358, HB 1981, HB 1982, 2SSB 6220
 Industrial development corporations, major revisions: 2SSB 5398
 Takeovers, acquisitions, and mergers, limitations urged: HJM 4043
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CORRECTIONS, DEPARTMENT OF (See also JAILS; PRISONERS/PRISONS; SENTENCING)

- AIDS, prisoners may be examined and treated: 2SHB 1527
- AIDS, prisoners may be tested: *2SSB 6221, CH 206
- AIDS, segregation policy studied: *2SSB 6221, CH 206
- Assault, custodial assault, definition expanded to include community corrections officers and volunteers: *HB 1280, CH 151
- Assault, employee assault benefits, assaults occurring in offices: *HB 1272, CH 149
- Capital budget, supplemental: *SSB 6763, CH 2 E1
- Child abuse, corrections officer training to identify and prevent: *SHB 1312, CH 289
- Community corrections officers, immunity: *SHB 1424, CH 153
- Community custody, study classification system used to determine supervision level: *SHB 1424, CH 153
- McNeil Island parking problems, supplemental operating budget: *SHB 1312, CH 289
- References corrected, terminology updated, revisions: *SHB 1271, CH 143
- Restitution: SHB 1279
- Shelton population, revisions: *SHB 1271, CH 143
- Superintendents of institutions, powers, duties, and responsibilities specified: *SHB 1271, CH 143
- Walla Walla, assistance for impact of penitentiary: HB 1427

CORRECTIONS STANDARDS BOARD

- Membership altered, board extended: SB 5467

COUNSELING/COUNSELORS

- Registration, exempt from public disclosure and copying: HB 1894
- Schools, elementary school program: HB 1495, HB 1964
- Teen parents, counseling provided, survey to identify victims: HB 1345
- Teenage parents, victims of abuse, budget: *SHB 1312, CH 289
- Victims of sex offenses under 18, offenders to pay for treatment: HB 1605

COUNTIES (See also LAND USE PLANNING; RETIREMENT AND PENSIONS)

- Annexations, petition: SHB 1702
- Citizens' committee to review local governments: SHB 1632
- Dependency proceedings and families in conflict procedures: HB 2003
- Home rule charters, adoption procedures: SHJR 4210
- Payday revisions: HB 1003, *SHB 1652, CH 281
- Personal service contracts, resources are unavailable, time or money are an issue: HB 1758
- Publication of legal notice, requirements revised: *SHB 1317, CH 168
- Research bureau, liquor excise tax distribution to association of counties: HB 2002
- Sheriff's office, permitting county employees to transfer to prior existing positions: SHB 1334
- Solid waste management, cities and their counties to have a single authority between them: SHB 115

COUNTY AUDITORS (See also ELECTIONS)

- Documents, centennial document preservation act: HB 1737
- Real estate contracts, recording required for seller to exercise remedies: SHB 1821

COUNTY COMMISSIONERS

- Five member boards: HB 1621, SSB 5020
- Meetings of board: HB 1316

COURTS (See also CIVIL ACTIONS AND PROCEDURES; CRIMES; DRUNK DRIVING; JUDGES)

- Additional judges, weighted caseload analysis: SSB 5770
- Appellate procedure terminology revised: *SB 5016, CH 202
- Child testimony regarding sex offenses: SSB 6506

COURTS—cont.

- Collateral attack on a judgment in a criminal case, limitations: HB 1750
- Costs, definition clarified: *SHB 1617, CH 169
- District courts, venue, civil actions, revisions, place of employment may substitute for residence: *SSB 6402, CH 71
- Judgments, central registry of judgments: HB 1665
- Judgments, criminal, bear interest from date of judgment: SHB 1748
- Judgments, enforcement of judgments, revisions: *SHB 1368, CH 231
- Judgments, enforcement of money judgments, assignment, satisfaction, recording: SB 5450
- Judicial information system, supplemental operating budget: *SHB 1312, CH 289
- Juries, revisions regarding selection and summoning: *SHB 1460, CH 188
- Juvenile court training curriculum: HB 1539, *SSB 6308, CH 234
- Marriage solemnization by court commissioner: SB 5103
- Misdemeanors, system of civil infractions established: SSB 5083
- Municipal and district courts, impact of consolidation: SSB 6439
- Municipal court judges, nonattorneys, qualifications: SB 5592
- Personal restraint petitions, filing limitations: HB 1750
- Postconviction relief, collateral attack limitations: HB 1750
- Prejudgment interest, period of time for which interest is payable specified: SHB 877
- Small claims court, appeals, monetary thresholds: *SSB 5943, CH 85
- Superior court clerk services, fees modified: HB 1608
- Supplemental operating budget, superior court judges program: *SHB 1312, CH 289
- Vehicular homicide and assault, terms of revocation: SSB 5868
- Yakima county, additional judge: *SSB 6742, CH 66

CRIME LABORATORY

- Director appointed for 6 years: HB 1741
- Law enforcement crime laboratory council established: HB 1741
- Revisions, bureau authorized to give lab prominence: HB 1741
- Study by council regarding combining crime lab, toxicology lab, examiner system: HB 1741
- Supplemental operating budget: *SHB 1312, CH 289
- Task force, established: SSB 5460

CRIMES (See also MOTOR VEHICLES; VICTIMS/WITNESSES OF CRIMES)

- Abortions, minor without proper consent is a misdemeanor: HB 1413
- Abortions, criminal abortion: HB 2019
- AIDS, assault in the 2nd degree: *2SSB 6221, CH 206
- AIDS, knowingly exposing another, class C felony: HB 1716
- Alcohol, unlawful to supply to minor: SSB 5070
- Appeals, appeal stays the execution of judgment of conviction: SHB 1748
- Assault, custodial, includes community corrections officers and volunteers: *HB 1280, CH 151
- Assault, corrections' employees performing duties: *HB 1272, CH 149
- Assault, unborn quick child: HB 1980
- Assault, 2nd degree, pain or agony equivalent to torture: *SHB 752, CH 266, *SSB 6147, CH 158
- Assault, 3rd degree, criminal negligence causes substantial pain with considerable suffering: SSB 6147
- Begging, guilty of disorderly conduct: SSB 5596
- Burglary, residential burglary: HB 1787, HB 1950
- Child sexual abuse, statute of limitations: *SSB 6305, CH 144
- Child sexual abuse, trial must not be delayed: SSB 6322
- Collateral attack on a judgment, filing limitations: HB 1750
- Crack houses, unlawful to rent, drug distribution: SSB 5070
- Crime laboratory task force: SSB 5460
- Defense of person or property, revisions regarding heinous crime: SB 6108

CRIMES—cont.

- Drug transactions or business involving coercion of minors unlawful: SSB 5070
- Drunkenness, voluntary drunkenness is not a defense: HB 1408
- Electric weapons unlawful: SB 5869
- Equity skimming, prohibitions: *SSB 6096, CH 33
- Escape redefined: *SHB 1424, CH 153
- Felonies, seizure of property: HB 1808
- Felons found guilty and awaiting sentencing, release criteria: SHB 1748
- Firearms, unlawful possession, previous conviction: HB 1957
- Food stamps, illegal transfer, penalty increase: *SHB 1339, CH 62
- Homicide, by abuse, bail jumping, class A felony: HB 1265
- Homicide, controlled substances, class B felony: SSB 5070
- Homicide, justifiable homicide to protect unborn child: HB 1411, HB 1980
- Juvenile code, continuation of task force on permanency planning efforts: HCR 4409
- Juvenile court training curriculum: HB 1539, *SSB 6308, CH 234
- Juvenile offenders, speedy trial: HJM 4038
- Juveniles, chronic offenders: HB 1787
- Logging, penalties for hindering logging: HB 1888, *SSB 6195, CH 224
- Major crimes investigation and assistance unit: 2SSB 5538
- Mental defenses revised, insanity, deficient: SHB 1432
- Misdemeanors, system of civil infractions established: SSB 5083
- Motor vehicles, criminal possession, class C felony: SSB 6656
- Nursing homes, neglect: HB 1838
- Opium dens, revisions: *SHB 692, CH 141
- Patronizing a prostitute, misdemeanor: *SHB 1302, CH 146
- Personal restraint petitions, filing limitations: HB 1750
- Postconviction relief, collateral attack limitations: HB 1750
- Profiting from crimes, disposition of escrow account: *SHB 1279, CH 155
- Second degree assault, substantial bodily harm to an unborn quick child: HB 752
- Sex offenses, involving age differentials, definitions, classifications, sentencing matrix: *SHB 1333, CH 145
- Sexual offenses, children, revisions: SB 6171
- Sexual offenses, developmentally disabled, perpetrator is supervisor, penalties established: *SHB 1302, CH 146
- Statute of limitations revised: SB 6171, *HB 1333, CH 145
- Substantial bodily harm redefined: *SSB 6147, CH 158
- Surrogate parenting, unapproved transactions, class C felonies: HB 1529
- Telecommunications interference, misdemeanor: SSB 6565
- Theft of livestock, penalties revised: *SB 6608, CH 218
- Tires, waste tire violations: *SB 6720, CH 250
- Victims, constitutional rights at criminal trials created: HJR 4228, SSJR 8228
- Violent crimes, reporting requirements revised to include CPS: SSB 6172
- Wildlife, obstructing the taking of fish or wildlife: *SB 6480, CH 265

CRIMINAL JUSTICE INFORMATION

- OFM may contract for collection and transmittal: *SHB 1419, CH 152

DAMS

- Hydroelectric development plan, need affirmed: HCR 4434
- Study to assess state responsibility for siting: SSB 6036

DANGEROUS WASTES (See HAZARDOUS MATERIALS)**DARRINGTON**

- School construction: *SSB 6763, CH 2 E1

DAY CARE

- AIDS, practitioners with AIDS may not work, annual test: HB 1973
- B & O tax, money received from DSHS or Indian organizations as compensation for care: HB 1734
- B & O tax, deduction for certain expenses of day care centers: SHB 1767

DAY CARE—cont.

- Capital budget, supplemental: *SSB 6763, CH 2 E1
- Child care coordinating committee, coordination between state education and child care agencies: SHB 1767, *SSB 6118, CH 213
- Children's services advisory committee subcommittee, recommendations on licensing: SHB 1659
- Educational program on positive discipline: SSB 6441
- Funding increased for payment rate increases for regular and reservation day care: SB 6531
- Gay people may not work for government, day cares, foster care, or schools: HB 2026
- Grants, child care expansion grant fund, awards on one-time basis to persons starting a center: SHB 1767, *SSB 6118, CH 213
- Migrant and seasonal farmworkers, day care project, Prescott area: HB 1934
- Subsidies, new rate structure, developed by DSHS: HB 1949
- Subsidy program, review by the child care coordinating committee: SHB 1767, *SSB 6118, CH 213
- Supplemental operating budget: *SHB 1312, CH 589
- University of Washington employees: SSB 5682

DEAF PERSONS

- Bond authorization for regional and community facilities for care, rehabilitation, and training: HB 1385
- Educational service districts, contracts with school for deaf: *HB 1693, CH 65
- Service dogs, killing or injuring: *SSB 6350, CH 89

DEATH

- Abortion, fetal death, vital statistics: HB 2032
- Nurses, death determination and pronouncement: *SB 6293, CH 37
- Traffic fatalities, markers along highway: *SHB 1740, CH 98

DEBENTURE COMPANIES

- Revisions: *SHB 1525, CH 244
- Scrutinize, budget: *SHB 1312, CH 289

DEFERRED COMPENSATION

- Membership modified: SHB 1852

DENTAL SERVICES

- Anesthesia, dental disciplinary board may adopt rules: *HB 668, CH 217
- Insurance benefits, alternative to limited provider plans: *SSB 6631, CH 259
- Prophylaxis services, fraudulent claims prohibited: HB 1889

DEVELOPMENTALLY DISABLED

- Abuse reports, public employees, legal defense: *SB 6600, CH 87
- Abuse reports, case planning, consultants as designated by DSHS: HB 1546, *SB 6338, CH 39
- Assault on adult dependent persons, witnesses to report: SSB 5065
- Commitment procedures, persons incompetent to stand trial or insane: HB 1903
- Conservation corps, waiver of age requirement for residents with handicaps: *SHB 1952, CH 78
- Constitutional references to disabilities revised: SHJR 4231
- Fishing permits, groups supervised by health care facility or hospital staff: HB 1936
- Health care neglect in residential facilities: HB 1838
- Home care regulated: SSB 5404
- Malicious reporting of abuse, penalties imposed: *SHB 608, CH 142
- Pilot project, integrate delivery of existing and new services: SSB 6203
- Reorganization of services and statutes: *SHB 1618, CH 176
- Report on state care, hospitalization records, services provided: SSB 6203
- Sexual offenses when perpetrator is supervisor, penalties established: *SHB 1302, CH 146

DEVELOPMENTALLY DISABLED—cont.

Volunteer support for families, pilot program: SB 6117

DIAMOND POINT TRUST PROPERTY

DNR land, transferred to parks and recreation commission: *HB 1616, CH 79

DIESEL FUEL (See OIL AND GAS PRODUCTS)**DIETITIANS**

Certification, regulation: SHB 1513, *SSB 5669, CH 277

DISABLED PERSONS (See also DEVELOPMENTALLY DISABLED)

Affirmative action, disability, minority group: SSCR 8403

Bond authorization for regional and community facilities for care, rehabilitation, and training: HB 1385

Employment preferences: SHB 1459

Licenses, free, hospital patients, disabled persons, and senior citizens: HB 1476

Licenses, free, hunting and fishing, disabled veterans: SSB 5653

Parking, revisions: SHB 1115, HB 2010, *SHB 1612, CH 74

Utility rate reduction for low-income disabled citizens: *SSB 6200, CH 44

DISCRIMINATION

AIDS, discrimination allowed: HB 2022

AIDS, protected status: 2SHB 1527, *2SSB 6221, CH 206

Gay people, protected status prohibited: HB 2025

Golf clubs: HB 1969

Indian and non-Indian fisheries, persons fishing both, regulated: SB 5050

Insurance, discrimination prohibited: HB 1099

DISLOCATED WORKERS (See also BUSINESSES; WORK)

Funding program to assist: HB 1891, HB 1892, HB 1920

Hanford plant closure disaster plan.: SJM 8029

Study and track: HB 1981, HB 1982

DISTRESSED AREAS (See also BUSINESSES; WORK)

Employee buyouts, credits and deferrals authorized: HB 1826

Hanford plant closure disaster plan: SJM 8029

Local marketplace programs: 2SHB 1516, HB 1891, HB 1892

Tax credits to employer for hiring military reservists and national guards: HB 1738

Tri-Cities, manufacturing and research, tax deferral: *2SHB 1835, CH 42

DOMESTIC VIOLENCE

County domestic violence prevention programs, marriage license fee: SHB 567

Harassment defined, relief from harassment: HB 1880

DROUGHT

Capital budget, supplemental: *SSB 6763, CH 2 E1

Effective date extended: HB 1929

Loans and grants from DOE, grant percentage limitations: SHB 1993

Water supply emergencies, providing for: HB 1732, *2SSB 6513, CH 46

Water use efficiency study: *SHB 1594, CH 45

DRUGS

Addiction, treatment and services provided: SHB 1656

AIDS counseling: SHB 1527, *2SSB 6221, CH 206

AIDS testing for persons convicted of syringe offenses: *2SSB 6221, CH 206

Alcoholism and drug treatment program, competency of personnel: *SHB 1383, CH 193

Case management protective payee system: *2SHB 1565, CH 163

Chemical dependency, health care contracts to cover: SSB 5070

Concealed weapons permits revoked from persons under influence of drugs or alcohol: *SHB 1845, CH 223

Crack houses, public nuisance: SSB 5070

Driving under the influence, urine tests: SHB 1577

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- Forfeiture of property, redistribution of proceeds: *SSB 6316, CH 282
- Health care licensees, voluntary substance abuse program: SHB 1735, *SSB 6470, CH 247
- Homicide, controlled substances homicide, class B felony: SSB 5070
- Involuntary commitment standards revised: HB 1483
- Landlord/tenant revisions: *SHB 1445, CH 150
- Marijuana, trafficking/seizure procedures: SHB 1353, 2SHB 1353, HB 1497
- Minors, drivers' license revocation for certain violations: HB 1343, SSB 6410, *HB 1482, CH 148
- Mobile drug awareness program: SSB 6508
- Nuisance, buildings used for unlawful drug activities: *SHB 692, CH 141
- Precursor drugs regulated: *SHB 1377, CH 147
- Prevention program for juveniles, liquor revolving fund: SSB 5070
- School ground transactions illegal: SSB 5070
- Shelter definitions provided: *2SHB 1565, CH 163
- Transactions or business involving coercion of minors unlawful: SSB 5070
- Treatment program: *2SHB 1565, CH 163
- Workplace testing limited: SHB 1876

DRUNK DRIVING

- Minors, privileges denied, drug or alcohol offenses: HB 1343, SSB 6410
- Occupational driver's licenses, ignition interlock systems: SSB 6410
- Urine tests: SHB 1577
- Vehicular homicide and assault, terms of revocation: SSB 5868
- Vehicular homicide, seriousness level revised: SSB 5775

EARTHQUAKES

- DCD to disseminate hazard information: HB 1405
- Seismic safety council created: SSB 5885

ECOLOGY, DEPARTMENT OF

- Capital budget, supplemental: *SSB 6763, CH 2 E1
- Dangerous wastes, waste exchange between industries: SHB 332
- Drinking water, DOE authority: HB 1327, *SSB 6238, CH 279
- Estuary program, DOE authority with PSWQA: *HB 1325, CH 220
- Federal clean water act, DOE authority: *HB 1325, CH 220
- Flood control zones, Snohomish river, certain exemptions: SSB 5156
- Groundwater management advisory committees, sunset: *SHB 1382, CH 186
- Hazardous waste, corrective action authorized: SB 5072
- Hazardous waste, authority granted to correspond with federal law: SB 5072
- Prosser well, DOE to sell interest for fair market value: *SSB 6217, CH 137
- Radiation and control agency, transfer to DOE: HB 1442, SHB 1442
- Spokane River, study of wildlife habitat and watershed: HB 1607
- Stormwater runoff, DOE to adopt state-wide standards for facilities: HB 1412
- Underground storage risk retention group program: HB 1967
- Waste reduction office established within DOE: *SHB 1340, CH 177
- Water use efficiency study: 2SSB 6380, *SHB 1594, CH 45
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- License conditioned on AIDS and STD tests: HB 2021
- Solemnization of marriages by court commissioner allowed: SB 5103
- Uniform premarital agreement act: SB 5033
- Wrongful interference with a marriage: HB 1971

MATERNITY LEAVE

- Minimum standards for all employers, unfair practice conditions: *SHB 1319, CH 236

MAYOR PRO TEMPORE

- Council to chose, term not to exceed 6 months: *HB 1833, CH 196

MCNEIL ISLAND

- Capital budget, supplemental: *SSB 6763, CH 2 E1

MEDAL OF MERIT

- Joint legislative session to recognize 1988 recipients: *HCR 4441
- Sunset medal of merit committee: SHB 1382

MEDIATION (See also ARBITRATION)

- Farm foreclosure, community college system: SSB 6344
- Farmers and lenders, mediation procedure through department of agriculture: HB 1867
- Indian shellfish claims, process: SSB 5158
- Natural resource disputes, grants for mediation authorized: SHB 12

MEDICAL ASSISTANCE (See also PUBLIC ASSISTANCE)

- Jail inmates, eligibility under limited casualty program: HB 1403
- Occupational therapy services authorized: HB 1634
- Prenatal care program provided: 2SSB 5452

MEDICAL EXAMINERS

Study, combining crime lab, toxicology lab, and examiner system: HB 1741

MEDICAL INTERNS AND RESIDENTS

Hours of labor regulated: HB 1458

MEDICARE

Health care facility certification options for hospitals that desire to convert to nonhospital health care: *SSB 6124, CH 207

MENTAL HEALTH

Conservation corps, age requirement for residents with handicaps: *SHB 1952, CH 78

Criminal mental defenses revised: SHB 1432

Developmentally disabled, commitment procedures for those dangerous to others: HB 1903

Drug addiction, treatment and services: SHB 1656

Drug and alcohol treatment programs, incapacity determination: SHB 1565

Involuntary commitment, likelihood of serious harm redefined: HB 1768

Kitsap mental health services, budget: *SHB 1312, CH 289

School-based early intervention projects, mental health professionals: HB 1541

Study of community mental health program, review categorization definitions: SHB 1804

Victims of sex offenses under 18, offenders to pay for treatment: HB 1605

Voting rights of mentally incompetent or felons, revised: HJR 4230

METROPOLITAN MUNICIPAL CORPORATION COUNCILS

Council membership revised: SHB 1726

Sewer connection charges authorized, sewage disposal: HB 1641

METROPOLITAN PARK DISTRICTS

Commissioner compensation provided: HB 1240

Creation, more than 1 county or city within boundary, commissioners from subareas: HB 1988

Formation, voter process, taxes: HB 1917

MIGRANT WORKERS (See also AGRICULTURE)

Immigration, worker documentation certification: HB 1777, SSB 6294

MILITARY

Capital budget, supplemental: *SSB 6763, CH 2 E1

School enrollment forecasts, armed-forces shipboard populations determined: *SB 6641, CH 260

Study of state's co-dependence with military economy: HB 1402, 2SHB 1835

Tax credits to employer for hiring military reservists and national guards: HB 1738

MILITARY BENEFITS (See RETIREMENT AND PENSIONS)**MINIMUM WAGE**

Adjustments by L&I according to various guidelines: HB 1544

Exempt employers revised, agriculture exemption removed: HB 1544

Increased to \$2.35, age thresholds revised: HB 1544

Increased to \$3.35: SB 6674

Revisions: HB 2056

Tie to federal poverty level: SHB 709

MINI-STORAGE

Liens for owners of facilities: *SSB 5595, CH 240

MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF

Certification, false, regulated: SHB 20

Industrial development corporations, revisions to help new and small businesses: 2SSB 5398

Investigation of complaints by director with assistance of involved agency: SHB 20

MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF—cont.

- Noncompliance, penalty increased: SHB 20
- Small business, required to meet certification: SHB 20
- Sunset provisions: SHB 20
- Women-controlled business: SHB 20

MOBILE HOMES

- Abandonment defined: SSB 5787
- Cities, review need for manufactured homes: SSB 6493, *SHB 1690, CH 239
- Commission on rental space availability, senior citizen impact, increase available land: SSB 5076
- Dealer licensure requirements amended, vetoed: SHB 1673, SHB 1706
- Designated manufactured home, siting on individual lots: *SHB 1690, CH 239
- Enforcement of installation and service standards by counties and cities: SHB 1566, *SHB 1690, CH 239
- Fire insurance, debris removal clause: HB 1705
- Installers, certification: SHB 1590
- Landlord liens: HB 1704
- Landlord tenant provisions revised, remedies, damages: HB 1599, *SHB 1683, CH 126
- Manufactured home conversion act, titling only when personal property: SHB 1561
- Mobile home and manufactured housing affairs advisory committee, vetoed: SHB 1673
- Movement, validity of license, verification: HB 1567, *SHB 1690, CH 239
- Rent control act of 1988, use consumer price index: HB 2006
- Support systems and stabilizing devices: HB 1707

MODEL TRAFFIC ORDINANCE

- Updating, 1988: *SB 6295, CH 24

MOMENT OF SILENCE

- In memory of Robert L. Charette p. 71

MORTGAGES

- Equity skimming, prohibitions: *SSB 6096, CH 33
- Monthly repayments in two installments: HB 1837

MOTOR FREIGHT CARRIERS (See also TRUCKS/TRUCKING)

- Bonds required: *SSB 5844, CH 31
- Brokers regulated: *SSB 5844, CH 31
- Hearings held in area of proposed operations: *HB 1418, CH 58
- Idaho requested to exempt nonresident common carriers employees from income tax: SSJM 8013
- Identification on certain large trucks: *SHB 1672, CH 56
- Tax revisions for those who cross state lines: SSJM 8012

MOTOR VEHICLES (See also DRUNK DRIVING; LICENSE PLATES)

- Antique vehicles, license plates, fenders regulated: HB 1578, *SB 6362, CH 15
- ATVs regulated, registration, safety instruction: HB 1311
- Battery recycling: HB 1825
- Crash parts, regulating: SHB 1501
- Criminal possession, class C felony: SSB 6656
- Dealer regulations, scope modified: *SHB 1883, CH 289
- Driver's license, current address, notice requirements: HB 1692
- Driver's license, exam waived for drivers licensed in other states: HB 1654
- Driver's license, ignition interlock systems, occupational licenses: SSB 6410
- Driver's license, protecting information: SSB 5718
- Driver's license, renewal, valid and proper identification established: *HB 254, CH 88
- Driver's license, revocation or suspension, minors, drug or alcohol violations: HB 1343, SSB 6410, *HB 1482, CH 148

MOTOR VEHICLES—cont.

- Driver's license, suspension for failure to report accident, discretionary instead of mandatory: HB 280
- Driver's license, suspensions, hearings eliminated in certain instances: HB 294
- Driver's records, information requirements changed: SB 5325
- Driver's records, abstract fee increased: SHB 638
- Financial responsibility amounts increased: SHB 868
- Identacards, current address, notice requirements: HB 1692
- Insurance, bond, required: SSB 5115
- Insurance, computation of premiums, age differentials: HB 1643
- Insurance, financial responsibility mandatory: SSB 5516
- Insurance, no deductible for window repair: HB 1882
- Insurance, operation of vehicle without insurance, traffic infraction: SHB 1175
- Insurance, policies, comprehensive and collision to also cover liability: SHB 240
- Insurance, policies, personal injury protection benefits: SHB 511
- Insurance, premium reduction, completion of accident prevention course: HB 1788
- Insurance, rate reduction, anti-theft device: SB 5116
- Insurance, underinsured coverage strengthened: SHB 402
- Interest rate, retail installment contracts, publication of maximum rate: HB 1622, *SB 6412, CH 72
- License fees, doubling of extra fee paid for each application: *SB 6494, CH 12
- Loans, service charge on retail installment sales limited: SHB 366
- Model traffic ordinance, updated: *SB 6295, CH 24
- Operation or transport of special mobile equipment, marking required: HB 1557
- Records disclosure, identification of person making request: SSB 6661
- Registration, disclosure of record restricted: HB 1453
- Registration, fraudulent failure to register: SHB 1860
- Registration, full year initial registration: HB 1731
- Registration, penalty for initial nonregistration by residents increased: HB 1798, SHB 1860
- Rental, collision damage waivers for rental cars: SHB 1487
- Service charge on retail installment sale limited: SHB 366
- Tandem-axle vehicles, revisions: *HB 1470, CH 6
- Tires, waste management provided: *SB 6720, CH 250
- Title and registration application, complete before delivery to purchaser: HB 1414
- Traffic safety education simulators, traffic safety commission: HB 2012

MOTORCYCLES

- Child passengers: SB 5052
- Fee, additional \$2 fee for registration: HB 1310
- Helmets required for all persons on motorcycle: HB 1468
- Insurance premium reduction, safety program: HB 1310
- Licensing exemption, safety course: HB 1310
- Skills program: *SHB 1660, CH 227

MURDER

- Drugs, controlled substances homicide, class B felony: SSB 5070
- Unborn quick child: HB 1411, HB 1980

MUSEUMS

- Capital budget, supplemental: *SSB 6763, CH 2 E1
- Unclaimed property, disposition provided for: *SSB 6332, CH 226

MUSHROOMS

- Commercial activity regulated: *SSB 6240, CH 230

NATIONAL GUARD

- Civil affairs unit organized for state guard: SHB 1739
- College and university tuition and fee waivers: HB 1781
- License plates: SB 6269

NATIONAL GUARD—cont.

Sunset revised: *HB 1515, CH 288

Tax credits to employer for hiring military reservists and national guards: HB 1738

NATIONAL SCIENCE FELLOWS PROGRAM

Establishing a Washington program: HB 1428

NATIVE AMERICANS

Adoption, relinquishment, clarification regarding jurisdiction: HB 1545, *SB 6339, CH 14

Chehalis, criminal jurisdiction by tribe reestablished: SHB 1394, *SSB 6736, CH 108

Child care, B & O tax, money received from Indian organizations as compensation for care: HB 1734

Quileutes, retrocession of jurisdiction: HB 1273, SHB 1394, SB 6100, SB 6102, *SSB 6736, CH 108

Swinomish, criminal jurisdiction of tribe reestablished: SHB 1394, *SSB 6736, CH 108

NATURAL DEATH ACT

Revisions: HB 1965

NATURAL GAS

Banded tariff rates permitted: SSB 6438, *HB 1581, CH 166

Kern River pipeline, FERC approval requested: SJM 8011

Preference, in-state purchase for state and political subdivisions: HB 1782

NATURAL RESOURCES, DEPARTMENT OF (See also TAXES - TIMBER)

ATVs regulated, registration, safety instruction: HB 1311

Auction sale requirements of low-valued sand, gravel, exempt: HB 1562, *SHB 1562, CH 136

Capital budget, supplemental: *SSB 6763, CH 2 E1

Commissioner of public lands, term of office, commencement date revised: HB 1335

Disputes, grants for mediation authorized: SHB 12

Fire fighters, volunteers, liability restricted: SSB 5311

Forest fires, first priority response: SB 6397

Recreation advisory committee, sunset: *SHB 1382, CH 186

Resource management account loans, retire to forest development account: HB 1406, *SB 6313, CH 70

Saltwater net pens, demonstration and study by DNR: SSB 5122

Sand and gravel, study methods to encourage businesses to remove from rivers: SHB 1499, *SSB 6024, CH 272

Solid waste landfill or sanitary disposal sites, state land leased to county, procedures to reconvey to county: 2SHB 509

SPI designee to board: HB 1430

Urban and community forest act: SHB 1551

NATUROPATHIC PHYSICIANS

Chiropractic, term may not be used: *SB 6523, CH 246

Manual manipulation authorization continued: HB 1650, *SB 6523, CH 246

Mechanotherapy, qualifications of practitioners: *SB 6523, CH 246

NAVY HOME PORT

School enrollment forecasts: *SB 6641, CH 260

NEIGHBORHOOD IMPROVEMENT PROJECTS

Contracts exempt from competitive bidding requirements: *SHB 1633, CH 233

NICARAGUA

Normalize trade, contra aid opposed: HJM 4042, HCR 4437

NINE MILE FALLS

Capital budget, supplemental: *SSB 6763, CH 2 E1

NONPROFIT ORGANIZATIONS

- Camping, conferences, recreation services, money received is tax exempt: SSB 6002
- Open public meetings act, citizen review opportunities of organizations that receive state funds: SSB 5492
- Sport volunteers, liability standards: HB 1922

NOTICE AND PUBLICATION

- Counties, cities, towns, requirements revised: *SHB 1317, CH 168

NUCLEAR AFFAIRS

- Joint select committee: SHCR 4430

NUCLEAR POWER (See also HAZARDOUS MATERIALS)

- Energy facility site evaluation, construction includes suspension of construction: SSB 5213
- Energy facility site evaluation, federal facilities, compliance with substantive state siting standards: SSB 5372
- Fuel assemblies, B&O tax revised for manufacture and assembly: HB 1723
- Impacted area refined: HB 1613
- Nuclear waste board and nuclear advisory council, continued: HCR 4440
- Tri-cities, heat by-product for commercial industrial application: *2SHB 1835, CH 42
- Sodomy, places where sodomy takes place are moral nuisances: HB 2024

NURSES

- Conditional scholarship program: SHB 1357, SHB 1404, *SB 6638, CH 242
- Death determination and pronouncement: *SB 6293, CH 37
- Licensure revisions to make profession more attractive: *SHB 1404, CH 211
- LPNS, interim permits pending notification of exam results: *SB 6119, CH 212
- Nurse practitioners, medical malpractice insurance, voluntary plan: HB 1824
- Nursing assistants, certifying and registering: *SHB 1530, CH 267
- Nursing pool registration required: *SHB 1783, CH 243

NURSING HOMES

- Advisory council, sunset revised: *HB 1515, CH 288
- AIDS, testing of persons admitted: HB 1974
- Assault on adult dependent persons: SSB 5065
- Continuing care retirement communities, certificate of need: *SHB 1392, CH 20
- Depreciation base, method of determining revised: *SB 6519, CH 221
- Depreciation method for contractors purchasing prior to 8/1/84: HB 1749
- Employees, DSHS to establish a wage scale: SSB 5544
- Health care neglect in residential facilities: HB 1838
- Hospital beds, excess for nursing home care, Congress petitioned: SJM 8007
- Investment allowance, revisions: *SSB 6437, CH 208
- Long-term care ombudsman, private nonprofit organization to provide services: *SHB 1849, CH 119
- Malicious reporting of abuse, penalties imposed: *SHB 608, CH 142
- Preadmission screening of residents eligible for assistance: HB 1714
- Reimbursement, enhancement cost center: SSB 5544
- Reimbursement, formula for nursing homes who contract with DSHS: HB 1648
- Reimbursement, provisions, cost and auditing problem: HB 1807
- Retirement care communities, regulating: SSB 5854
- Veterans, nursing care for indigent veterans: *HB 1354, CH 216

NUTRITIONISTS

- Certification, regulation: SHB 1513, *SSB 5669, CH 277

OCEAN BEACHES

- Recreation management plan: *SHB 1862, CH 75

OCEAN SHORES

- Hotel/motel tax: *HB 2057, CH 1 E1

OFFICE OF FINANCIAL MANAGEMENT

- Biennial budget requests, show how anticipated general fund revenues are reduced due to debt service: SHB 1556
- Capital budget plan reviews: SSB 6055
- Capital projects, standards: SHB 1556
- Criminal justice information, OFM contract with political entity to collect and transmit: *SHB 1419, CH 152
- School enrollment forecasts, armed-forces shipboard populations determined by OFM: *SB 6641, CH 260

OIL AND GAS PRODUCTS

- Arctic national wildlife refuge coastal plain, opened to exploitation: SJM 8015
- Boaters, oil dump and holding tank information provided: SHB 1391
- Containment system for products stored above ground: HB 1861
- Ferries, fuel purchased for marine use, sales and use tax exempt: SB 6192
- Gasohol: HB 1491, SB 6650
- In-state purchase preference for state and political subdivisions: HB 1782
- Retail outlets by producers prohibited, more than one brand of fuel may be sold: HB 1921
- Special fuel reporting requirements, farmers, loggers exempt: HB 1500, *SSB 6399, CH 51
- Special fuel user, bonding requirements: *SB 6668, CH 122
- Special fuel user, report filing frequency revised: *SB 6667, CH 23
- Underground storage, major revisions: HB 1930, HB 1967

OLYMPIA

- GA may participate in parking and business improvement district: *SHB 1312, CH 289

OMAK/OKANOGAN

- Arson, budget: *SHB 1312, CH 289

ONE-PARTY CONSENT/WIRETAPPING

- Drugs, one-party consent law changed: SSB 5070
- Drugs, restricted use, permissible use of information set forth: HB 1352, SHB 1966

OPEN PUBLIC MEETINGS

- Nonprofit organizations who administer state funds, study citizen review opportunities: SSB 5492
- School directors self-evaluation meetings are not open: HB 1744
- Secret ballot prohibited: HB 974

ORDINANCES

- Legal descriptions of real property need not be given: *SHB 1317, CH 168
- Publication of legal notice, emergency and proposed ordinances: *SHB 1317, CH 168

OSBORN BAY

- DNR land, transferred to parks and recreation commission: *HB 1616, CH 79

PANORAMA CITY

- Property tax exemption revisions: HB 1819

PARENTING

- Children and family services pilot project, comprehensive system state-wide, continuum of services: 2SSB 5553
- Early parenting education program: *SSB 6115, CH 278
- Parenting plans, requirements revised: HB 1536, SHB 1536
- Parenting plans, visitation prohibited if parent has been abusive, modifications: HB 1547
- Teen parents, counseling provided, survey to identify victims: HB 1345

PARK DISTRICTS

- Eminent domain power granted: SHB 1393, *SSB 6128, CH 82

PARK DISTRICTS—cont.

Metropolitan park districts, formation, voter process, taxes: HB 1917, HB 1988

PARKING (See also DISABLED PERSONS)

State employee spaces, market rates, capital budget: *SSB 6763, CH 2 E1

PARKS AND RECREATION COMMISSION (See also OCEAN BEACHES)

Camping clubs regulated: HB 791

Capital budget, supplemental: *SSB 6763, CH 2 E1

DNR trust land purchase for park use authorized: *HB 1616, CH 79

Surcharges on nonresidents, authority repealed: *SB 6136, CH 80

Winter recreation, liability of commission limited: SB 6574

PASCO

Diversify economy, implementation of priority goals: *2SHB 1835, CH 42

PASSENGER CHARTER CARRIERS

Revisions, certificate required: *SB 5451, CH 30

PERSONAL PROPERTY

Manufactured home conversion act, titling only when personal property: HB 1561, SHB 1561

Tangible personal property, provided with operator for charge, sales tax modified: SB 5241

Unclaimed, disposition modified: *SB 5667, CH 132

PERSONAL SERVICE CONTRACTS

Cities over 100,000, counties, contracts limited: HB 1758

Lobbyists, have contracts during session: SB 5783

PERSONNEL, DEPARTMENT OF

Disclosure, personnel files and employment applications of public employees, exempt: HB 2011

Preferences provided for disabled persons: SHB 1459

PESTICIDES

Marketing agreements regarding participation in the pesticide regulation process: *HB 1304, CH 54

PHARMACIES

Liability of pharmacists revised, service not covered by implied warranty under UCC: HB 1856

Recordkeeping requirements: HB 1703

Shopkeepers, exemption from registration removed: HB 1703

PHARMACY, BOARD OF

Administrative provisions transferred to the department of licensing: SHB 449

AIDS, training of licensees: 2SHB 1527, *2SSB 6221, CH 206

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Health care insurance coverage: SHB 1769, *SSB 6433, CH 173

PHYSICAL THERAPISTS

Gatekeeper function insurance maneuver: *SSB 6218, CH 185

Referral to health care practitioners if symptoms are beyond scope of care: *SSB 6218, CH 185

Treatment authority revised: SB 5382, *SSB 6218, CH 185

PHYSICIANS

Medical interns and residents, hours of labor regulated: HB 1458

Physicians' assistants, foreign medical school graduates eligibility revised: *HB 1629, CH 113

PIERCE COUNTY

Hotel/motel special tax: *HB 2057, CH 1 E1

PILOTS (BOATS)

Licensing revisions: HB 421, SHB 624

PLANT CLOSURES (See also BUSINESSES; WORK)

Business and job retention program, DTED, service delivery regions: HB 1438, HB 1891, HB 1892, 2SSB 6277

Economic stabilization matching fund, prevent closure of industrial facilities: HB 1827

Employee buyouts, credits and deferrals authorized: HB 1826

Employer obligations, major provisions: HB 1552

Unemployment compensation, experience rating accounts not charged: *SSB 6536, CH 27

PLANTS

Endangered species conservation act: 2SHB 210, SHB 1451

PLASTIC

Grocery bags prohibited: SHB 972

Guns made of plastic prohibited: HB 1875

Marine plastic pollution research and control act: HJM 4037

Pacific ocean, reduction of wastes urged: *SSJM 8027

Rings, loops, other beverage container connector devices, prohibited: HB 1415, SHB 1456, HB 1532

Styrofoam, state agencies prohibited from using or purchasing: HB 1374

POISONS

Sales of poisons, purchase requirements for off-premises sales: *SB 6260, CH 197

POLLUTION (See also AIR POLLUTION)

Agriculture, nonpoint activity, procedures to investigate and remedy: SHB 543

Air contaminant sources, study by institute for public policy: SHB 478

Air quality opacity limitations revised: *SSB 6603, CH 106

Aquaculture monitoring, operational and baseline, DOF to establish requirements: HB 616

Aquaculture, preference to types that involve least potential adverse impact: HB 616

Arctic national wildlife refuge coastal plain, opened to exploitation: SJM 8015

Kern River pipeline, FERC approval requested: SJM 8011

Plastic grocery bags prohibited: SHB 972

Saltwater net pens, demonstration and study by DNR: SSB 5122

Water pollution violations, class C felony: HB 516

PORNOGRAPHY

Minors, erotic material definitions revised: HB 1970, SSB 6711

Sexual exploitation of minors, major revisions: SB 6712

PORT DISTRICTS

Airport facilities, voter approval required for districts that do not have airports: HB 1314

Compensation for districts with gross operating income over 25 million dollars: HB 1916

Essential rail banking account created, distribution to rail and port districts: SSB 5391

Small works roster revisions: SHB 1423, *SSB 6419, CH 235

Temporary state commission, study public port operations: HB 1902

PORT OF ENTRY

Authorized: *SB 6296, CH 21

State patrol, joint operation authorized: SB 6296

POWS

Flags of POW and MIA, display urged: HCR 4439, *SSCR 8430

License plates for surviving spouses: SB 6201

Recognition day for former prisoners of war: HB 1850

PREGNANCY

AIDS counseling conducted: SHB 1527, *2SSB 6221, CH 206
 Assault, second degree, substantial bodily harm to unborn quick child: HB 752
 Leaves, minimum standards for all employers, unfair practice conditions established: *SHB 1319, CH 236
 Prenatal care program provided: 2SSB 5452
 Prenatal test availability information provided: *2SSB 5378, CH 276
 Transfers to less strenuous or hazardous jobs for pregnant employees: HB 1877, HB 1878

PRESCOTT

Migrant and seasonal farmworkers, day care project: HB 1934

PRESIDENTIAL PRIMARY

Establishing a presidential preference primary: HB 1770
 Voters informed of precinct caucus and convention process: HB 2004

PREVAILING WAGE

L & I methodology studied by LBC: SSB 6346
 Neighborhood improvement projects, exempt: HB 1633

PRINTING (See also STATE PRINTER)

Bond certificates, printing by state printer, requirement removed: *HB 1332, CH 102
 Preference for jobs contracted to printers with in-state facilities: HB 1886

PRISONERS/PRISONS (See also CORRECTIONS, DEPARTMENT OF; JAILS)

AIDS testing for all persons being held: 2SHB 1527, *2SSB 6221, CH 206
 Shelton correctional center, population level for training center: *SHB 1271, CH 143

PRIVACY

Drug and alcohol workplace testing limited: SHB 1876
 Drugs, wire-tapping, one-party consent law changed: SSB 5070
 Drugs, wiretapping, restricted use: HB 1352, SHB 1966
 Medical records access and disclosure regulated: HB 1847
 Medical treatment or care for dying person, right to privacy: HB 1965
 Motor vehicle records disclosure procedure modified: SSB 6661
 Personnel files and employment applications of public employees are exempt from disclosure: HB 2011
 Statute of limitations for invasion of privacy: HB 1712

PRIVATE ENTERPRISE (See BUSINESSES)**PRIVATE SCHOOLS**

Buses, private students transported on public buses: SSB 5334
 Church-approved private school is an approved private school, filing requirements modified: SB 6695
 Library use by private college students, reimbursement: HB 1721
 Washington scholar's award: SHB 1800, *SSB 5558, CH 210

PRIVATE WAYS OF NECESSITY

Revisions: *SHB 1416, CH 129

PRODUCT LIABILITY (See also CONSUMER PROTECTION)

Firearm or ammunition, design defect: SSB 6109

PROSSER WELL

DOE to sell interest for fair market value: *SSB 6217, CH 137

PROSTITUTES

AIDS test required of convicted prostitutes: 2SHB 1527, *2SSB 6221, CH 206
 Patronizing a prostitute, misdemeanor: *SHB 1302, CH 146

PSYCHOLOGISTS

Examining board, sunset revised: *HB 1515, CH 288

PUBLIC ASSISTANCE (See also MEDICAL ASSISTANCE)

- AFDC, self-employed persons, federal waivers: SSB 6232, *HB 1836, CH 170
- Benefits, initial cash payments authorized for emergencies: HB 1313
- Child care, increased funding for payment rate increases for regular and reservation day care: SB 6531
- Family independence program, approving implementation plan, revisions: HB 1474, SHB 1937, *SB 6675, CH 43
- First source contracts, employers encouraged to hire employees of prior employees: HB 1981, HB 1982
- Lifeline telephone service, eligibility: HB 2034
- Rent, assistance to AFDC single-parent households: HB 1386, SHB 1386
- Rent, payments directly to landlord, study, pilot program: *SHB 932, CH 264
- Rent, security deposits for qualified homeless persons: *HB 1387, CH 237
- SSI, state supplement of federal cost-of-living adjustments limited: SSB 5723

PUBLIC DISCLOSURE COMMISSION (See also CAMPAIGNS; ELECTIONS)

- Advertising, political advertising, false advertising prohibited: *SHB 657, CH 199
- Counselor registration exempt from public disclosure and copying: HB 1894
- Drivers' license information, protecting: SSB 5718
- Grass roots lobbyist, reporting requirements: HB 1905
- Lobbying, state agencies, revisions: SSB 6167
- Lobbying, campaign laws, public office funds, revisions: SSB 6451
- Lobbyist employer's reporting required monthly: HB 1484
- Medical records access and disclosure regulated: HB 1847
- Motor vehicle records disclosure procedure modified: SSB 6661
- Personnel files and employment applications of public employees, exempt: HB 2011
- Political contributions by charitable organizations regulated: SHB 1679
- Protection given to employees reporting improper activity to legislators: SSB 5031
- Public office funds, quarterly reports required: SB 6369
- Small political subdivisions, reporting exemptions: HB 1945

PUBLIC FACILITIES DISTRICTS

- Authorized: *HB 2057, CH 1 E1

PUBLIC LANDS, COMMISSIONER OF (See NATURAL RESOURCES, DEPARTMENT OF)**PUBLIC LANDS** (See STATE LANDS; NATURAL RESOURCES, DEPARTMENT OF)**PUBLIC PURCHASES**

- Contract with individuals or entities: HB 1794, HB 1795
- Paper products, recycled paper products given priority: SSB 5376
- Preference, in-state purchase preference for state and political subdivisions: HB 1782
- Printing, preference for jobs contracted to printers with in-state facilities: HB 1886
- Private sector service purchases authorized: HB 1708
- Recovered materials, state purchase encouraged: SHB 1784, *SSB 6446, CH 175

PUBLIC UTILITIES (See also UTILITIES)

- Annexation of territory, elections: SSB 6058
- Banded tariff rates permitted for electric services and natural gas: SSB 6438, *HB 1581, CH 166
- Billing errors, customer liability limited: SSB 5572
- Electricity, customer billings, tax breakdown required: *SSB 6342, CH 228
- Energy facility site evaluation, construction includes suspension of construction: SSB 5213
- Privilege tax revisions, ultimate consumer: HB 1508
- Public health, tax on utilities: HB 1959
- Public utility and transportation corridors, revising authority: *SSB 5147, CH 16
- Radio communication services offered by districts: HB 1579

PUBLIC WORKS

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 Emergency projects, loans authorized: SHB 1446, *SSB 6404, CH 93
 Hours, ten hour days, no more than 4 days a week: *SSB 5586, CH 121
 Small works roster, threshold increased: HB 314
 Trenches, deep trenches on public works projects, safety systems: *SSB 6670, CH 180

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PUGET SOUND (See also FERRIES)

Aquaculture, moratorium: HB 616
 Bottom trawling gear unlawful in Hood Canal and Puget Sound: SB 5422
 Estuary program: *HB 1325, CH 220

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Capital budget, supplemental: *SSB 6763, CH 2 E1

QUILEUTES

Retrocession of jurisdiction: HB 1273, SHB 1394, SB 6100, *SSB 6736, CH 108
 Retrocession of park land accepted: HB 1394, SB 6102, *SSB 6736, CH 108

RADIOACTIVE WASTES (See HAZARDOUS MATERIALS)**RAILROADS**

Essential rail banking account, distribution to rail and port districts: SSB 5391
 Public utility and transportation corridors, revising authority: *SSB 5147, CH 16
 Steam railway, hotel/motel tax: *HB 2057, CH 1 E1

REAL ESTATE AND REAL PROPERTY

Appraisals, certified, requirements established: HB 1109
 Broker and salesperson violations: HB 1939
 Construction liens, consumer information *SSB 6569, CH 270
 Continuing education for brokers and salespersons: *SSB 6474, CH 205
 Contract forfeitures, revisions: *SB 6143, CH 86
 Equity skimming, prohibitions: *SSB 6096, CH 33
 Escrow regulated: *SHB 1369, CH 178
 Excise taxes, penalty for delinquent payment increased: SHB 1822
 Flood plain information, disclosure by real estate brokers and salespersons: SHB 1412
 Foreclosure, class of restricted buyers modified: SB 5054
 Homestead exemption and the award in lieu increased: SB 5531
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 Housing trust fund, brokers who receive funds to maintain escrow account: SB 6717, *SB 6671, CH 286
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 Real estate contracts, recording required for seller to exercise remedies: SHB 1821
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Manufacturer's rebates regulated: HB 1524

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 Medical records access and disclosure regulated: HB 1847
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Real estate contracts, recording required for seller to exercise remedies: SHB 1821

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Dangerous wastes, waste exchange between industries: SHB 332

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Prohibitions on landfills, class AA and A counties, exceptions: 2SHB 509

Solid waste exchange program implemented: HB 2001

Tax credit, manufacturers of products composed of recoverable material: HB 1873

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Mobile home rental space availability, senior citizen impact, increase available land: SSB 5076

Multifamily rental housing developments, procedures for prepayment: SHB 1879

Public assistance, rent payments to landlords, study, pilot program: *SHB 932, CH 264

Rental assistance for AFDC single-parent households: SHB 1386

Security deposit guarantee program: *HB 1387, CH 237

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City systems, portability: HB 1639, SSB 6605, *HB 1649, CH 195

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Higher education, supplemental pension benefits: SHB 53

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- Military benefits, community property distribution: SHB 538, SSB 5278
- PERS II, final average salary redefined, contribution rates recalculated: HB 1372
- Postretirement adjustments for public employees: HB 1376
- Public works department county employees, sick leave cashout valuation appeal: *SSB 6466, CH 269
- Schools, excess compensation, CEOs, administrators, confidential employees: SHB 1954
- Schools, former employees' services via contract: SSB 6001
- Supplemental operating budget: *SHB 1312, CH 289
- Teachers' retirement, actuarially equivalent options: *HB 1558, CH 116
- Teachers' retirement, cost-of-living adjustment for plan I members: HB 1810
- Teachers' retirement, out-of-state service, partial credit: HB 1944
- Teachers' retirement, termination of membership in TRS upon refund of accumulated contributions: *HB 1559, CH 117
- Teachers, supplemental contract incentives not included: HB 1953, HB 1954
- Teachers, tax deferred annuities: HB 802
- Unfunded system liability, revisions: SB 5579

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- Diversify economy, implementation of priority goals: *2SHB 1835, CH 42

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- Hydraulic permits, agriculturally related stream stabilization projects, revisions: HB 1996, *SSB 6024, CH 272
- Indian tideland and river bed claims: SSB 5973
- Sand and gravel, study methods to encourage businesses to remove: SHB 1499, *SSB 6024, CH 272
- Spokane River, study wildlife habitat, watershed management: HB 1607

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- Appropriation to alleviate negative impact of no federal funding: SSB 6020
- Cities, tax for improvement and maintenance of streets and sidewalks: HB 1757
- Economic development, state construction programs: HB 1843
- Fatalities, markers along highway: *SHB 1740, CH 98
- Funding of local improvements, waiver of right to protest formation of district, agreements with owners: *SHB 1817, CH 179
- Future, transportation in the future symposium sponsored: HCR 4411
- Impact fees: *SHB 1817, CH 179
- Rural arterials, bridge replacement: *SB 6516, CH 26
- Transportation benefit board, cooperation between public and private sectors: SB 5731

ROSS, G. ROBERT

- Distinguished faculty award: *2SHB 1640, CH 125

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- Coordination, EMS regions, health/hospital districts, private providers, local service agencies: *SSB 6124 CH 207
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- Moratorium on rate regulation: HB 1573, SSB 5887

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- Overpayment to state employees, provisions to recoup: SHB 1700
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- Gillnet fishing during daylight hours: HB 1646, SHCR 4403
- Grays Harbor enhancement: SB 5379
- Indian and non-Indian fisheries, persons fishing both, regulated: SB 5050
- Lower Columbia recreational salmon fishing area clarified: SB 6572
- Production increased by year 2000: *SB 6647, CH 214
- Professional guides, licenses required: SB 6349
- Saltwater net pens, demonstration and study by DNR: SSB 5122
- Shoreline permit review procedures, floating aquaculture: HB 1449
- Skagit River, spawning channel: SSB 6190
- Storms prevent fishing, commercial seasons extended: SB 6184
- Surplus salmon eggs, sale restricted, rehabilitation and watershed: *SSB 5036, CH 115
- Whatcom county, salmon production assistance: HB 1853

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- DNR, methods to encourage businesses to remove from rivers: SHB 1499, *SSB 6024, CH 272
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- College savings bonds program: SSB 6591, 2SHB 1356, *2SHB 1640, CH 125

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- AIDS, staff, volunteers, students with AIDS may not attend school: HB 1973
- Base guarantee funding levels: *SHB 1312, CH 289
- Capital funds, use specified, additional taxes: SHB 1655
- Catheterization, school employees authorized to perform: *SSB 6534, CH 48
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- Construction budget, matching assistance: *SSB 6763, CH 2 E1
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- Teachers, retirement, cost-of-living adjustment for plan I members: HB 1810
- Teachers, retirement, actuarially equivalent options: *HB 1558, CH 116
- Teachers, retirement, out-of-state service, partial credit: HB 1944
- Teachers, retirement, termination of membership in TRS upon refund of accumulated contributions: *HB 1559, CH 117
- Teachers, salary allocations for certificated staff who have additional education: HB 1986, HB 1987
- Teachers, supplemental contract incentives not included in retirement benefits: HB 1953, HB 1954
- Teaching as a career choice, brochure to high school students: HB 1811
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- Migrant and seasonal farmworkers, day care project, Prescott area: HB 1934
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- School children, health and assessment services, pilot program: HB 725, SSB 5625
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SPECIAL MOBILE EQUIPMENT

Operation or transport of special mobile equipment, marking required: HB 1557

SPOKANE COUNTY

Convention center, county admission tax: HB 2039
Convention center, county sales and use tax authorized: HB 2039
Convention center, real property excise tax may be imposed: HB 2039
Public facilities district authorized: *HB 2057, CH 1 E1
State trade, sports, and convention center, public nonprofit corporation authorized to construct: HB 2035, HB 2039, SB 6757

SPORTS (See ATHLETICS)**STATE AGENCIES AND DEPARTMENTS (See also STATE EMPLOYEES; SUN-SET)**

Competition between government and private business, authorization to compete: HB 1789
Competition by government in commercial activity, freedom from government competition act: HB 1793
Fire protection of state-owned buildings, financing: HB 1010
Furniture purchases, study: SB 5320
Moving expenses, payment regulated: SHB 90
New agencies created to replace DSHS in 1990: HB 1580
New agency, department of public health and safety: HB 1698
New department, health department created: SSB 6173
New office, office of waste reduction: *SHB 1340, CH 177
Purchases of services from private sector authorized: HB 1708

STATE AUDITOR

Commence term, 2nd Monday of January: HB 1335
Contracts with CPAs, authorized: HB 1351, *SB 6211, CH 53
Contracts with CPAs, municipal audits: HB 1421, *SB 6210, CH 52

STATE CONVENTION AND TRADE CENTER (See CONVENTION AND TRADE CENTER)**STATE EMPLOYEES**

Child abuse reporting, employer to provide legal defense: *SB 6600, CH 87
Day care, supplemental capital budget: *SSB 6763, CH 2 E1
Disclosure of improper government activity, investigation prohibited if anonymous: HB 1719
Health care reform act of 1988: *SHB 2038, CH 107
Leave contribution program: SHB 1375
Moving expenses, payment regulated: SHB 90
Parking, market rates, capital budget: *SSB 6763, CH 2 E1
Productivity incentives, pilot project: HB 1906
Reporting of improper government activity to a legislator, protection for employee: SSB 5031
Salary overpayment, provisions to recoup: SHB 1700
Veterans preference for retired veterans modified: SSB 5292

STATE EMPLOYEES' INSURANCE BOARD

Brokerage services, supplemental operating budget: *SHB 1312, CH 289
Health care authority created, SEIB abolished: *SHB 2038, CH 107
Self-fund, self-insure, or other methods, authorization for all coverage except property and casualty: HB 1537

STATE ENERGY CODE (See ENERGY)**STATE INVESTMENT BOARD**

Investigation of state investments to plan for profitable in-state investment: SHB 1436, HB 1981, HB 1982

Profitable in-state investments required: SHB 1910

STATE LANDS (See also NATURAL RESOURCES; DEPARTMENT OF)

Aquaculture, regulation and study of floating aquaculture on state-owned lands: HB 1635

ATVs regulated, registration necessary to operate on public lands, safety instruction: HB 1311

Auction sale requirements, low-valued sand, gravel, exempt: *SHB 1562, CH 136

Communication site leases on state lands, reduced rental fees: *HB 1346, CH 209

Forest fires, priority for forest protection: *SB 6397, CH 273

Ham radio operators may lease state lands: SSB 5055

Indian tideland and river bed claims: SSB 5973

Resource management account loans, retire to the forest development account: HB 1406, *SB 6313, CH 70

STATE PATROL

Hazardous materials, transportation, state patrol advised by emergency management council: *HB 1492, CH 81

License fraud investigation: SHB 1860

Low-level waste inspection, surveillance fee to fund: SSB 6546

Memorial plaque committee created: SB 6197

Ports of entry, joint operation authorized: *SB 6296, CH 21

Radioactive materials and waste, transport regulated: HB 1434

STATE PRINTER (See also PRINTING)

Paper products, recycled paper products given priority: SSB 5376

STATE SEAL

Regulating use: *HB 1686, CH 120

STATE TREASURER

Bonds, excess earnings account, amounts owed to federal government: HB 1349, *SB 6245, CH 92

Commence term, 2nd Monday of January: HB 1335

STATUTE OF LIMITATIONS

Child sexual abuse: SHB 1494, *SSB 6305, CH 144

Invasion of privacy: HB 1712

Revisions, sexual offenses, other offenses: SB 6171

STEAMBOAT ROCK TRUST PROPERTY

DNR land, transferred to parks and recreation commission: *HB 1616, CH d.532988)

STORM WATER

Stormwater runoff, DOE to adopt state-wide standards for facilities: HB 1412

STREETS (See ROADS AND HIGHWAYS)**STRIKES (See LABOR RELATIONS)****SUNSET**

Applied technology institute: HB 1324

Asian-american affairs commission: *HB 1515, CH 288

Broker's trust account board: SHB 1324

Career executive program: *HB 1515, CH 11

Center for international trade in forest products: *HB 1515, CH 288

Columbia basin water availability study committee: *SHB 1382, CH 186

Criteria for sunset review revised, extending program: *HB 1531, CH 17

Development loan fund committee: *SHB 1382, CH 186

SUNSET—cont.

Disability accommodation advisory review board: SHB 1324
 Displaced homemaker program advisory committee: SHB 1324
 Dropout prevention task force: SHB 1324
 Economic development board: *SHB 1382, CH 186
 Emergency medical services committee: *HB 1515, CH 288
 Employee ownership advisory panel: *SHB 1382, CH 186
 Fire protection policy board: *SHB 1382, CH 186
 Future teacher's conditional scholarship planning committee: HB 1324
 Grain indemnity fund advisory committee: HB 1382
 Ground water management advisory committees: *SHB 1382, CH 186
 Human research review board: HB 1324
 Human rights commission: *HB 1515, CH 288
 IMPACT: *HB 1515, CH 11
 International education working committee: SHB 1324
 Joint center for higher education: SHB 1324
 Juvenile placement committee: HB 1324
 Land bank: SHB 1382
 Low-income housing assistance advisory committee: SHB 1324
 Marine employees' commission: SHB 1338
 Medal of merit committee: HB 1382
 Migratory waterfowl art committee: *SHB 1382, CH 186
 Minority and women's business enterprises office: SHB 20
 National guard: *HB 1515, CH 288
 Natural resources recreation advisory committee: *SHB 1382, CH 186
 Nursing home advisory council: *HB 1515, CH 288
 Psychology examining board: *HB 1515, CH 288
 Public works board: *SHB 1382, CH 186
 Revising sunset procedure: *HB 1531, CH 17
 Substance abuse advisory committee: SHB 1324
 Veterans affairs, department sunset removed: *HB 1354, CH 216
 Winter recreation commission: *SHB 1382, CH 186
 Wood stove advisory committee: *SHB 1382, CH 186

SUPERINTENDENT OF PUBLIC INSTRUCTION

AIDS curriculum development: 2SHB 1527, *2SSB 6221, CH 206
 AIDS, employee training: 2SHB 1527, *2SSB 6221, CH 206
 Business and job retention program duties: 2SSB 6277
 Capital budget, supplemental: *SSB 6763, CH 2 E1
 Commence term, 2nd Monday of January: HB 1335
 Counselors, elementary school counselor program: HB 1495
 Drug and alcohol prevention programs, liquor revolving fund: SSB 5070
 Early college entrance or transitional program, basic education money allocated to UW: SSB 6693
 Evaluation standards, time period to adopt extended: *HB 1695, CH 241
 Health and assessment services, pilot program: HB 725, SSB 5625
 Inventory of school facilities: SSB 5626
 Juvenile offenders, job search and employment skills prior to release: HB 1360
 Natural resources board, SPI designee: HB 1430
 Pay equity and job analysis assessment project: HB 178
 Supplemental budget, K-12 health education curriculum, including AIDS: *SHB 1312, CH 289
 Transfer of funds between programs depending on enrollment variations: HB 1359

SUPPLEMENTAL CAPITAL BUDGET

Adopted: *SSB 6763, CH 2 E1

SUPPLEMENTAL OPERATING BUDGET

Adopted: *SHB 1312, CH 289

SUPPLEMENTAL TRANSPORTATION BUDGET

Adopted: HB 1701, *SHB 1701, CH 283

SWINOMISH INDIANS

Criminal jurisdiction by tribe reestablished: SHB 1394, *SSB 6736, CH 108

TACOMA

Work release center, capital budget, supplemental: *SSB 6763, CH 2 E1

TARGETED JOBS PROGRAM

Appropriation: *SSB 6548, CH 84

TASK FORCES

Child care registration and licensing: HB 1659

Civil infractions: SSB 5083

CPS, identify youth sex offenders and victims of sex offenses under 12: HB 1678

Crime laboratory task force: SSB 5460

Entrepreneurial development: SSB 6276

Governor's task force on the homeless: SHB 1564

Juvenile code: HCR 4409

Low-income housing preservation: SHB 1601

Pacific fisheries task force established: HCR 4402

Schools, nonemployee related costs: HCR 4438

TAX APPEALS BOARD

Administrative revision: SSB 6495, *SHB 1754, CH 222

Appeal revisions, request for informal hearings: HB 1443, SSB 6246, *SHB 1754, CH 222

Tax referees: HB 1443, SSB 6246, *SHB 1754, CH 222

TAXES - ADMISSION

Spokane convention center, county admission tax: HB 2039

TAXES - BUSINESS AND OCCUPATION TAX

Agriculture, federal conservation reserve program, exempt: SHB 1696, *SSB 6512, CH 253

BIDCO, formation of corporations authorized: SHB 1358, HB 1981, HB 1982, 2SSB 6220

Child care, money received from DSHS or Indian organizations as compensation for care: HB 1734

Day care centers, deduction for certain expenses: SHB 1767

Deductions for amounts invested in industrial development corporations: 2SSB 5398

Employee benefits are not deductible: *SHB 1089, CH 67

National guard or military reservist employees, employer tax credit: HB 1738

Nonprofit organizations, money received for camping, conferences, and recreational services is tax exempt: SSB 6002

Nuclear fuel assembly, tax revision for manufacture and assembly: HB 1723

Radioactive waste, low level, rates reduced for processors, disposers, compactors: HB 1763

Recoverable products, tax credit to manufacturers: HB 1873

Seed capital investments, tax credit: HB 1960

Sheltered workshops, exemption expanded: *HB 1401, CH 13

Single rate of B & O tax: HB 1956

Tourism, public funds received by nonprofits is tax exempt: HB 429, SB 5521

Volunteer firefighters, tax credits for release of employees: HB 1488

TAXES - CREDITS AND DEFERRALS

Employee buyouts, credits and deferrals authorized: HB 1826

Excise tax deferral and credit programs for manufacturing, research, and development extended: HB 1891, HB 1892, SSB 6379, *SHB 1450, CH 41

Farm equipment purchases between farmers, use tax exempt: HB 1785

Gasohol, tax credit increased to encourage use of recyclable materials: SB 6650

TAXES - CREDITS AND DEFERRALS—cont.

National guard or military reservist employees, employer tax credit: HB 1738
 Seed capital investments, tax credit: HB 1960
 Tri-Cities diversification: *2SHB 1835, CH 42

TAXES - ESTATE AND TRANSFER TAX

Revisions: SB 6340, *HB 1371, CH 64

TAXES - EXCISE

Aquaculture, harvesting products raised and cultured as food crop: HB 1958
 Cities, tax for improvement and maintenance of streets and sidewalks: HB 1757

TAXES - GAMBLING

Video card games: HB 1947

TAXES - GENERAL

Administration revisions: SSB 6495, *SHB 1754, CH 222
 Admission tax, cities and towns, repealed: HB 1931
 Common carriers who cross state lines, tax revisions requested: SSJM 8012
 Concealed weapons, local jurisdictions violating duties, tax revenue consequences: HB 1908
 Indian tideland and river bed claims, impact of claims on employment, investment, and tax revenues: SSB 5973
 Tax legislation needs 2/3rds vote: HJR 4232

TAXES - INCOME

Age 70 1/2, still employed, retirement modified in response to federal tax reform act: *HB 1560, CH 59
 Federal, exempt tuition waivers: SJM 8026
 Idaho, exempt nonresident common carriers employees from income tax: SSJM 8013
 Idaho, tuition and fee reciprocity contingent on Idaho's income tax treatment of Washington residents: SB 5821

TAXES - INSURANCE

Deductions for amounts invested in industrial development corporations: 2SSB 5398
 Health care insurance pool, deductions from taxable premiums assessments paid for pool: HB 1990
 State employees' health insurance exempted from insurance premium tax: SSB 6391

TAXES - LIQUOR

Alcoholics housing assistance, county tax on spirits and beer: HB 1806
 County research bureau, association of counties to receive funds for bureau: HB 2002
 Revisions, increases: HB 1528

TAXES - MOTOR VEHICLE FUEL

Gasohol, tax credit increased to encourage use of recyclable materials: SB 6650
 Revisions: SHB 1037
 Special fuel reporting requirements, farmers, loggers exempt: HB 1500, *SSB 6399, CH 51
 Special fuel users, bonding requirements: *SB 6668, CH 122
 Special fuel users, report filing frequency revised: *SB 6667, CH 23

TAXES - MOTOR VEHICLES

Puget Sound ferries, additional tax extended: HB 1940, *SSB 6376, CH 191
 Special fuel reporting requirements, construction exempt: *SSB 6399, CH 51
 Study motor vehicle excise tax: *SSB 6376, CH 191

TAXES - PERSONAL PROPERTY

Head of family exemption increased: HJR 4222, *SHB 1370, CH 10
 Homes for the aged, eligibility conditions revised: HB 1819

TAXES - PERSONAL PROPERTY—cont.

Panorama City tax situation addressed: HB 1819

TAXES - PUBLIC UTILITIES

Deductions for amounts invested in industrial development corporations: 2SSB 5398

Electricity, ultimate consumer, purchaser acquiring energy for resale: HB 1881

Impacted area redefined: HB 1613

Privilege tax revisions, ultimate consumer: HB 1508

Public health, tax on utilities: HB 1959

TAXES - REAL PROPERTY (See also SCHOOLS)

Additional tax, limit, pension and relief obligations: HB 1420

Assembly halls and meeting places: SB 6292

Churches, tax exemption: HB 2018, SSB 5387

Consolidated tax levy rate, revisions: SSB 6430

Contracts between districts, governing bodies of affected districts notified: *SHB 1420, CH 274

Current use valuation for multi-unit buildings devoted to low-income housing: SHB 1604

Dances, music, property tax exemption modified: SSB 5345

Exemptions, current year tax cancellation for newly exempt property revised: *SHB 1373, CH 131

Historic property, valuation revised: HB 1755

Homes for the aged, eligibility conditions revised: HB 1819

Investment earnings, distribution and payment revised: SHB 1689

Levy reductions anti-incentive of future levy capacity consequences removed: *SHB 1420, CH 274

Low-income housing, lower property tax on buildings used for low-income housing: SB 5321

Mobile homes, additional tax to fund mobile home affairs office: HB 1673

Panorama City tax situation addressed: HB 1819

Real estate tax affidavit form, disclosure of division of parcel of land: SHB 1870

Senior and junior districts, rate revisions: *SHB 1420, CH 274

Senior citizens, medical expenses deducted from income determinations: HB 1410

Senior citizens, exemption limit raised: SB 5084

Spokane county convention center, real property excise tax may be imposed: HB 2039

Veterans' assistance, real property assessment: HB 1576

Waiver of 106% limit, provisions revised, redemption payments: HB 1718

TAXES - SALES

Agriculture, federal conservation reserve program, exempt: HB 1696, *SSB 6512, CH 253

Bazaars and rummage sales: HB 836, SHB 836

Clothing donated to low-income persons, sales tax exempt: SB 5355

Colleges and universities, use tax exemption, equipment obtained through inter-governmental loan or transfer: HB 1814, SSB 6561

Conservation reserve program, sales to person involved in are tax exempt: HB 1696, SHB 1696, *SSB 6512, CH 253

Donated property to schools and colleges, use tax exemption repealed: HB 1830

Equalization, base amount for distributions in 1989 is \$250,000, 1990 is \$300,000: HB 2036, SHB 2036

Equalization, sales and use tax equalization: HB 1644

Equipment donations to colleges and universities, use tax exempt: HB 1490

Farm equipment purchases between farmers, use tax exempt: HB 1785

Ferries, fuel purchased for marine use, sales and use tax exempt: SB 6192

Food, vendor sales, tax exemption revised for vendors required to have work permit: *HB 1507, CH 103

Homeless, shelter voucher programs exempt from state and local excise taxes: *SHB 1388, CH 61

TAXES - SALES—cont.

- Horticulture, sales and use tax exemption extended to agents and independent contractors: *SHB 1336, CH 68
- Hospitals, free, sales and use tax exemption: HB 1435
- Local sales and use tax: HB 1506 HB 1756
- Municipal buy down account: SSB 6430
- Nonprofit organizations, money received for camping, conferences, and recreational services, tax exempt: SSB 6002
- Nonresident exemption permits, revisions, proof of residency: *SHB 1680, CH 96
- Nonresidents, independent agents to issue exemption permits: HB 1681
- Personal property which is provided with an operator for charge, sales tax modified: SB 5241
- Real estate excise taxes, penalty for delinquent payment increased: SHB 1822
- Real estate tax affidavit form, disclosure of division of parcel of land: SHB 1870
- School construction, materials and labor sales tax exempt: HB 1715
- Spokane county convention center, county sales and use tax authorized: HB 2039
- Television/cable shopping, toll free numbers, use tax: HB 1505
- Trust fund accountability provided: SSB 5266

TAXES - WATERCRAFT EXCISE TAX

- Marine patrol services, distribution of tax, arbitration: *SHB 46, CH 261

TEACHERS (See SCHOOLS)**TECHNOLOGY**

- Joint select committee on technology transfer: HCR 4432
- Tri-cities, technology transfer from research base to local businesses: *2SHB 1835, CH 42

TELECOMMUNICATIONS

- Agreements with other companies, file within 30 days of execution: HB 1872
- Alternate operator services, provision of service without disclosure to consumers, deceptive trade practice: *SB 6745, CH 91
- Competitive service classification: HB 1645, HB 1983, HB 1985
- Information delivery services regulated: *HB 1796, CH 123
- Interference with telecommunication of public safety, misdemeanor: SSB 6565
- Legislative review by joint select committee on telecommunications, rates: HB 1984
- Regulation, maximum price/noncompetitive services, minimum price/competitive services: SHB 1268
- Shopping via telecommunications and toll free numbers, use tax: HB 1505
- 976 numbers, access regulated: SSB 6676, *HB 1796, CH 123

TELEPHONES

- Drugs, wire-tapping, one-party consent law changed: SSB 5070
- Exchange area boundaries, alteration, procedure: HB 1667
- Lifeline telephone service, eligibility based on property tax exempt status: HB 2034
- Telephone directories, sale regulated: HB 1521
- 976 numbers, access regulated: SSB 6676, *HB 1796, CH 123

THE EVERGREEN STATE COLLEGE

- Capital budget, supplemental: *SSB 6763, CH 2 E1
- Hydroelectric study to assess state responsibility: SSB 6036

THURSTON COUNTY

- Hotel/motel special tax: *HB 2057, CH 1 E1

TIMBER

- Criminal and civil penalties for hindering logging: HB 1888, *SSB 6195, CH 224
- Primary processing of logs harvested from state lands: HB 1901
- Resource management account loans, retire to the forest development account: HB 1406, *SB 6313, CH 70

TIMBER—cont.

Special fuel reporting requirements, farmers, loggers exempt: *SSB 6399, CH 51

TIPS

Wages only to extent reported for federal income tax: HB 1574, SB 6354, *HB 1396, CH 161

TOBACCO

Free sample distribution prohibited: HB 1452

Marketing standards, unfair and deceptive practices: HB 1935, HB 1977

Schools, students or staff may not use on school property: SB 6460

TONNAGE

Emergency vehicles exempt from permit purchase: HB 1426

Updating tonnage purchase revisions: *HB 1471, CH 55

TOURISM

Funds received by nonprofits, are exempt from B & O tax: HB 429, SB 5521

Joint legislative study on trade, tourism, and investment: SSCR 8432

TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF

Agricultural trade complex, capital budget: *SSB 6763, CH 2 E1

Business and job retention program, advisory committee, service delivery regions, survey: SHB 1438, HB 1891, HB 1892

Capital budget, supplemental: *SSB 6763, CH 2 E1

Capital projects office established to assist businesses in international competition: SB 5832

Employee involvement programs, labor relations, profit-sharing, stock ownership: HB 1828

Foreign trade, state trade fair fund: HB 744

Industrial development corporations: 2SSB 5398

International trade and investment information program established: SSB 6672

International trade leads program: HB 1437, HB 1981, HB 1982

Regional trade offices, establishing: HB 1496

Regulatory relief and reform act of 1987, DTED to study and recommend: HB 1018

Small business, improving regulatory fairness: SB 5831

Transportation benefit board, enhance cooperation between public and private sectors: SB 5731

TRAFFIC FATALITIES

Markers along highway: *SHB 1740, CH 98

TRAFFIC OFFENSES

Failure to comply with traffic infraction laws, accumulation of notices to appear:

*SSB 6252, CH 38

TRANSPORTATION, DEPARTMENT OF

Appropriation to alleviate negative impact of no federal funding: SSB 6020

Supplemental budget adopted: *HB 1701, CH 283

Maple street toll bridge, removing tolls, state ownership: SHB 859

Economic development considered in highway construction programs: HB 1843

Exchange of property, authority expanded, construction of improvements: *SHB 1469, CH 135

Future, transportation in the future symposium sponsored: HCR 4411

Relocation assistance and realty purchase policies expanded: *SB 6291, CH 90

Tandem-axle vehicles, revisions: *HB 1470, CH 6

Transportation benefit board, cooperation between public and private sectors: SB 5731

TRANSPORTATION IMPROVEMENT BOARD

Created, county, city, and WSDOT members: *SHB 1857, CH 167

TRAUMA CARE SYSTEM

Committee to study and design: *2SHB 1713, CH 183

TRI-CITIES

- Business and job retention team: *2SHB 1835, CH 42
- Economic diversification, implementation of priority goals: *2SHB 1835, CH 42
- Hanford plant closure disaster plan: SJM 8029
- Liability of appointees to emergency planning committees limited: *2SHB 1835, CH 42
- Military co-dependency examined: *2SHB 1835, CH 42
- Nuclear facilities, heat by-product for commercial industrial application: *2SHB 1835, CH 42
- Technology transfer from research base to local businesses: *2SHB 1835, CH 42
- Tourism, diversification of the area: *2SHB 1835, CH 42
- Washington state university, role in diversification process: *2SHB 1835, CH 42
- Wine, center for industry: *2SHB 1835, CH 42

TRUCKS/TRUCKING

- Garbage, hauling, containment required: SB 6511
- Identification on certain large trucks: *SHB 1672, CH 56
- Interstate trip permits: *SSB 6255, CH 138
- Legal loads from other states, border areas: *HB 1884, CH 229
- Tandem-axle vehicles, revisions: *HB 1470, CH 6
- Tonnage permits, emergency vehicles exempt: HB 1426
- Tonnage purchase revisions: *HB 1471, CH 55

TWIN FALLS TRUST PROPERTY

- DNR land, transferred to parks and recreation commission: *HB 1616, CH 79

UNCLAIMED PROPERTY

- Abandoned property held by counties, cities, and junior taxing districts: SB 6476
- Disposition of unclaimed personal property modified: *SB 5667, CH 132
- Museums and historical societies: *SSB 6332, CH 226

UNDERGROUND FACILITIES

- Revisions: *SSB 6703, CH 99

UNDERGROUND PETROLEUM STORAGE

- DOE study, methods of implementing program that meets or exceeds federal standards: SHB 1967
- Major revision, preempts all local laws, comprehensive cleanup program: HB 1967
- Owners and operators regulated: HB 1930
- Study, joint select committee: *SSB 6741, CH 215

UNEMPLOYMENT

- Employment, reemployment services, older unemployed and long-term unemployed: HB 1899
- First source contracts, employers encouraged to hire employed of prior employer: HB 1981, HB 1982
- Relocation, termination, or sale of businesses, employer obligations established: HB 1552
- Study of underemployment: 2SHB 1155

UNEMPLOYMENT COMPENSATION (See also WORK)

- Administrative rulings, applicability to other legal actions limited: HB 1771, *SB 6537, CH 28
- Agriculture labor: HB 655, HB 1772
- Catastrophe, employer liability limited: HB 1773, *SSB 6536, CH 27
- Experience ratings, revisions: HB 1924
- Hour reporting: HB 1913
- Labor dispute disqualifications revised, certain strikes or lockouts: HB 1417, *SB 6243, CH 83
- Marital status or domestic responsibilities, benefit requirements revised: HB 1454
- Multiple employers, provisions revised: SSB 5436
- Plant closures, experience rating accounts not charged: *SSB 6536, CH 27

UNEMPLOYMENT COMPENSATION—cont.

Predecessor-successor employer contribution rates, change of ownership: SB 5294

Retaliation by employer for employee claims prohibited: HB 36

Shared work benefits prohibited during labor dispute: HB 1774

UNIFORM COMMERCIAL CODE

Pharmacists, service not covered by implied warranty under UCC: HB 1856

Secured transactions, revisions: HB 1502

UNIFORM LAWS

Health care information act: HB 1847

Premarital agreement act: SB 5033

Seed law: SSB 6176

Uniform federal lien registration act: *SB 6563, CH 73

UNION STATION

Capital budget, supplemental: *SSB 6763, CH 2 E1

UNIVERSITY OF WASHINGTON

AIDS, center for education: 2SHB 1527, *2SSB 6221, CH 206

AIDS, supplemental operating budget: *SHB 1312, CH 289

Capital budget, supplemental: *SSB 6763, CH 2 E1

Center for participatory management established, labor-management goals: SHB 1780

Day care for employees: SSB 5682

Early entrance or transitional program, basic education money allocated UW by SPI: SSB 6693

Grade point average report required: HB 1380

Metropolitan tract, revenue bonds, capital projects: SB 5437

Natural resource disputes, committee for mediation created: SHB 12

URBAN ARTERIAL BOARD

Renamed transportation improvement board: SHB 1037

USS MISSOURI

Base in Bremerton: HJM 4046

UTILITIES

Banded tariff rates, electric services and natural gas: SSB 6438, *HB 1581, CH 166

Electricity, customer billings, tax breakdown required: *SSB 6342, CH 228

Electricity hookups by private contractors in first class cities: HB 1475, SSB 6263

Energy facility site evaluation, construction includes suspension of construction: SSB 5213

Privilege tax revisions, ultimate consumer: HB 1508

Public health, tax on utilities: HB 1959

Public utility and transportation corridors, revising authority: *SSB 5147, CH 16

Public utility billing errors, customer liability limited: SSB 5572

Radio communication services offered by districts: HB 1579

Rate reduction for low income disabled citizens: *SSB 6200, CH 44

UTILITIES AND TRANSPORTATION COMMISSION

Legislative review by joint select committee on telecommunications, rates: HB 1984

Passenger charter carriers, revisions, certificate required: *SB 5451, CH 30

Telecommunication company agreements with other companies, within 30 days of execution: HB 1872

Telecommunications competitive service classification, within 6 months of filing: HB 1985

VETERANS

Agent orange, study claims of veterans: HJM 4035

County veterans' assistance fund, authorized use of money modified: HB 1549

Department of veterans affairs, sunset removed: *HB 1354, CH 216

VETERANS—cont.

- Hunting and fishing licenses free for disabled veterans: SSB 5653
- Korean veterans memorial requested: HFR 4726
- Nursing care for indigent veterans, study: *HB 1354, CH 216
- Retired veterans, employment preference modified: SSB 5292
- Tax on real property for assistance, assessment increased: HB 1576

VICTIMS/WITNESSES OF CRIMES

- Benefit thresholds: SSB 5634
- Motor vehicle victims, compensation revisions: SSB 5634
- Reenactment of crimes, proceeds in escrow divided between perpetrator and crime victims fund: HB 1955, *SHB 1279, CH 155
- Restitution to victims, supervision by department: SHB 1279
- Rights, constitutional rights at criminal trials created: HJR 4228, SSJR 8228
- Rights of victims, survivors of victims, witnesses, established: HB 1747, SSB 6551
- Sexual, youth offenders, youth victims, task force: HB 1678
- Card games, taxed: HB 1947
- SSB 6506

VITAL RECORDS

- Abortions, fetal death, live birth: HB 2032
- Transmittal of registration by local registrar, revisions: SHB 1331

VOCATIONAL EDUCATION

- Apprenticeship program instructors, certification: SSB 6160
- BA and MA degree equivalency standards for certification: SSB 6160
- Business and job retention program, DTED, advisory committee, service delivery regions, survey: SHB 1438, HB 1891, HB 1892
- Competitive bidding, exemptions in cases of sole source suppliers: HB 1786
- Dormitories authorized: HB 1799
- Educational services office created, vocational education advisory board established: SHB 451
- Supplemental program instructors, certification: SSB 6160

VOCATIONAL REHABILITATION

- Workers' compensation benefit payments, voc-rehab plans: HB 1540

VOLUNTEER FIRE FIGHTERS

- DNR liability limited: SSB 5311

VOLUNTEERS

- Center of voluntary action, provide AIDS information: 2SHB 1527, *2SSB 6221, CH 206
- Firefighters, tax credits for release of employees: HB 1488
- Senior citizen volunteers in schools: SHB 1481
- Sports, liability standards: HB 1922

VOTING

- Absentee ballot requests, confidentiality: HB 1943
- Felons, definitions and provisions revised: HB 1816
- Registration by mail: SHB 554
- Registration periods, revisions: SHB 22
- Registration programs in high schools: SHB 804
- Write-in voting procedures revised, declarations of candidacy: *HB 1341, CH 181

WAGES (See also PREVAILING WAGE)

- Chore services, hourly unit rate increased: HB 1583
- Minimum wage, increased \$3.35: SB 6674
- Minimum wage, state minimum wage increased, age thresholds revised: HB 1544
- Minimum wage, federal poverty level: SHB 709
- Tips, wages to extent reported for federal income tax: HB 1574, SB 6354, *HB 1396, CH 161

WALLA WALLA COUNTY

Assistance for impact of penitentiary: HB 1427

WALLACE FALLS TRUST PROPERTY

DNR land, transferred to parks and recreation commission: *HB 1616, CH 79

WARRANTIES

Mobile homes, enforcement of installation and service standards: SHB 1566, *SHB 1690, CH 239

Pharmacists, service not covered by implied warranty under UCC: HB 1856

WASHINGTON RESEARCH FOUNDATION

Budget: *SHB 1312, CH 289

WASHINGTON SCHOLAR'S AWARD

Private school attendance, allowed: SHB 1800, *SSB 5558, CH 210

WASHINGTON SCHOLARS PROGRAM

Supplemental operating budget: *SHB 1312, CH 289

WASHINGTON STATE UNIVERSITY

Construction budget, fine arts building: *SSB 6763, CH 2 E1

Grade point average report required: HB 1380

Prosser well: *SSB 6217, CH 137

Rainier farm: *HB 1813, CH 57, SB 6562

Tri-Cities diversification: *2SHB 1835, CH 42

Wine and grape research, liquor revolving fund: SSB 5070

WASTE

Household waste reduction, educational materials: SHB 1784, *SSB 6446, CH 175

Reduction, office of waste reduction created: *SHB 1340, CH 177

WASTE DISPOSAL

Boaters, oil dump and holding tank information provided: SHB 1391

Environmental excellence awards for solid waste reduction and recycling: SB 6265

Hauling, containment required: SB 6511

Hazardous materials, land disposal: HB 1328

Hazardous wastes, storage protection during hazardous lifetimes: HB 1865

Incineration, operator certification: SHB 1670

Incinerator siting, new solid waste burners and energy recovery facilities, regulating: SHB 1569

Incinerators, record retention: HB 1636

Incinerators, report on air quality issues, ash residue problem, recycling, siting moratorium: HB 1623

Infectious wastes, management report required: *SSB 6264, CH 171

Radioactive materials and waste, transport regulated: HB 1434

Site application review by local health authorities: HB 1697

Tires, management of waste tires: *SB 6720, CH 250

WASTE EXCHANGE

Business assistance center to coordinate delivery of programs: HB 1687

DOE, implement exchange program for solid waste: SHB 332, HB 2001

WATER

Domestic water suppliers, delinquent, receivership, provisions: SSB 5599

Efficiency study: 2SSB 6380, *SHB 1594, CH 45

Emergencies, providing for water supply emergencies: HB 1732, *2SSB 6513, CH 46

Violations of water pollution statutes, class C felony: HB 516

Water filtration devices, sale regulated: HB 1832

Water resource policies, DOE's authority revised: *2SSB 6724, CH 47

Wells, rule-making authority to DOE: HB 1526

WATER DISTRICTS (See also IRRIGATION DISTRICTS)

Annexation, territory within the county or counties: HB 1510, SHB 1510
 Fluoridation authorized: *HB 1514, CH 11
 Revisions: *SHB 1511, CH 162
 Treasurers, designated treasurer's restrictions: SHB 1628, *SHB 1511, CH 162

WATER POLLUTION CONTROL FACILITIES

Capitalization grants from federal government for financing: SHB 1326, *2SSB 6235, CH 284
 Water pollution control revolving fund: SHB 1326, *2SSB 6235, CH 284

WATER QUALITY

Agriculture, nonpoint activity, procedures to investigate and remedy: SHB 543
 Drinking water, DOE authority: HB 1327, *SSB 6238, CH 279
 Estuary program, DOE authority jointly with PSWQA: *HB 1325, CH 220
 Federal clean water act, DOE authority: *HB 1325, CH 220
 Saltwater net pens, demonstration and study by DNR: SSB 5122
 Violations of water pollution statutes, class C felony: HB 516
 Water resource policies, DOE's authority revised: *2SSB 6724, CH 47

WEEDS

Lakes, jurisdiction for weed control, superior court: *HB 1278, CH 133

WESTERN WASHINGTON UNIVERSITY

Capital budget, supplemental: *SSB 6763, CH 2 E1
 Distinguished faculty award: HB 2005, *2SHB 1640, CH 125

WHISTLEBLOWERS

Prohibiting investigation of anonymous disclosures of improper government action: HB 1719
 Protection given to employees reporting improper activity to legislators: SSB 5031

WILDLIFE

Arctic national wildlife refuge coastal plain opened to exploitation: SJM 8015
 Capital budget, supplemental: *SSB 6763, CH 2 E1
 Captive wildlife, private ownership: SHB 1226, HB 1598
 Endangered species conservation act: 2SHB 210, SHB 1451
 Fishing derbies, juvenile contests, contest license fee: HB 1614
 Guides and outfitters, registration required: HB 1932
 Hydraulic permits, agriculturally related stream stabilization projects, revisions: HB 1996, *SSB 6024, CH 272
 Licenses, certain fish licenses on one form: SHB 1871
 Lower Columbia recreational fishing area clarified: SB 6572
 Migratory waterfowl art committee, sunset: *SHB 1382, CH 186
 Obstructing the taking of fish or wildlife, unlawful: *SB 6480, CH 265
 Propagation of big game animals, trophy hunting: SHB 1226
 Propagation reserves to replace domestic animals or field crops as a source of income: HB 1597
 References revised: *SB 6375, CH 36
 Steelhead, limited \$5 punchcard: SB 6259
 Trapping prohibited on private property without written permission: SB 5938
 Trophy fishing management of streams: SHB 1226
 Trophy trout program at Mossyrock: *SHB 1312, CH 289
 Wildlife management on private lands: SHB 1167

WILLS

Technical corrections, revisions: *HB 1504, CH 29

WINE

Research, liquor revolving fund: SSB 5070
 Tri-cities, wine industry evaluated: *2SHB 1835, CH 42
 Vinifera grape growers' assessment implemented: *SSB 6178, CH 257

WINE COMMISSION

Director, ex officio nonvoting member: *SSB 6344, CH 254

Industry member, nonvoting member: *SSB 6344, CH 254

WIRETAPPING (See ONE-PARTY CONSENT/WIRETAPPING)**WITNESSES**

Child sex abuse, child's testimony: SHB 1534, SSB 6506

Crimes, reporting requirements revised to include CPS: SSB 6172

Rights of victims, survivors of victims, witnesses, established: HB 1747, SSB 6551

Sexual offenses and child assault, reporting revised: SSB 5065

WOOD STOVES

Advisory committee, sunset: *SHB 1382, CH 186

Opacity limitations revised: *SSB 6603, CH 106

WORK

Agriculture labor market information collection: HB 1727, SHB 1727

Agriculture worker solicitation prohibited by apple commission: HB 1699

AIDS, discrimination allowed: HB 2022

Dislocated workers, funding program to assist: HB 1920

Drug and alcohol testing limited: HB 1876, SHB 1876

Economic stabilization matching fund to prevent closure of industrial facilities: HB 1827

Employee buyouts, credits and deferrals authorized: HB 1826

Employee involvement programs, labor relations, profit-sharing stock ownership, etc.: HB 1828

Employment, reemployment services, older unemployed and long-term unemployed: HB 1899

Hanford plant closure disaster plan, retraining: SJM 8029

Immigration, worker documentation certification: HB 1777, SSB 6294

Labor market computer information system: HB 1775, SSB 6538

Layoffs and closures, study and monitor: HB 1981, HB 1982

Medical interns and residents, hours of labor regulated: HB 1458

Plant closures, federal legislation requiring advance notice urged: HJM 4044

Relocation, termination, or sale of businesses, employer obligations established: HB 1552

Reporting to work, given less time, partial pay required: SSB 6568

Smoking pollution control act: SHB 13

Twenty-four hour operations, franchises to maintain safety: SHB 1717

Underemployment studies: 2SHB 115, HB 1981, HB 1982

Workforce training and retraining, joint select committee: SCR 8431

WORKERS' COMPENSATION (See also SELF-INSURANCE)

Amputation, calculation: HB 1662

Appeals, fees payable specified: HB 1664

Apprentices, benefits, use actual wage rate: HB 1591, *SB 6396, CH 140.

Asbestos-related diseases, benefits: *SHB 1592, CH 271

Bad faith conduct by employers defined, damages: HB 1609

Benefits, minimum and maximums established: HB 1574, *HB 1396, CH 161

Child support owing, lien, calculation modified: HB 1574

Claim filing, valid or enforceable, revisions: HB 1662

Death benefits, adjustment of rate: *HB 1396, CH 161

Industrial insurance reserve fund, standing: HB 1398

Injured worker and gainful employment, priorities revised, modification of a new job: HB 1399, *HB 1396, CH 161

Lapse or reversion of funds, preventing dividends and premiums from doing so, incentive for accident prevention: HB 1395

Medical examinations for permanent disabilities: *SHB 1170, CH 114

Medical examinations, claimant's representative at exam: SSB 6625

Medical expenses, prompt payment by self-insurers: HB 1610

WORKERS' COMPENSATION—cont.

- Occupational diseases, rate of compensation, established: HB 1574, SHB 1592, *HB 1396, CH 161
- Part time or intermittent, determination of monthly wage: *HB 1396, CH 161
- Permanent partial disability, maximum, exceptions deleted: *HB 1396, CH 161
- Rate adjustments: HB 1400
- Release of medical information, department discretion eliminated: SB 5343
- Reopening claims, revisions: HB 1663, *HB 1396, CH 161
- Safety training program, premium adjustments: HB 1926
- Self-insured employers' funds, reimbursement for payments, state benefits applicable: SB 5788
- Self-insurers, physicians on panels to make reports to L & I: HB 1489
- Social security offset eliminated: HB 1625
- Statute of limitations, revisions: HB 1662
- Temporary total disability benefits, voc-rehab plans: HB 1540
- Temporary total disability payments, lost, payment provided for: SSB 6411
- Temporary total disability, when employment is gainful: HB 1661
- Tips are wages only to the extent reported for federal income tax: HB 1574, SB 6354, *HB 1396, CH 161
- Total disability payments, injury results in being able to do only special work: HB 1682
- Wages, determination in fair and reasonable manner: *HB 1396, CH 161
- Wages, includes consideration received from the employer as part of the contract of hire: HB 1574, *HB 1396, CH 161
- Wages, seasonal or part-time employment, determination of monthly wage: *HB 1396, CH 161

WPPSS

- Energy facility site evaluation, construction includes suspension of construction: SSB 5213
- Energy facility site evaluation, federal facilities, compliance with substantive state siting standards: SSB 5372

YAKIMA

- Agricultural trade complex, capital budget: *SSB 6763, CH 2 E1

YAKIMA COUNTY

- Judges, additional superior court judge: *SSB 6742, CH 66

YAKIMA GREENWAY

- Capital budget: *SSB 6763, CH 2 E1

YOUTH EMPLOYMENT

- Conservation corps: HB 1952
- Youth employment exchange, private sector training and opportunities, internships: HB 1653

20:20 COMMISSION

- Budget: *SHB 1312, CH 289
- Established: HB 1593

911

- Funding modified: HB 1893

976 PHONE NUMBERS

- Access regulated: SSB 6676, *HB 1796, CH 123

